No. 2

Part 2
LAWS AND REGULATIONS

10 January 2024 / Volume 156

Summary

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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3. Publication of a document in Partie 1:
$2,03 per agate line.

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$1.35 per agate line.

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PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

QUÉBEC, 6 DECEMBER 2023

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 6 December 2023

This day, at half past three o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bills:

38 An Act to amend the Act respecting the governance and management of the information resources of public bodies and government enterprises and other legislative provisions

43 An Act respecting Apostilles for documents to be produced in a foreign State party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.

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PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

Québec, 7 december 2023

Office of the Lieutenant-Governor

Québec, 7 December 2023

This day, at twenty-five past two o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

40 An Act mainly to reform municipal courts and to improve the justice system's efficiency, accessibility and performance

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.

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NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION FORTY-THIRD LEGISLATURE

Bill 38
(2023, chapter 28)

An Act to amend the Act respecting the governance and management of the information resources of public bodies and government enterprises and other legislative provisions

Introduced 1 November 2023
Passed in principle 22 November 2023
Passed 5 December 2023
Assented to 6 December 2023

Québec Official Publisher
2023

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EXPLANATORY NOTES

This Act makes various amendments to the Act respecting the governance and management of the information resources of public bodies and government enterprises and to the Act respecting the Ministère de la Cybersécurité et du Numérique.

The Act specifies, in particular, that the Minister of Cybersecurity and Digital Technology is to assume the leadership of the Public Administration's digital transformation and cybersecurity. The Act also tasks the Minister with ensuring that government actions are cohesive and concordant in matters of cybersecurity and digital technology and provides that the Minister must take part in the development of measures and in ministerial decisions in these areas. With regard to public bodies, the Act expressly establishes their obligation to apply the guidelines, strategies, policies, standards, directives, rules and application instructions made under the Act respecting the governance and management of the information resources of public bodies and government enterprises and provides that responsibility for ensuring that this obligation is complied with is incumbent on the body's most senior officer.

The Act assigns to the Minister the responsibility for proposing to the Government a portfolio of priority information resource projects in order to establish government priorities as regards public bodies' digital transformation initiatives. The Act provides that public bodies responsible for the projects included in the government priorities must give priority to carrying out those projects. Furthermore, the Minister is empowered to make a directive whose purpose is, among others, to establish rules to ensure centralized governance of priority projects portfolio management, including the follow-up of such projects. Such a directive must be approved by the Government.

The Act also provides for various measures to enhance and standardize information security practices. To that end, the Act empowers the Minister to make an order setting out the obligation for any public body the Minister designates to call on the services of the Minister to carry out cybersecurity activities. The Minister is also empowered, in certain circumstances, to order a public body to remove from its infrastructures or from its systems any software, application or other information asset that the Minister determines.

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In addition, the Act authorizes the Government to provide, on the joint recommendation of the Minister and the minister responsible for the administration of the Act governing a government enterprise, that all or part of certain provisions of the Act respecting the governance and management of the information resources of public bodies and government enterprises relating to information security apply to such an enterprise.

The Act also makes the Minister responsible for providing public bodies with the certification, directory and electronic signature services that the Government determines by order. In particular, the Act provides that such an order may, for the purposes of its implementation, transfer to the Minister a public body's information assets as well as the resulting obligations. The Act also provides that the Minister may provide any other information resource service to meet a specific need of a public body.

Moreover, the Act enables the Government to authorize the implementation of a pilot project aimed at studying, testing or innovating in the areas of cybersecurity or digital technology, or at defining standards applicable in those areas. It also replaces the obligation, for a public body designated as an official source of government digitial data, to obtain the approval of the Commission d'accès à l'information du Québec for the rules that the body must establish for its governance in respect of personal information by an obligation to transmit such rules to the Commission.

Lastly, the Act makes certain consequential amendments to the Act respecting the Ministère de la Justice and contains miscellaneous, transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

– Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03);

– Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1);

– Act respecting the Ministère de la Justice (chapter M-19).

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Bill 38

AN ACT TO AMEND THE ACT RESPECTING THE GOVERNANCE AND MANAGEMENT OF THE INFORMATION RESOURCES OF PUBLIC BODIES AND GOVERNMENT ENTERPRISES AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE GOVERNANCE AND MANAGEMENT OF THE INFORMATION RESOURCES OF PUBLIC BODIES AND GOVERNMENT ENTERPRISES

1. Section 5 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended by adding the following paragraph at the end:

"It may also, on the joint recommendation of the Minister of Cybersecurity and Digital Technology and the minister responsible for the administration of the Act governing a government enterprise referred to in section 4, determine that all or part of the provisions of Chapter II.2, of the provisions of any regulation made under section 22.1.1 or of the guidelines, strategies, policies, standards, directives, rules or application instructions related to information security made under this Act apply to such an enterprise, on the conditions it determines."

2. The Act is amended by inserting the following section after section 5:

"**5.1.** A public body must apply the guidelines, strategies, policies, standards, directives, rules and application instructions made under this Act.

The responsibility for ensuring that that obligation is complied with is incumbent on the chief executive officer of the public body, who must take measures to make the obligation known to the body's personnel members and to ensure that they comply with it.

For the purposes of this Act, the chief executive officer of the public body is the person having the highest administrative authority, such as the deputy minister, the president, the director general or any other person responsible for the day-to-day management of the body. However, in the case of a public body referred to in subparagraph 4 or 4.1 of the first paragraph of section 2, the chief executive officer of the body is the board of governors or, in the case of a school board governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), the council of commissioners.

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3. Section 8 of the Act is amended by striking out the third paragraph.

4. The Act is amended by inserting the following sections after section 12.5:

"**12.5.1.** The Minister may, by order, set out the obligation for a public body the Minister designates to call on his or her services to carry out cybersecurity activities, according to the conditions and procedures determined by the Minister.

"**12.5.2.** The Minister may, by any means, and for the purpose of supporting a public body if a breach or risk of a breach referred to in the second paragraph of section 12.2 occurs, order the body to remove from its infrastructures or from its systems any software, application or other information asset that the Minister determines.

The power provided for in the first paragraph may only be exercised in either of the following cases:

(1) the Minister considers that urgent action is immediately required in the area of cybersecurity or that there is a risk of irreparable harm to an information resource or to information under the responsibility of the public body concerned; or

(2) the Minister considers that urgent action is required within a short period of time in the area of cybersecurity.

In the case provided for in subparagraph 2 of the second paragraph, the Minister may exercise the power provided for in the first paragraph only following thorough and documented verification. In addition, the Minister may not exercise such a power without there first being a consultation between the government chief information security officer and the deputy chief information security officer attached to the body and without notifying the chief executive officer of the public body concerned beforehand of the Minister's intention to do so."

5. Section 12.6 of the Act is amended by inserting the following paragraph after paragraph 4:

"(4.1) making tools and best practices in that area available to public bodies and informing the Minister of the results observed;".

6. Section 12.8 of the Act is amended by inserting ", in accordance with the guidelines defined by the Minister concerning digital transformation initiatives" after "must" in the first paragraph.

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7. The Act is amended by inserting the following sections after section 12.8:

"**12.8.1.** Each year, the Minister proposes to the Government, within 60 days after the investment and expenditure plan for the information resources of public bodies referred to in section 16.1 is tabled in the National Assembly, a portfolio of priority information resource projects in order to establish government priorities as regards public bodies' digital transformation initiatives.

Subject to obtaining the authorizations required in accordance with this Act, a public body must give priority to the carrying out of any project included in the government priorities and for which the body is responsible.

The Minister may make a directive specifying guidelines regarding prioritization criteria for public bodies' information resource projects and establishing rules to ensure centralized governance of priority projects portfolio management, including as regards project follow-up.

A directive made under this section must be approved by the Government and is applicable on the date specified in the directive. Once approved, the directive is binding on the public bodies concerned and the rules it establishes apply to those bodies in addition to the rules already applicable to them under this Act, in particular as regards reporting and audits.

"**12.8.2.** The Minister presents to the Government, at the time the Minister considers appropriate, a consolidation of the progress reports on the information resource projects of public bodies included in the portfolio of priority projects."

8. Section 12.9 of the Act is amended

(1) by inserting the following paragraph after paragraph 3:

"(3.1) keeping up to date a consolidation of the progress reports on the information resource projects of public bodies included in the portfolio of priority projects;";

(2) by striking out paragraph 5.

9. Section 12.12 of the Act is amended by inserting the following subparagraph after subparagraph 8 of the first paragraph:

"(8.1) proposing strategies to the Minister to foster an open government approach and seeing that they are implemented; and".

10. Section 12.16 of the Act is amended

(1) by replacing "have the rules approved by" in subparagraph 2 of the first paragraph by "send them to";

(2) by striking out the last sentence of the second paragraph.

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11. Section 19 of the Act is amended by adding the following paragraph at the end:

"The Minister assumes the leadership of the Public Administration's digital transformation and cybersecurity."

ACT RESPECTING THE MINISTÈRE DE LA CYBERSÉCURITÉ ET DU NUMÉRIQUE

12. Section 2 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1) is amended by inserting the following paragraph after the first paragraph:

"The Minister must, in the areas of cybersecurity and digital technology, ensure that government actions are cohesive and concordant and must, to that end, take part in the development of measures and in ministerial decisions in those areas, and give an opinion whenever the Minister deems it appropriate."

13. Section 4 of the Act is amended

(1) by inserting ", the conditions for their use, including the responsibilities of the Minister and of users" after "extent" in the third paragraph;

(2) by adding the following paragraph at the end:

"The Minister may provide any other information resource service to a public body to meet a specific need of such a body, where the latter so requests."

14. The Act is amended by inserting the following section after section 5:

"**5.1.** The Minister provides public bodies with certification services, including the related directory services, and the electronic signature services that the Government determines.

An order made under the first paragraph determines the services covered, the terms and conditions under which they are to be provided, and the cases in which and conditions on which a public body is required to call on those services to meet its needs. The order may authorize the Minister to delegate certain functions relating to such services to a public body. To enable its implementation, the order may also provide for the transfer to the Minister of a public body's information assets as well as of the resulting obligations.

Where an order made under the first paragraph concerns certification and directory services, it must contain the policy statement provided for in section 52 of the Act to establish a legal framework for information technology (chapter C-1.1)."

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15. Section 7 of the Act is amended by replacing "section 4 and" by "sections 4 and 5.1 as well as".

16. The Act is amended by inserting the following section after section 10:

"**10.1.** The Government may authorize the Minister to implement a pilot project aimed at studying, testing or innovating in the areas of cybersecurity or of digital technology, or at defining standards applicable in those areas. Such a project may involve public bodies or government enterprises within the meaning of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03), any other enterprise, or individuals.

In compliance with the applicable legislative provisions, in particular regarding the protection of personal information and of privacy, the Government determines the standards and obligations applicable within the scope of a pilot project. It also determines the monitoring and reporting mechanisms applicable within the scope of a pilot project.

A pilot project is established for a period of up to three years which the Government may extend by up to one year. The Government may modify or terminate a pilot project at any time.

The results of a pilot project are to be published on the website of the Ministère de la Cybersécurité et du Numérique not later than one year after the end of the pilot project."

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

17. Section 32.1 of the Act respecting the Ministère de la Justice (chapter M-19) is amended by striking out "the certification required to ensure the security of electronic exchanges involving the Government, government departments and government bodies, within the scope of functions delegated pursuant to section 66 of the Public Administration Act (chapter A-6.01), or" in paragraph 2.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

18. The Directive sur les services de certification offerts par le gouvernement du Québec (French only) approved by Order in Council 6-2014 dated 15 January 2014 ceases to have effect on the coming into force of an order made under section 5.1 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1.), enacted by section 14 of this Act, for the same purpose.

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19. Any public body designated to act as an official source of government digital data in accordance with an order made under section 12.14 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) may exercise its function as a source once it has complied with the obligations set out in section 12.16 of that Act, as amended by section 10 of this Act.

20. The provisions of this Act come into force on 6 December 2023, except those of section 17, which come into force on the date to be set by the Government.

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NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION FORTY-THIRD LEGISLATURE

Bill 40
(2023, chapter 31)

An Act mainly to reform municipal courts and to improve the justice system's efficiency, accessibility and performance

Introduced 9 November 2023
Passed in principle 30 November 2023
Passed 7 December 2023
Assented to 7 December 2023

Québec Official Publisher
2023

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EXPLANATORY NOTES

This Act amends the Courts of Justice Act to create a new part about municipal judges, their appointment and their assignment. Municipal judges will, from now on, exercise their functions on an exclusive basis and will be entitled to the same salary, pension plan and other social benefits as the municipal judges who currently exercise their functions on an exclusive basis.

The Act creates the office of chief municipal judge, under whose authority the municipal judges are placed.

The Act divides Québec into four coordinating regions and provides for the appointment of coordinating judges and, where applicable, associate coordinating judges.

The Act amends the Act respecting municipal courts to make it consistent with the new part of the Courts of Justice Act.

The Act introduces the option to partition the benefits accumulated by a judge under a pension plan when the latter and his or her spouse cease to live together while they were not married or in a civil union, and specifies the related terms and conditions.

The Act empowers municipalities to institute penal proceedings in connection with any offence under the Act respecting municipal taxation.

The Act empowers the Government to declare functions or an office or employment incompatible with the functions of an attorney acting for the prosecution in criminal or penal proceedings.

The Act increases the powers of the Director of Criminal and Penal Prosecutions to allow the Director to see that the instructions he or she establishes for the prosecutors are complied with.

The Act enacts the Act respecting monetary administrative penalties in municipal matters, whose purpose is to allow and to regulate the establishment of a system of monetary administrative penalties by a municipal body.

Lastly, the Act contains transitional provisions and one final provision.

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LEGISLATION ENACTED BY THIS ACT:

– Act respecting monetary administrative penalties in municipal matters (2023, chapter 31, section 68).

LEGISLATION AMENDED BY THIS ACT:

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

– Act respecting the Barreau du Québec (chapter B-1);

– Act respecting municipal courts (chapter C-72.01);

– Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1);

– Act respecting municipal taxation (chapter F-2.1);

– Act respecting the Ministère de la Justice (chapter M-19);

– Notaries Act (chapter N-3);

– Public Health Act (chapter S-2.2);

– Courts of Justice Act (chapter T-16).

REGULATION AMENDED BY THIS ACT:

– Municipal Courts Regulation (chapter C-72.01, r. 1.1).

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Bill 40

AN ACT MAINLY TO REFORM MUNICIPAL COURTS AND TO IMPROVE THE JUSTICE SYSTEM'S EFFICIENCY, ACCESSIBILITY AND PERFORMANCE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

AMENDING PROVISIONS

COURTS OF JUSTICE ACT

1. Sections 5.3 and 5.3.1 of the Courts of Justice Act (chapter T-16) are repealed.

2. Section 85 of the Act is amended by replacing "four" by "three".

3. Section 90 of the Act is amended, in the first paragraph,

(1) by replacing "," after "the senior associate chief judge" by "and";

(2) by striking out "and an associate chief judge responsible for municipal courts".

4. Section 98 of the Act is amended by striking out the third paragraph.

5. Section 101 of the Act is amended

(1) by striking out "either" after "exercise the functions of the associate chief judge,";

(2) by striking out ", or a judge of the Court of Québec in the case of an associate chief judge responsible for municipal courts".

6. Section 122 of the Act is amended, in the fourth paragraph,

(1) by replacing "or 175" by ", 175 or 199, as the case may be";

(2) by inserting "or, in the case of the office of chief municipal judge, if the judge has held such an office for at least five years" after "seven years";

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(3) by inserting "coordinating municipal judge, associate coordinating municipal judge," after "associate coordinating judge,".

7. Section 122.1 of the Act is amended by inserting the following sentence after the first sentence: "Benefits accumulated under the same plan while a judge or a former judge and his or her spouse of the opposite or the same sex who meets the conditions set out in paragraph 2 of section 224.14 were living together may be partitioned when they cease to live together."

8. Section 122.3 of the Act is amended by replacing "judges of the Municipal Courts" and "each municipality, respectively" in the second paragraph by "municipal judges" and "the municipalities, in accordance with the regulation made under section 86.1 of the Act respecting municipal courts (chapter C-72.01)", respectively.

9. The Act is amended by inserting the following Part after section 182:

"**PART III.2**

"MUNICIPAL JUDGES

"**183.** Municipal judges are appointed by the Government, by a commission under the Great Seal, during good behaviour.

Sections 87 to 88.1, 92.1 to 93.1, 95, 113, 118 to 121, 122 to 122.3, 127 and 129 to 134 apply, with the necessary modifications, to municipal judges and their appointment. Among the modifications, the functions devolved to the chief judge are exercised by the chief municipal judge with regard to the municipal judges.

Furthermore, section 118 is modified so that the reference to section 115 is replaced by a reference to section 199 with regard to municipal judges.

"**184.** Before taking office, municipal judges must make the oath prescribed in Schedule II before the chief municipal judge.

"**185.** Every judge has jurisdiction throughout Québec over all matters under the jurisdiction of a municipal court, whatever the court to which he is mainly assigned.

The judge is *ex officio* a justice of the peace for the purposes of the Acts of the Parliament of Canada conferring jurisdiction on him in such respect.

"**186.** The notice of appointment of a judge shall determine the municipal court to which he is mainly assigned and his place of residence.

"**187.** Any modification to the notice of appointment of a municipal judge concerning the municipal court to which he is mainly assigned or concerning his place of residence shall be decided by the Government on the recommendation

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of the chief municipal judge. The Government may make such a decision only if the period prescribed in section 189 for filing an appeal is expired or, where an appeal is filed, if the recommendation of the chief municipal judge is confirmed.

"**188.** No recommendation under section 187 may be made unless the judge concerned consents to such modification to his notice of appointment or unless the chief municipal judge considers that the circumstances so require; in the latter case, the judge concerned must have been given the opportunity to present his views in that respect.

"**189.** The chief municipal judge who makes a recommendation under section 187 shall notify the judge concerned. The latter may, within 15 days, appeal to the Conseil de la magistrature, which may confirm or quash the recommendation.

"**190.** Municipal judges are under the authority of the chief municipal judge whom the Government appoints, by a commission under the Great Seal, from among the municipal judges.

"**191.** The term of office of the chief municipal judge is five years and cannot be renewed.

However, despite the expiry of his term, the chief municipal judge shall remain in office until he is replaced.

A chief municipal judge who has held the office for at least five years is entitled to a leave of absence with pay to be devoted to studies, research or any other legal activity compatible with the judicial function. The leave of absence is three months.

The office of chief municipal judge is added to the office of puisne judge who must continue to sit in the municipal court to which he is assigned or that he assigns himself to.

"**192.** The chief municipal judge has the direction of the municipal courts.

As such, his functions, in addition to the functions conferred by the Act respecting municipal courts (chapter C-72.01), include

(1) to coordinate, apportion and supervise the work of the judges with a view to efficient and diligent justice; judges must comply with the chief municipal judge's orders and directives, meet the performance objectives of the municipal courts and consider the needs of municipalities and of individuals before the courts;

(2) to ensure that municipalities' needs are taken into consideration when assigning judges, preparing the rolls and scheduling the sittings;

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(3) to establish, concurrently with the municipal judges, general policies applicable to them and to ensure that the policies are respected;

(4) to see that such regulations as are necessary for the exercise of the jurisdiction of the municipal courts are adopted and to supervise their application;

(5) to ensure that judicial ethics are observed;

(6) to promote the professional development of municipal judges in collaboration with the Conseil de la magistrature; and

(7) to provide support to municipal judges in their efforts to improve the operation of the municipal courts.

"**193.** For the purposes of this part, Québec is divided into four coordinating regions, defined in Schedule VI.

The Minister of Justice may, by regulation, amend Schedule VI.

Despite sections 11 and 17 of the Regulations Act (chapter R-18.1), the regulation may be made after the expiry of 15 days from the publication of the draft regulation in the *Gazette officielle du Québec* and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation.

"**194.** The Government shall, after consultation with the chief municipal judge, designate from among the municipal judges a coordinating judge for each of the coordinating regions and shall fix the term of office of each of them.

The term of office of a coordinating judge shall not exceed three years but may be renewed until the total term of office reaches six years.

A coordinating judge shall remain in office, despite the expiry of his term of office, until he is replaced or designated for another term.

The Government shall designate from among the coordinating judges the judge who, if the chief municipal judge is absent or unable to act, is to exercise the functions of the chief municipal judge until the latter resumes his functions or is replaced. The coordinating judge so designated temporarily replaces the chief municipal judge despite the fact that his own term may have expired.

The chief municipal judge shall determine the municipal court where each coordinating judge shall continue to sit. This assignment takes into account the municipal court to which the coordinating judge is mainly assigned so that he sits in that court or nearby, on a priority basis. The assignment also takes into account the requirements of the proper administration of justice in order to maximize the periods during which the municipal courts sit and takes into account the efficient management of public funds.

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"**195.** The functions of the coordinating judges are

(1) to see to the allotment of cases and the scheduling of the sittings of the court if more than one municipal judge is assigned to the municipal court;

(2) to assign municipal judges to the municipal court where they are to exercise their functions;

(3) to support the chief municipal judge in the exercise of his functions; and

(4) to assume any other function determined by the chief municipal judge.

The assignment of municipal judges takes into account the municipal court to which they are mainly assigned so that they sit in that court or nearby, on a priority basis. The assignment also takes into account the requirements of the proper administration of justice in order to maximize the periods during which the municipal courts sit and takes into account the efficient management of public funds.

The office of coordinating judge is added to the office of puisne judge who must continue to sit in the municipal court to which he is assigned.

"**196.** The coordinating judges shall submit to the chief municipal judge, at least twice a year, a report of activities established on a monthly basis for each coordinating region and containing, in particular, the following particulars:

(1) the number of days on which sittings were held and the average time devoted thereto;

(2) the number of judges who presided over the sittings of each municipal court and the number of sittings presided over by a same judge in that same court;

(3) the number of cases heard; and

(4) the backlog of cases.

The chief municipal judge sends the report as soon as possible to the Minister of Justice.

"**197.** The Government, after consultation with the chief municipal judge, may designate, from among the municipal judges, an associate coordinating judge for a coordinating region and fix his term of office.

The term of office of an associate coordinating judge shall not exceed three years but may be renewed until the total term of office reaches six years.

The functions exercised by the associate coordinating judge are determined by the chief municipal judge.

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The office of associate coordinating judge is added to the office of puisne judge who must continue to sit in the municipal court to which he is assigned.

"**198.** If a coordinating judge or associate coordinating judge is absent or unable to act, the Government shall designate a municipal judge to exercise the functions of the judge who is absent or unable to act until the latter resumes his duties or is replaced.

"**199.** The Government shall fix, by order, the salary of municipal judges, the additional remuneration attached to the office of chief municipal judge, coordinating judge and associate coordinating judge and the social benefits of municipal judges.

"**200.** Before making an order in accordance with section 199, the Government must comply with the prescriptions of Part VI.4.

Such an order comes into force on the date of its publication in the *Gazette officielle du Québec* or any earlier or later date specified in the order.

"**201.** The municipal judge designated to replace the chief municipal judge, a coordinating judge or an associate coordinating judge while that judge is absent or unable to act is entitled, for the period during which he holds that office, to the additional remuneration attached to it.

"**202.** The Minister of Justice assigns the necessary personnel to the office of the chief municipal judge and of the coordinating judges or associate coordinating judges."

10. The heading of Part V.1 of the Act is amended by replacing "JUDGES OF CERTAIN MUNICIPAL COURTS" by "MUNICIPAL JUDGES".

11. Section 224.1 of the Act is amended by replacing the second paragraph by the following paragraph:

"It also applies, with the necessary modifications, to municipal judges and to presiding justices of the peace."

12. Section 224.2 of the Act is amended

(1) by replacing "or 175" in the first paragraph by ", 175 or 199, as the case may be";

(2) by replacing "or 175 had" in the second paragraph by ", 175 or 199, as the case may be, had".

13. Section 224.7 of the Act is amended by replacing "of the municipal court of a municipality that is a party to this pension plan" in subparagraph 1 of the first paragraph by "a municipal judge".

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14. Section 224.9 of the Act is amended, in the second paragraph,

(1) by replacing "or 175" by ", 175 or 199, as the case may be";

(2) by inserting "or, in the case of the office of chief municipal judge, if the judge has held such an office for at least five years" after "seven years";

(3) by inserting "coordinating municipal judge, associate coordinating municipal judge," after "associate coordinating judge,".

15. Section 224.25 of the Act is amended by replacing "judge of a municipal court" in the second paragraph by "municipal judge".

16. Section 231 of the Act is amended by replacing "115" in the second paragraph by "115 or 199".

17. The Act is amended by inserting the following section after section 246.16:

"**246.16.1.** If a judge or former judge and his or her spouse of the opposite or the same sex have ceased living together and the latter meets the conditions set out in paragraph 2 of section 224.14, they may agree, within 12 months following the date on which they ceased living together and on the conditions and according to the terms determined by government regulation, to a partition of the benefits accrued by the judge or former judge under the pension plans provided for in Parts V.1, VI and VI.1; such an agreement may not, however, confer on the spouse more than 50% of the value of such benefits.

For that purpose, the judge or former judge and the spouse are entitled to obtain, upon application made to Retraite Québec on the conditions and according to the terms prescribed by regulation, a statement setting out the value of the benefits accrued by the judge or former judge under the pension plans provided for in Parts V.1, VI and VI.1, established as at the date on which they ceased living together, and any other information determined by the regulation."

18. Section 246.22 of the Act is amended by replacing "section 246.16" in subparagraph *b* of the first paragraph by "sections 246.16 and 246.16.1".

19. Section 246.26 of the Act is amended by replacing "judges of Municipal Courts" and "be borne by each municipality, respectively" in the third paragraph by "municipal judges" and "be borne by the municipalities in accordance with the regulation made under section 86.1 of the Act respecting municipal courts (chapter C-72.01)", respectively.

20. Section 246.29 of the Act is amended

(1) by replacing "and presiding justices of the peace are adequate. A further function of the committee is to ascertain, every four years, whether the salary and other social benefits of the judges of the municipal courts to which the Act

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respecting municipal courts (chapter C-72.01) applies and the pension plan of those judges, if any," in the second paragraph by ", of municipal judges and of presiding justices of the peace";

(2) in the third paragraph,

(*a*) by replacing "Conférence des juges municipaux à titre exclusif du Québec, the Conférence des juges municipaux du Québec" by "conference representing municipal judges";

(*b*) by replacing "judges of the municipal courts that are under the authority of a president judge" by "municipal judges".

21. Section 246.30 of the Act is amended by replacing "the judges of the municipal courts to which the Act respecting municipal courts (chapter C-72.01) applies" in the second paragraph by "municipal judges".

22. Section 246.31 of the Act is amended

(1) by replacing "Conférence des juges municipaux à titre exclusif du Québec, the Conférence des juges municipaux du Québec" in the second paragraph by "chief municipal judge, the conference representing municipal judges";

(2) in the third paragraph,

(*a*) by replacing "chief judge of the Court of Québec, the Conférence des juges municipaux à titre exclusif du Québec and the Conférence des juges municipaux du Québec" in subparagraph 2 by "chief municipal judge and the conference representing municipal judges";

(*b*) by replacing both occurrences of "Conférence des juges municipaux à titre exclusif du Québec, the Conférence des juges municipaux du Québec" in subparagraph 5 by "conference representing municipal judges";

(3) by replacing "the judges of the municipal courts to which the Act respecting municipal courts (chapter C-72.01) applies" in the fourth paragraph by "municipal judges".

23. Section 246.36 of the Act is amended by replacing "Conférence des juges municipaux à titre exclusif du Québec, the Conférence des juges municipaux du Québec" in the third paragraph by "conference representing municipal judges".

24. Section 246.41 of the Act is amended, in the first paragraph,

(1) by replacing "Conférence des juges municipaux à titre exclusif du Québec and the Conférence des juges municipaux du Québec" by "conference representing municipal judges";

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(2) by striking out ", and according to the jurisdiction of each panel from the municipalities responsible for the administration of a municipal court that is under the authority of a president judge,".

25. Section 246.42 of the Act is amended by striking out the third paragraph.

26. Section 248 of the Act is amended

(1) by replacing paragraph *d* by the following paragraph:

"(*d*) the chief municipal judge;";

(2) by replacing paragraph *f* by the following paragraph:

"(*f*) one municipal judge appointed upon the recommendation of the conference representing municipal judges;".

27. Section 249 of the Act is amended by striking out ", *d*" in the first paragraph.

28. Section 258 of the Act is amended by replacing "Conférence des juges municipaux à titre exclusif du Québec, the Conférence des juges municipaux du Québec" by "conference representing municipal judges".

29. Section 260 of the Act is amended by striking out "the judges of the municipal courts and to" in the second paragraph.

30. Section 262 of the Act is amended

(1) by striking out "or section 45.1 of the Act respecting municipal courts (chapter C-72.01)" in the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

"Special provisions for municipal judges or for presiding justices of the peace may also be stipulated in the code."

31. Section 273.1 of the Act is repealed.

32. Schedule II to the Act is amended

(1) by replacing "*89 and 180*" by "*89, 180 and 184*";

(2) by replacing "(or justice of the peace" by "(or municipal judge or justice of the peace".

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33. The Act is amended by adding the following schedule after Schedule V:

"SCHEDULE VI
(*Section 193*)

COORDINATING REGIONS

Region 1 includes the territory of the regional county municipalities of Abitibi, Abitibi-Ouest, Antoine-Labelle, Argenteuil, L'Assomption, Les Collines-de-l'Outaouais, D'Autray, Deux-Montagnes, Joliette, Les Laurentides, Matawinie, Montcalm, Les Moulins, Papineau, Les Pays-d'en-Haut, Pontiac, La Rivière-du-Nord, Témiscamingue, Thérèse-De Blainville, La Vallée-de-la-Gatineau and La Vallée-de-l'Or and the territory of the cities of Gatineau, Laval, Mirabel and Rouyn-Noranda.

Region 2 includes the territory of the urban agglomeration of Longueuil, the territory of the regional county municipalities of Acton, Arthabaska, Beauharnois-Salaberry, Bécancour, Brome-Missisquoi, Coaticook, Drummond, L'Érable, Le Granit, Le Haut-Richelieu, Le Haut-Saint-François, Le Haut-Saint-Laurent, La Haute-Yamaska, Les Jardins-de-Napierville, Marguerite-D'Youville, Les Maskoutains, Memphrémagog, Nicolet-Yamaska, Pierre-De Saurel, Roussillon, Rouville, La Vallée-du-Richelieu, Le Val-Saint-François and Vaudreuil-Soulanges and the territory of the city of Sherbrooke.

Region 3 includes the territory of the Kativik Regional Government, the territory of the urban agglomerations of La Tuque, Québec, Communauté maritime des Îles-de-la-Madeleine and Eeyou Istchee James Bay, the territory of the regional county municipalities of Avignon, Les Appalaches, Les Basques, Beauce-Centre, Beauce-Sartigan, Bellechasse, Bonaventure, Caniapiscau, Charlevoix, Charlevoix-Est, Les Chenaux, Les Etchemins, La Côte-de-Beaupré, Le Domaine-du-Roy, Le Fjord-du-Saguenay, Le Golfe-du-Saint-Laurent, La Haute-Côte-Nord, L'Île-d'Orléans, L'Islet, La Jacques-Cartier, Kamouraska, La Côte-de-Gaspé, La Haute-Gaspésie, Lac-Saint-Jean-Est, Lotbinière, Manicouagan, Maria-Chapdelaine, Maskinongé, La Matanie, La Matapédia, Mékinac, Minganie, La Mitis, Montmagny, La Nouvelle-Beauce, Portneuf, Rimouski-Neigette, Rivière-du-Loup, Le Rocher-Percé, Sept-Rivières, Les Sources and Témiscouata and the territory of the cities of Lévis, Saguenay, Shawinigan and Trois-Rivières.

Region 4 includes the territory of the urban agglomeration of Montréal."

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ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES

34. Section 4.8 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is amended by adding the following paragraph at the end:

"(6) for any case relating to a monetary administrative penalty for failure to comply with an Act or regulation relating to parking."

ACT RESPECTING THE BARREAU DU QUÉBEC

35. Section 54.1 of the Act respecting the Barreau du Québec (chapter B-1) is amended by replacing the last sentence of the second paragraph by the following: "Nevertheless, he may,

(1) perform the acts referred to in subsection 1 of section 128 within a legal person referred to in section 131.1 in accordance with the by-law adopted under that section; and

(2) act as certified mediator in accordance with a regulation made under article 570 of the Code of Civil Procedure (chapter C-25.01)."

ACT RESPECTING MUNICIPAL COURTS

36. Section 24.1 of the Act respecting municipal courts (chapter C-72.01) is amended by replacing "and municipal judges shall be under the authority of the associate chief judge of the Court of Québec who is responsible for municipal courts. The associate chief judge shall exercise, under the authority of the chief judge of the Court of Québec," by "are under the authority of the chief municipal judge, who shall exercise".

37. Sections 25 to 25.7 of the Act are repealed.

38. Division II of Chapter III of the Act, comprising sections 32 to 51, is replaced by the following division:

"**DIVISION II**

"MUNICIPAL JUDGES

"**32.** Municipal judges are appointed and assigned in accordance with the Courts of Justice Act (chapter T-16)."

39. Section 52 of the Act is amended by striking out ", even if the court is composed of more than one judge".

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40. Section 53 of the Act is amended by replacing "In the case of a court that is under the authority of a president judge, the chief judge may, at the request of the president judge and" in the third paragraph by "The chief judge may,".

41. Section 56.2 of the Act is amended

(1) by inserting "or regulations that may vary from one coordinating region to the other" after "municipal courts" in the first paragraph;

(2) by striking out the second paragraph;

(3) by inserting "concerned" after "municipal court" in the fifth paragraph.

42. The Act is amended by inserting the following division after section 69:

"**DIVISION II.1**

"ATTORNEY ACTING FOR THE PROSECUTION

"**69.1.** No attorney acting for the prosecution in criminal or penal proceedings before a municipal court may exercise functions or hold an office or employment that the Government, by regulation, declares incompatible with the functions of an attorney acting for the prosecution in criminal or penal proceedings."

43. Section 79 of the Act is repealed.

44. Section 86.0.1 of the Act is repealed.

45. The Act is amended by inserting the following section after section 86.0.1:

"**86.1.** All the amounts required for municipal judges' assignment to municipal courts and management, and for the exercise of their functions that are prescribed by government regulation shall be assumed by the municipalities, in accordance with the terms prescribed in that regulation.

The remuneration, conditions of employment and social benefits of municipal judges as well as all the amounts referred to in the first paragraph are taken out of the Consolidated Revenue Fund in the form of an advance and reimbursed by the municipalities into that same fund."

46. Section 88.1 of the Act is amended by replacing "judge of the court, the judge responsible for the court or the president judge, as the case may be" in the first paragraph by "coordinating judge of the coordinating region in which the court is situated".

47. Section 117.1 of the Act is repealed.

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48. Section 117.3 of the Act is amended by replacing "the judge of the municipal court" in the introductory clause of the first paragraph by "a municipal judge".

49. Section 117.4 of the Act is amended by replacing "the judge of the municipal court" in the introductory clause by "a municipal judge".

50. Section 118 of the Act is amended

(1) by striking out paragraphs 1 to 5;

(2) by inserting the following paragraph after paragraph 6:

"(6.1) determine any function, office or employment incompatible with the functions of an attorney acting for the prosecution in criminal or penal proceedings;".

ACT RESPECTING THE DIRECTOR OF CRIMINAL AND PENAL PROSECUTIONS

51. Section 18 of the Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1) is amended

(1) by striking out the last sentence in the second paragraph;

(2) by inserting the following paragraphs after the second paragraph:

"The attorneys must inform the Director of any non-compliance with or irregularity in the application of an instruction they are subject to. That obligation also applies to the authority they report to in the exercise of their functions as prosecutor in criminal or penal proceedings.

To ensure that an instruction is complied with, the Director may require the transmission of any information relating to the application of an instruction or the transmission of any information or any document relating to a matter or a category of matters necessary for verifying that the instructions are complied with, in accordance with the terms determined by the Director. The Director may also, after discussion with the prosecutor concerned, require that changes or adjustments be made concerning the conduct of a matter or a category of matters.

The Director may, if of the opinion that the public interest so requires, take charge of a matter or a category of matters under the responsibility of a prosecutor, at the cost of the prosecutor concerned. To that end, the Director may appoint any advocate authorized by law to practise in Québec to represent the Director and act under the Director's authority."

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ACT RESPECTING MUNICIPAL TAXATION

52. The Act respecting municipal taxation (chapter F-2.1) is amended by inserting the following chapter after section 264:

"**CHAPTER XIX.1**

"PROCEEDINGS

"**265.** Penal proceedings under this Act may be instituted by any municipality in the territory in which an offence under a provision of this Act is committed.

The fine belongs to the municipality that instituted the proceedings.

The proceedings may be instituted before any municipal court having jurisdiction in the territory in which the offence is committed. The costs relating to proceedings instituted before a municipal court belong to the municipality to which the court is attached, except the part of the costs remitted to another prosecuting party by the collector under article 345.2 of the Code of Penal Procedure (chapter C-25.1), and the costs remitted to the defendant under article 223 of that Code."

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

53. Section 11.1 of the Act respecting the Ministère de la Justice (chapter M-19) is amended

(1) by replacing "except municipal courts" in the first paragraph by "except those allocated by municipalities to establish and maintain municipal courts";

(2) by adding the following paragraph at the end:

"The office of the chief municipal judge and of the coordinating judges or associate coordinating judges does not constitute a body subject to the Public Administration Act (chapter A-6.01)."

NOTARIES ACT

54. Section 13.1 of the Notaries Act (chapter N-3), enacted by section 22 of chapter 23 of the statutes of 2023, is amended by replacing the last sentence of the second paragraph by the following: "Nevertheless, a retired notary may,

(1) perform, within a legal person referred to in section 26.1 and in accordance with the regulation made under that section, the acts mentioned in paragraphs 3 to 5 of section 15 as well as those mentioned in paragraph 7 of that section, with the exception of representing clients in connection with any application that may be dealt with according to the procedure for non-contentious proceedings set out in Book III of the Code of Civil Procedure (chapter C-25.01); and

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(2) act as certified mediator in accordance with a regulation made under article 570 of the Code of Civil Procedure."

PUBLIC HEALTH ACT

55. Sections 88 and 105 of the Public Health Act (chapter S-2.2) are amended by striking out all occurrences of "or of the municipal courts of the cities of Montréal, Laval or Québec having jurisdiction in the locality where the person is to be found".

56. Section 101 of the Act is amended by striking out "or of the municipal courts of the cities of Montréal, Laval or Québec having jurisdiction in the locality in which the residence is situated" in the second paragraph.

57. Section 109 of the Act is amended, in the second paragraph,

(1) by striking out "or of the municipal courts of the cities of Montréal, Laval or Québec having jurisdiction in the locality where the person in respect of whom the isolation order has been made is to be found,";

(2) by replacing "that person" by "a person in respect of whom an isolation order has been made".

58. Sections 110 and 126 of the Act are amended by striking out "or of the municipal courts of the cities of Montréal, Laval or Québec having jurisdiction in the locality where that person is to be found," and "or of the municipal courts of the cities of Montréal, Laval or Québec having jurisdiction in the locality where the person is to be found", respectively.

MUNICIPAL COURTS REGULATION

59. Section 22 of the Municipal Courts Regulation (chapter C-72.01, r. 1.1) is replaced by the following section:

"**22. Courtrooms.** The coordinating judge determines the use and purposes of available courtrooms in a municipal court to which more than one judge is assigned."

60. Section 23 of the Regulation is amended

(1) by replacing "president judge, the judge responsible for the court or the judge" by "judge assigned to the municipal court, where only one judge is assigned to the court";

(2) by adding the following paragraph at the end:

"In municipal courts where more than one judge is assigned, the roll is prepared under the authority of the coordinating judge."

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61. Section 26 of the Regulation is amended

(1) by replacing "president judge, the judge responsible for the court or the judge" by "judge assigned to the municipal court, where only one judge is assigned to the court";

(2) by adding the following paragraph at the end:

"In municipal courts where more than one judge is assigned, the other location is designated by the coordinating judge."

62. Section 28 of the Regulation is amended by replacing "president judge, the judge responsible for the court or a judge" by "judge assigned to the municipal court".

63. Section 30 of the Regulation is replaced by the following section:

"**30. Scheduling of sittings.** The sittings of the court are scheduled by the judge assigned to the municipal court, where only one judge is assigned to the court.

In municipal courts where more than one judge is assigned, the sittings are scheduled by the coordinating judge.

In all cases, the clerk is consulted about and cooperates in the scheduling of the sittings."

64. Section 31 of the Regulation is amended

(1) by replacing "by the president judge, the judge responsible for the court or the judge and, in all cases, after consulting the clerk" by ", after consultation with the clerk, by the judge assigned to the municipal court, where only one judge is assigned to the court";

(2) by adding the following paragraph at the end:

"In municipal courts where more than one judge is assigned, the time is set, after consultation with the clerk, by the coordinating judge."

65. Section 45 of the Regulation is amended

(1) by replacing "president judge, the judge responsible for the court or the judge" in the second paragraph by "judge assigned to a municipal court, where only one judge is assigned to the court. In municipal courts where more than one judge is assigned, the application is submitted to the coordinating judge";

(2) by replacing "president judge, the judge responsible for the court or the judge" in the fifth paragraph by "assigned judge or, in the case of a municipal court where more than one judge is assigned, the coordinating judge".

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66. Section 59 of the Regulation is amended by replacing "president judge, the judge responsible for the court or the judge" in the first paragraph by "assigned judge or, in the case of a municipal court where more than one judge is assigned to the court, the coordinating judge".

67. Section 77 of the Regulation is amended by replacing "president judge, the judge responsible for the court or a judge" in the first paragraph by "assigned judge or, in the case of a municipal court where more than one judge is assigned, the coordinating judge".

CHAPTER II

ENACTMENT OF THE ACT RESPECTING MONETARY ADMINISTRATIVE PENALTIES IN MUNICIPAL MATTERS

68. The Act respecting monetary administrative penalties in municipal matters, the text of which appears below, is enacted.

"ACT RESPECTING MONETARY ADMINISTRATIVE PENALTIES IN MUNICIPAL MATTERS

"**1.** The Government may, by regulation, allow a municipal body to establish a system of monetary administrative penalties as an incentive to rapidly remedy a failure to comply with a provision of an Act or regulation or to prevent the repetition of such a failure.

"**2.** The government regulation must

(1) determine the municipal body authorized to establish a system of monetary administrative penalties;

(2) determine the categories of failures to comply or the failures that may be the subject of a system of monetary administrative penalties;

(3) set the amount of the monetary administrative penalties;

(4) set the prescription period of the monetary administrative penalties and the reasons for interrupting prescription;

(5) prohibit, regarding the same failure to comply, the accumulation of monetary administrative penalties or that of a monetary administrative penalty and penal proceedings;

(6) impose any measure to ensure that any person concerned by the imposition of a monetary administrative penalty may apply to have it reviewed and, if applicable, contest the review decision within a framework that is consistent with the principles of fundamental justice and in accordance with a procedure conducted so as to ensure a fair debate, in keeping with the duty to act impartially and with the right to be heard; and

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(7) set the costs that the person responsible for hearing a contestation may impose when confirming the review decision.

The government regulation may prescribe all the other terms and conditions, including all the rules of procedure and the rules relating to the recovery of the amounts owing, that the system of monetary administrative penalties of a municipal body must comply with or authorize the municipal body to prescribe those terms and conditions.

The standards prescribed by the government regulation may vary on the basis of any distinction considered useful.

"**3.** A municipal body authorized under this Act must establish a contestation body or enter into an agreement with a municipal body having established such a body by which the monetary administrative penalties it imposes may be contested before that body.

"**4.** The authorized municipal body establishes a system of monetary administrative penalties by a by-law that is in conformity with the provisions of the government regulation referred to in section 2.

The standards prescribed by the municipal body's by-law may vary on the basis of any distinction considered useful.

The by-law is sent to the Minister of Municipal Affairs, Regions and Land Occupancy and to the Minister of Justice.

"**5.** The Government, on the recommendation of the Minister of Justice, appoints the persons responsible for hearing contestations according to the recruiting and selection procedure established by government regulation. The Government may entrust the application of that recruiting and selection procedure to the authorized municipal body.

The Minister may also designate a decision maker from among the persons responsible for hearing contestations.

The government regulation may also prescribe any measure relating to the execution of the functions of the persons responsible for hearing contestations and of the decision maker. The regulation must, in particular, prescribe the duration of the term of the persons responsible for hearing contestations, determine the remuneration and other conditions of employment of those persons, prescribe the functions incompatible with their functions and the rules of conduct that apply to them.

"**6.** Any person may lodge a complaint with the Conseil de la justice administrative (the "council") against a person responsible for hearing contestations, for a breach of the rules of conduct, of a duty imposed by the government regulation or of the prescriptions governing conflicts of interest and incompatible functions.

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The complaint must be in writing and must briefly state the reasons on which it is based.

It is transmitted to the seat of the council.

"**7.** When examining a complaint against a person responsible for hearing contestations, the council acts in accordance with sections 184 to 192 of the Act respecting administrative justice (chapter J-3), with the necessary modifications.

"**8.** The Government may dismiss a person responsible for hearing contestations if the council so recommends, after an inquiry conducted following the lodging of a complaint pursuant to section 6.

The Government may also suspend the person with or without remuneration for the period recommended by the council.

"**9.** The Government may also remove a person responsible for hearing contestations from office due to a permanent disability which, in the opinion of the Government, prevents the person from performing the duties of office satisfactorily; permanent disability is ascertained by the council, after an inquiry conducted at the request of the Minister.

The council acts in accordance with sections 193 to 197 of the Act respecting administrative justice, with the necessary modifications.

"**10.** The Minister of Justice is responsible for the administration of this Act."

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

69. The judges appointed to one of the municipal courts established under the Act respecting municipal courts (chapter C-72.01) and who are exercising their functions in one of the courts on 30 June 2024 are deemed to have been appointed under section 183 of the Courts of Justice Act (chapter T-16), enacted by section 9 of this Act.

Those judges are deemed to have taken the oath in accordance with the Courts of Justice Act, as amended by this Act.

The judges are to be assigned mainly to the municipal court to which they are assigned on 30 June 2024.

The judges' notice of appointment is deemed to provide, from 1 July 2024, that the city where they must establish their residence is that in which the municipal court to which they are assigned on 30 June 2024 is situated, including the immediate vicinity of that city.

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If, on 30 June 2024, a judge is assigned to more than one municipal court, the judge's notice of appointment is deemed to provide that, from 1 July 2024, the city where the judge must establish his or her residence is one of the cities in which one of the municipal courts to which the judge is assigned on 30 June 2024 is situated, including the immediate vicinity of those cities. The judge informs the chief municipal judge and the Minister of Justice of the place of establishment of his or her residence not later than 1 July 2025.

If the place of residence of a judge referred to in the first paragraph differs from that mentioned in the fourth or fifth paragraph, the judge concerned may, before 15 July 2024, submit the matter of his or her place of residence to the Conseil de la magistrature (the "council"). The council hears the judge concerned and the chief municipal judge, if the council considers it expedient.

The council may then determine

(1) that the judge's place of residence, from 1 July 2024, is the city where the municipal court to which the judge was assigned on 30 June 2024 is situated, including the immediate vicinity of that city; if, on 30 June 2024, a judge is assigned to more than one municipal court, the council determines that the place of residence is one of the cities in which one of the municipal courts to which the judge was assigned on 30 June 2024 is situated, including the immediate vicinity of that city; and

(2) that the judge's place of residence is, from 1 July 2024, the city in which the judge resides on 30 June 2024, including the immediate vicinity of that city, and the municipal court to which the judge is assigned is the court situated nearest to that place of residence.

The decision of the council is sent to the chief municipal judge and to the Minister of Justice.

The judge who, following the application of this section, must change his or her place of residence, must do so not later than 1 July 2025.

70. The Government may, at any time, appoint the first chief municipal judge. The latter must be selected from among the judges appointed to one of the municipal courts established under the Act respecting municipal courts. Furthermore,

(1) the judge's term of office is five years from his or her appointment and may not be renewed;

(2) the judge is deemed, from the date of coming into force of section 9 of this Act and for the unexpired portion of his or her term, to have been appointed and to have taken the oath in accordance with the Courts of Justice Act, as amended by this Act;

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(3) the judge exercises the functions that the Courts of Justice Act and the Act respecting municipal courts, as they read before the coming into force of this Act, assign to the associate chief judge responsible for municipal courts, until the date referred to in subparagraph 2; and

(4) when an order is made under section 199 of the Courts of Justice Act, enacted by section 9 of this Act, the judge receives the additional remuneration and all the social benefits fixed in the order with regard to the office of chief municipal judge, retroactively to the date of his or her appointment.

Until the first chief municipal judge is appointed, the associate chief judge responsible for municipal courts remains in charge of directing municipal courts and of the courts themselves and the provisions of the Act respecting municipal courts and of the Courts of Justice Act, as amended by this Act, as the case may be, that refer to the office of chief municipal judge are applicable to him or her.

The appointment of the first chief municipal judge puts an end to the term of the associate chief judge responsible for municipal courts. However, the latter continues to receive the additional remuneration related to that position for the unexpired portion of his or her term. He or she is then entitled to receive, until his or her salary as a judge is equal to the amount of salary and additional remuneration he or she was receiving, the difference between the latter amount and his or her salary. The associate chief judge responsible for municipal courts is also entitled to the benefits provided for in sections 92, 122 and 224.9 of the Courts of Justice Act, as they read before the coming into force of sections 6 and 14 of this Act.

71. Until a coordinating judge of a coordinating region is appointed by the Government, a president judge appointed to a municipal court established under the Act respecting municipal courts and who is exercising his or her functions in that court on 30 June 2024 becomes a coordinating judge of the coordinating region in which the municipal court in which he or she is president judge on 30 June 2024 is situated for the unexpired portion of his or her term as president judge, with no possibility of renewal.

If the appointment of a coordinating judge of a coordinating region occurs before the end of the term of office of the president judge, the latter's term of office is ended but he or she continues to receive his or her additional remuneration related to that position for the unexpired portion of his or her term. He or she is then entitled to receive, until his or her salary as a judge is equal to the amount of salary and additional remuneration he or she was receiving, the difference between the latter amount and his or her salary. He or she is also entitled to the benefits provided for in section 74 of this Act.

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72. Until an associate coordinating judge of Region 4 is appointed, if any, the associate president judge appointed under the Act respecting municipal courts and who is exercising his or her functions in the municipal court of Ville de Montréal on 30 June 2024 becomes the associate coordinating judge for Region 4 for the unexpired portion of his or her term as associate president judge, with no possibility of renewal.

If the appointment of an associate coordinating judge of Region 4 occurs before the end of the term of office of the associate president judge's term, the latter's term of office is ended but he or she continues to receive his or her additional remuneration related to that position for the unexpired portion of his or her term.

73. In addition to its functions under the second paragraph of section 246.29 of the Courts of Justice Act, the function of the committee on the remuneration of judges and justices of the peace, formed for the period from 1 July 2023 to 30 June 2027, is to examine any change proposed by the Government to any additional remuneration, to the pension plan and to the other employee benefits arising from the provisions of this Act. The committee ascertains whether the change is adequate, and reports and makes recommendations to the Government in that respect.

Sections 246.30 to 246.45 of the Courts of Justice Act apply to the committee in the exercise of the function referred to in the first paragraph.

74. Any judge or former judge who has held or holds the office of president judge of a municipal court for at least seven years is entitled to receive, until his or her salary as a judge is equal to the amount of salary and additional remuneration he or she was receiving when he or she ceased to hold such office, the difference between the latter amount and his or her salary.

The years during which a judge holds the office of coordinating judge of a coordinating region, after having held the office of president judge of a municipal court, are taken into consideration for the purpose of computing the seven years referred to in the first paragraph.

75. Section 246.16.1 of the Courts of Justice Act, enacted by section 17 of this Act, applies to spouses referred to in that section who ceased living together after 31 August 1990, but before the coming into force of that section 17, if they agree to the partition referred to in that section not later than 12 months after that later date.

76. Any order made under section 49 of the Act respecting municipal courts, as it reads on 30 June 2024, that pertains to a judge other than a deputy judge, president judge, associate president judge, judge responsible for a municipal court or judge responsible for the professional development of judges of municipal courts and that is consistent with the provisions of the Courts of Justice Act, as amended by this Act, is deemed to be made under those provisions.

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77. The term of office of the president judge of a municipal court who sits on the council under paragraph *d* of section 248 of the Courts of Justice Act ends on 1 July 2024 or on the date of the appointment of the first chief municipal judge, whichever date is earlier.

The term of office of the judge selected from among the judges of the municipal courts and appointed on the recommendation of the Conférence des juges municipaux du Québec ends on the date of appointment of a municipal judge on the recommendation of the conference representing municipal judges, in accordance with paragraph *f* of section 248 of the Courts of Justice Act, as amended by section 26 of this Act.

78. This Act comes into force on 1 July 2024, except

(1) sections 18, 34, 35, 42, 51, 52, 54, 68, 70, 73 and 75, which come into force on 7 December 2023;

(2) section 17, which comes into force on the date of coming into force of the first regulation made under section 246.16.1 of the Courts of Justice Act, enacted by this Act;

(3) sections 2 to 5, paragraph 1 of section 26, sections 27 and 36 and the first paragraph of section 77, which come into force on 1 July 2024 or on the date of the appointment of the first chief municipal judge, whichever date is earlier; and

(4) the first paragraph of section 74, which has effect from 28 March 2017.

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NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION FORTY-THIRD LEGISLATURE

Bill 43
(2023, chapter 29)

An Act respecting Apostilles for documents to be produced in a foreign State party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents

Introduced 22 November 2023
Passed in principle 5 December 2023
Passed 5 December 2023
Assented to 6 December 2023

Québec Official Publisher
2023

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EXPLANATORY NOTES

This Act recognizes the Apostille as a means of certifying the origin of a document to be produced in a foreign State party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents.

The Act empowers the Minister of Justice to issue Apostilles and provides for the keeping of a register of Apostilles.

Lastly, the Act authorizes the Government to determine, by regulation, standards for Apostilles and contains transitional provisions.

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Bill 43

AN ACT RESPECTING APOSTILLES FOR DOCUMENTS TO BE PRODUCED IN A FOREIGN STATE PARTY TO THE HAGUE CONVENTION OF 5 OCTOBER 1961 ABOLISHING THE REQUIREMENT OF LEGALISATION FOR FOREIGN PUBLIC DOCUMENTS

AS the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents aims to facilitate the circulation of public documents around the world;

AS this Convention promotes the Apostille to replace the process of legalising documents for circulation;

AS Québec subscribes to the principles and rules set forth in the Convention;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Minister of Justice is the competent authority to issue Apostilles for the following documents:

(1) authentic acts and certified true copies of such an act;

(2) the official certificates referred to in section 3; and

(3) any other documents determined by government regulation.

2. An Apostille may be issued for any document specified in section 1 if the document is to be produced in a foreign State that requires it and that is party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents where the Convention is applicable between that State and Canada.

3. If a document, other than a document referred to in paragraphs 1 and 3 of section 1, emanating from a person or body that has an establishment in Québec is to be produced in a foreign State that requires it and that is party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents where the Convention is applicable between that State and Canada, it must be the subject of an official certificate that complies with the standards prescribed by government regulation, produced by a lawyer or notary.

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4. The form and content of the Apostille are determined by the Minister.

5. The Minister keeps a register of Apostilles in which the following information is recorded for each Apostille issued:

(1) the sequential number of the Apostille;

(2) the nature of the document bearing the Apostille;

(3) the date of the Apostille;

(4) the name and capacity of the person signing the document bearing the Apostille, if applicable;

(5) for unsigned documents bearing a seal or a stamp, the name of the body or person from whom emanates the seal or stamp; and

(6) the State of destination of the document bearing the Apostille.

However, the Minister may, by agreement, delegate the management of the register to another Minister.

6. The Government may, by regulation, prescribe the other standards governing the Apostille. The standards may in particular prescribe a fee for any request for or issue of an Apostille and, if applicable, the method for indexing the fee.

The fee may be established on the basis of any distinction considered useful, including on the basis of categories of documents or on the basis of categories of persons who request an Apostille.

7. The Minister of Justice is responsible for the administration of this Act.

TRANSITIONAL AND FINAL PROVISIONS

8. Until the coming into force of the first regulation made under paragraph 3 of section 1, the Minister may issue an Apostille for any document, or for any certified true copy of a document, emanating from

(1) a public body within the meaning of the first and second paragraphs of section 3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(2) a court within the meaning of the Courts of Justice Act (chapter T-16); or

(3) any other body referred to in the first paragraph of section 2 of the Financial Administration Act (chapter A-6.001).

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9. Until the coming into force of the first regulation made under section 3, the official certificate of the lawyer or notary must contain the name and signature of the person who has signed the certificate, the date and place of the signing of the certificate, the name of the person requesting the certificate and a brief description of any document that is the subject of the official certificate.

In addition, the lawyer or notary states, for any document that is the subject of the official certificate, whether the document is the document submitted by the person requesting the certificate or whether the lawyer or notary has made a copy of it. In the latter case, the lawyer or notary states that they have made the copy themselves and that they have initialed all the pages of the copy. They also state that they understand any documents that are not in English or French or that they have obtained a translation of those documents made by a translator who is a member of the Ordre professionnel des traducteurs, terminologues et interprètes agréés du Québec.

10. Until the coming into force of the first regulation made under the first paragraph of section 6, the fee for an Apostille is $65.

11. This Act comes into force on 11 January 2024.

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Coming into force of Acts

Gouvernement du Québec

O.C. 1870-2023, 20 December 2023

Act mainly to improve the transparency of enterprises (2021, chapter 19) —Coming into force of certain provisions

Coming into force of certain provisions of the Act mainly to improve the transparency of enterprises

WHEREAS, pursuant to section 33 of the Act mainly to improve the transparency of enterprises (2021, chapter 19), the provisions of the Act come into force on the date or dates to be determined by the Government, except the provisions of sections 26 and 32, which came into force on 8 June 2021;

WHEREAS it is expedient to set 31 July 2024 as the date of coming into force of the provisions of section 18 and paragraph 2 of section 21 of the Act mainly to improve the transparency of enterprises, as amended by section 51 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions (2023, chapter 10);

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

THAT 31 July 2024 be set as the date of coming into force of the provisions of section 18 and paragraph 2 of section 21 of the Act mainly to improve the transparency of enterprises (2021, chapter 19), as amended by section 51 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions (2023, chapter 10).

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

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Regulations and other Acts

Gouvernement du Québec

O.C. 1835-2023, 20 December 2023

Act respecting the Barreau du Québec
(chapter B-1)

Professional Code
(chapter C-26)

Advocates
— Professional training of advocates

By-law respecting the professional training of advocates

WHEREAS, under subparagraph *b* of paragraph 2 of section 15 of the Act respecting the Barreau du Québec (chapter B-1), the board of directors of the Barreau du Québec may, by by-law, ensure professional training, define its modalities, give the appropriate instruction and, for such purposes, establish and administer a professional training school;

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of the first paragraph, and the terms and conditions on which such persons may engage in such activities; the regulation may determine, from among the regulatory standards applicable to members, those that are applicable to persons who are not members of an order;

WHEREAS, under section 95 of the Code, subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under this Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the By-law respecting the professional training of advocates was published in Part 2 of the *Gazette officielle du Québec* dated 5 July 2023, with a notice stating that it may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Code, the Office examined the Regulation on 20 October 2023 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve sections 1 to 6, 35, and 42 to 44 of the By-law with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT sections 1 to 6, 35, and 42 to 44 of the By-law respecting the professional training of advocates, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

By-law respecting the professional training of advocates

Act respecting the Barreau du Québec
(chapter B-1, s. 15, par. 2, subpar. *b*)

Professional Code
(chapter C-26, s. 94, 1st par., subpars. *h* and *i*)

CHAPTER I
BAR SCHOOL

1. The Barreau du Québec hereby establishes the Bar School, which is responsible for all professional training activities.

The head office of the Bar School is in Montréal.

2. The Professional Training Committee is responsible to the board of directors for the application of this By-law and the administration of the Bar School.

For those purposes, the Committee determines the operating rules of the Bar School to ensure the proper conduct of its activities and promote its efficient administration. The rules are published on the Bar School website.

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CHAPTER II
CONDITIONS FOR ADMISSION TO THE BAR SCHOOL AND REGISTRATION PROCEDURE

DIVISION I
CONDITIONS FOR ADMISSION

3. To be admitted to the Bar School, an applicant must, within the period prescribed by the Professional Training Committee,

(1) file an application for admission, using the application form provided for that purpose, for one of the professional training periods set out in the calendar for the school year and attach all the required documents;

(2) hold a diploma recognized by the Government under the first paragraph of section 184 of the Professional Code (chapter C-26) giving access to the permit issued by the Barreau or have obtained equivalence of a diploma or training for the purposes of issuing such a permit under the Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec (chapter B-1, r. 16) and provide proof thereof;

(3) have been declared eligible by the committee for access to the profession, in accordance with section 45 of the Act respecting the Barreau du Québec (chapter B-1);

(4) pay the admission fee.

4. Where an applicant fails to meet any of the conditions provided for in paragraphs 1, 2 and 4 of section 3, the Professional Training Committee may allow the applicant to remedy the default under the conditions and within the period prescribed by the Committee.

A candidate may withdraw from the Bar School admission process at any time upon written notice.

DIVISION II
REGISTRATION PROCEDURE

5. A candidate who meets the conditions for admission provided for in Division I of this Chapter may register for one of the professional training periods set out in the calendar for the school year during which the candidate is admitted where

(1) the candidate has completed the diagnostic evaluation in order to identify prior learning and shortcomings for the purpose of preparing for the examination in applied law provided for in subparagraph *c* of paragraph 1 of section 8;

(2) the candidate attests having consulted the operating rules of the Bar School and undertakes to comply with them;

(3) where applicable, the candidate has undergone the training activities that the Bar School is required to put in place pursuant to Québec law;

(4) the candidate has paid the registration fees.

6. The Professional Training Committee determines at which professional training centre the candidate registers, taking into account where the diploma was obtained and the available resources.

CHAPTER III
PROFESSIONAL TRAINING

DIVISION I
GENERAL PROVISIONS

7. Professional training is aimed at achieving the following objectives:

(1) acquisition and integration of knowledge on ethics, professional conduct and professional practice;

(2) integration and application of legal knowledge;

(3) development of the following professional competencies and skills:

(*a*) ability to identify legal issues;

(*b*) ability to propose and apply a relevant solution;

(*c*) ability to communicate clearly and effectively;

(*d*) adoption of ethical and professional behaviour.

8. For the purposes of achieving the objectives set out in section 7, the candidate must successfully complete the 3 components of the professional training:

(1) specific learning and the three related examinations in the following fields:

(*a*) development of the theory of the case and drafting;

(*b*) ethics, professional conduct and professional practice;

(*c*) applied law;

(2) experiential learning as defined in section 16 and the related evaluations, including the self-evaluation report;

(3) articling period and the joint report at the end of the articling period.

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9. The candidate has a period of 3 years from the date of the first day of the professional training period for which the candidate is registered to successfully complete the professional training components provided for in paragraphs 1 and 2 of section 8.

The candidate also has a period of 3 years from date of being declared eligible for the articling period to complete the professional training component provided for in paragraph 3 of section 8.

A candidate who fails to comply with either time limit ceases to be admitted to the Bar School.

10. A candidate who cannot complete the professional training components within either time period specified in section 9 because of illness, accident, pregnancy or superior force, or because the candidate is acting as a caregiver within the meaning of the Act respecting labour standards (chapter N-1.1) or pursuing studies on a full-time basis in a field that is complementary to the practice of the profession of advocate, may obtain an extension period equivalent to the period during which the candidate cannot undergo the professional training components provided for in paragraphs 1 and 2 of section 8 or the professional training component provided for in paragraph 3 of that section, as the case may be. The extension cannot exceed 2 years.

To obtain such an extension, the candidate must, before the expiry of the period specified in the first or second paragraph of section 9, as the case may be, file an application for an extension period using the form provided for that purpose and attach the supporting documents and the required documents with the prescribed charges.

The Professional Training Committee renders one of the following decisions:

(1) grants the application for an extension period and allows the candidate to complete the professional training components provided for in paragraphs 1 and 2 of section 8 or the professional training component provided for in paragraph 3 of that section, as the case may be, within a period not exceeding 5 years from the date of the first day of the period of professional training for which the candidate registered or the date on which the candidate is declared eligible for the articling period;

(2) rejects the application for an extension period.

If the Committee intends to reject the application, it notifies a notice of its intention to the candidate, giving reasons, and informs the candidate of his or her right to present written observations within 5 working days of the date of notification of the notice.

The decision of the Committee is notified to the candidate within a period of 10 days from the date of notification of the notice referred to in the fourth paragraph or from the receipt of the written observations presented pursuant to that paragraph, whichever period expires last.

DIVISION II
SPECIFIC AND EXPERIENTIAL LEARNING

§1. Specific learning

11. A candidate must obtain a minimum mark of 60% for each of the 3 examinations evaluating the fields listed in subparagraphs *a* to *c* of paragraph 1 of section 8.

A candidate is entitled to 3 attempts for each examination.

12. For each of the 3 examinations, the candidate is automatically registered on the first date set by the Bar School, in accordance with the professional training period in which the candidate is registered. The candidate may, however, modify that date according to the calendar established by the Bar School, by filing an application using the form provided for that purpose.

13. A candidate who fails one of the examinations may make other attempts by registering on a suitable date, according to the calendar established by the Bar School.

A candidate who fails all 3 attempts for the same examination ceases to be admitted to the Bar School.

14. A candidate who is dissatisfied with the grade obtained may apply for a review.

The application for review must be made using the form provided for that purpose, state the reasons in support of the application, be accompanied by the prescribed charges and be transmitted to the Bar School not later than 10 days following the date of the end of the period of consultation of the examination set by the Bar School.

The review is performed by a committee composed of practising advocates other than those who performed the initial correction.

The substantiated decision of the committee is notified to the candidate within 15 days following the date of receipt of the application for review. The decision is final.

15. A candidate who successfully completes the 3 examinations provided for in paragraph 1 of section 8 moves on to the experiential learning component of professional training.

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§2. Experiential learning

16. For the purposes of this By-law, "experiential learning" means any activity carried out in a practical setting that allows the candidate to apply, in a concrete, integrated and coherent manner, knowledge on ethics, professional conduct and professional practice, legal knowledge, and the professional competencies and skills required in the practice of the profession of advocate.

Such activities include observation and simulation activities, participation in technical clinics and participation in a legal clinic.

17. At the start of the experiential learning component for which the candidate is registered, the Bar School informs the candidate of the evaluation grid and indicators established by the Professional Training Committee that are used to evaluate learning.

18. In the course of experiential learning, the candidate registers for the legal clinic and for a technical clinic in each of the following categories:

(1) prevention and settlement of disputes;

(2) development of oral skills;

(3) development of writing skills.

19. The candidate participates in the activities of the experiential learning component under the close supervision and responsibility of supervisors.

20. An advocate may act as a supervisor within a technical clinic provided that the advocate complies with the terms and conditions set out in section 3 of the Regulation respecting the professional activities that may be engaged in by persons other than advocates (chapter B-1, r. 1.01), except those provided for in subparagraphs 2 and 3 of the first paragraph of that section.

21. Throughout the experiential learning component, each supervisor evaluates the candidate's achievement of the objectives set out in section 7 during observation and simulation activities or during a technical clinic or legal clinic.

22. Within 15 days following the date of the end of the experiential learning component, the candidate submits a written self-evaluation report to the Bar School.

23. The report consists of a self-evaluation of the candidate's progress during the experiential learning component and of the achievement of the objectives set out in section 7 with respect to each expected knowledge, professional competency and skill.

For those purposes, in addition to the documents and reports on the activities described in section 16 and the evaluated work, the report contains

(1) a demonstration of the acquisition and integration of the knowledge on ethics, professional conduct and professional practice;

(2) a demonstration of the acquisition and integration of legal knowledge;

(3) a demonstration of the development of the professional competencies and skills referred to in paragraph 3 of section 7;

(4) a demonstration according to which the professional activities engaged in and all documents produced with respect to subparagraphs 1 to 3 reflect mastery of the applicable law;

(5) a reflection on the application of the rules of ethics, professional conduct and professional practice;

(6) a reflection on the progress of the integration of the professional competencies and skills referred to in subparagraph 3 of section 7;

(7) a reflection on the actions, observations and recommendations made by the Bar School and supervisors concerning the candidate's conduct beginning on the date of his or her registration for a period of professional training and for the full duration of the professional training components provided for in paragraphs 1 and 2 of section 8;

(8) a list of the failures to comply referred to in the first paragraph of section 28 and the measures imposed pursuant to that section or, as applicable, a statement that there have been no failures, beginning on the date of the candidate's registration for a period of professional training and for the full duration of the professional training components provided for in paragraphs 1 and 2 of section 8.

24. Within 10 days of the deadline referred to in section 22, the Bar School performs an analysis of the report and of the candidate's complete file and determines either

(1) the successful completion of the experiential learning component, in which case the Bar School declares the candidate eligible for the articling period; or

(2) a failure to complete the experiential learning component.

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25. In the case of a failure to complete the experiential learning component, the Bar School notifies a notice to the candidate within 10 days of the conclusion of its analysis. The notice states the deficiencies observed and informs the candidate that his or her file is deferred to the Professional Training Committee for a decision.

26. The Bar School forwards the notice provided for in section 25 to the Professional Training Committee, accompanied by the supporting documents, within 5 working days after its notification to the candidate.

Following its analysis of the candidate's file within 5 working days of its receipt, the Committee renders one or more of the following decisions and, as applicable, determines the deadline for compliance and the applicable conditions:

(1) declares the candidate eligible for the articling period;

(2) requires the candidate to successfully complete additional work;

(3) requires the candidate to repeat, in whole or in part, the legal clinic or one or more of the technical clinics;

(4) imposes any other measure on the candidate to redress the identified deficiencies.

Before rendering a decision referred to in subparagraphs 2 to 4 of the second paragraph, the Committee notifies a notice to the candidate informing him or her of its intention, giving reasons, and of the date of the meeting during which his or her file will be examined. The notice also informs the candidate of his or her right to present written observations and, where applicable, to provide a copy of any document needed to complete the file, within 5 working days of the date of notification of the notice.

The Committee notifies its decision to the candidate within 5 working days following the meeting referred to in the third paragraph. The decision is final.

27. Within 5 working days following the expiry of the deadline imposed to allow the candidate to successfully complete a measure imposed under section 26, the Bar School sends the Professional Training Committee a notice stating whether or not the candidate has successfully completed the measure, along with the candidate's file. A copy of the notice is notified to the candidate.

After analyzing the notice and the candidate's file within 5 working days of receipt, the Committee renders one or more of the following decisions and, where applicable, determines the deadline for compliance and the applicable conditions:

(1) declares the candidate eligible for an articling period;

(2) once again imposes on the candidate one or more of the measures provided for in subparagraphs 2 to 4 of the second paragraph of section 26.

The provisions of the third and fourth paragraphs of section 26 apply to a decision referred to in subparagraph 2 of the second paragraph, with the necessary modifications.

§3. Measures imposed in the event of a failure to comply

28. Beginning on the date on which a candidate registers for a professional training period and for the duration of the professional training components provided for in subdivisions 1 and 2 of this Division, the Professional Training Committee may, where a candidate fails to comply with the provisions of this By-law, the provisions of the Regulation respecting the professional activities that may be engaged in by persons other than advocates (chapter B-1, r. 1.01), or the operating rules of the Bar School which the candidate has undertaken to observe, impose one or more of the following measures on the candidate according to the nature, gravity and recurrence of the candidate's failure to comply and, where applicable, determine the deadline and conditions for remedying the failure:

(1) reprimand;

(2) refusal of access to documentation, refusal of registration for an examination, refusal to allow participation in an activity, or withholding of a mark for an examination or evaluation;

(3) cancellation of an activity or a failing grade for an examination or activity;

(4) cancellation of admission to or registration for the Bar School.

Before imposing one or more of the measures referred to in the first paragraph, the Committee notifies a notice to the candidate informing him or her of its intention, giving reasons, and of the date of the meeting during which his or her file will be examined. The notice also informs the candidate of his or her right to present written observations and, where applicable, to provide a copy of any document needed to complete his or her file, within 5 working days of the date of notification of the notice.

The Committee notifies its decision to the candidate within 5 working days following the meeting referred to in the second paragraph.

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DIVISION III
ARTICLING PERIOD

29. The articling period lasts 6 consecutive months and is completed on a full-time basis.

An articled student who is absent for more than 10 working days must file an application to suspend his or her articling period pursuant to section 38.

30. For the purposes of achieving the objectives set out in section 7, the articling period must allow the articled student to put into practice, in a workplace setting, the competencies developed during the specific learning and experiential learning components in such a way as to prepare the candidate for the practice of the profession of advocate.

The articling period takes place under the close supervision and responsibility of an advocate or a member of the judiciary in a setting that is conducive to learning, to the development and integration of competencies and professional knowledge and skills, and that promotes professionalism and the ethical and professional conduct values of the profession of advocate.

31. The candidate and the person who wishes to act as the articling supervisor must submit a joint application for the authorization of an articling period to the Professional Training Committee using the form provided for that purpose, not later than within 5 working days following the start of the articling period.

32. A person who wishes to act as the articling supervisor must meet the following conditions:

(1) the person has the required experience, competency, integrity and availability;

(2) the person has been entered on the Roll as a practising advocate for at least 5 years or is a member of the judiciary, and remains so for the full duration of the articling period;

(3) the person is not the subject of a disciplinary complaint or a request in accordance with section 116 or 122.0.1 of the Professional Code (chapter C-26), as the case may be, a complaint to the Conseil de la magistrature or the Canadian Judicial Council, or a proceeding for an offence punishable by a term of imprisonment of 5 years or more;

(4) the person is not the subject nor was the subject, in the 5 years preceding the date on which the articling period began, of

(*a*) a decision or order rendered under the Professional Code, the Act respecting the Barreau du Québec (chapter B-1) or a regulation made for their application imposing a penalty, a striking off the Roll, a restriction or suspension of the right to engage in professional activities or conditions the advocate must meet in order to be allowed to continue to practise the profession, refresher courses, periods of refresher training, or any other requirement imposed under the first paragraph of section 55 of the Professional Code;

(*b*) a penalty imposed by the Conseil de la magistrature or the Canadian Judicial Council;

(*c*) a decision finding the person guilty of an offence under the Professional Code, the Act respecting the Barreau du Québec or a regulation made for their application;

(*d*) a judicial decision described in subparagraph 1, 2, 5 or 6 of the first paragraph of section 45 of the Professional Code;

(5) the person has subscribed to the professional liability insurance fund of the Barreau du Québec, except where

(*a*) the person is exempted from doing so in accordance with the Règlement sur l'assurance de la responsabilité professionnelle des membres du Barreau du Québec (chapter B-1, r. 1.2), to the extent that the articling supervisor complies with all the conditions thereof;

(*b*) the person is a member of the judiciary;

(6) the person completes a course dispensed by the Bar School concerning the role and responsibilities of the articling supervisor.

An advocate who holds a special permit issued in accordance with the Regulation respecting the issuance of special permits of the Barreau du Québec (chapter B-1, r. 8) or a temporary restrictive permit issued in accordance with section 42.1 of the Professional Code may not act as an articling supervisor.

33. An articling period may, for a maximum period of 3 months, be completed outside Québec under the close supervision and responsibility of an articling supervisor who is a member of the judiciary or entered on the roll of the order of advocates of the place where the articling period is completed.

An articling period referred to in the first paragraph may, however, last 6 months if completed within a department or agency of the federal government or with a judicial or administrative tribunal having jurisdiction over litigation originating in Québec.

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The provisions of this Division apply to an articling period referred to in this section, with the necessary modifications.

34. If the joint application for an articling period meets the conditions provided for in this Division, the Professional Training Committee, within 5 working days from the date of the application, issues the authorization for an articling period to the articling supervisor and the candidate, along with an articled student card.

If the Committee intends to reject the application, it notifies a notice to the candidate and to the person who wishes to be the articling supervisor informing them of its intention, giving reasons, and of the date of the meeting during which the file will be examined. The notice also informs them of their right to present written observations and, where applicable, to provide a copy of any document needed to complete the file, within 5 working days of the date of notification of the notice.

The Committee notifies its decision to the candidate and to the person who wishes to be the articling supervisor within 5 working days following the date of the meeting referred to in the second paragraph.

35. For the full duration of the articling period, an articled student may engage in professional activities reserved for advocates under the close supervision and responsibility of the articling supervisor. The articled student engages in such activities while complying with the laws and regulations applicable to the practice of the profession of advocate, with the necessary modifications.

36. The articling supervisor is responsible for the close supervision and responsibility of the articled student. To that end, the articling supervisor must

(1) provide the articled student with a workplace setting that is conducive to learning and the development of competencies in accordance with section 30;

(2) allow the articled student to gradually engage in the professional activities reserved for advocates;

(3) regularly assess the progress of the articled student, as a minimum halfway through and at the end of the articling period, according to the dates determined by the Bar School;

(4) provide the articled student with the necessary feedback to ensure progress;

(5) provide the Professional Training Committee with all the required information;

(6) contribute to evaluating the achievement of the objectives of the articling period;

(7) submit to the Committee, using the form provided for that purpose and on the dates specified by the Bar School, the reports on the evaluation of the articled student.

37. The articled student must inform the Bar School of any absence that is not provided for in the authorization of the articling period, of a change of articling supervisor, of a suspension of the articling period or of any other modification to the progression of the articling period within 5 working days following the date of the occurrence of the event.

38. On application by the articled student, using the form provided for that purpose, the Professional Training Committee may authorize an absence that is not provided for in the authorization of the articling period, a change of articling supervisor, a suspension of the articling period, a cancellation of a portion of the articling period or any other modification to the articling period.

39. At all times during the articling period, the Professional Training Committee may verify compliance with the requirements of this Division by the articled student and the articling supervisor. For the purposes of the verification, the Committee may

(1) receive or request the written observations of the articling supervisor or articled student, or request information from any other person;

(2) hear the articling supervisor, articled student or any other person.

If the Committee is of the opinion that the articled student or articling supervisor is not in compliance with this Division or refuses to cooperate with the verification, the Committee may, for the period and under the conditions the Committee may determine, vary, suspend or cancel the articling period or any authorization to act as an articling supervisor or reject any new application for authorization.

Before rendering a decision, the Committee notifies a notice to the articled student or articling supervisor, as the case may be, to inform him or her of its intention, giving reasons, and of the date of the meeting during which the file will be examined. The notice also informs the articled student or articling supervisor, as the case may be, of his or her right to present written observations and, if applicable, to provide a copy of any document needed to complete the file, within 5 working days following the notification of the notice. A copy of the notice is notified to the articled student or articling supervisor, as the case may be.

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The Committee notifies its decision to the articled student and articling supervisor within 5 working days following the meeting referred to in the third paragraph.

40. Within 5 working days following the date of the end of the authorized articling period or portion of the articling period, the articling supervisor sends to the Professional Training Committee, using the form provided for that purpose, an end-of-articling-period report completed jointly with the articled student.

The report contains

(1) the start and end dates of the articling period covered by the report;

(2) an evaluation, by the articling supervisor and the articled student, of the progress made by the articled student in achieving the objectives set out in section 7, based on the evaluation grid and indicators established by the Committee.

If the articling supervisor refuses, is unable or fails to file the report, the articled student informs the Committee, which then takes the appropriate action.

41. The Professional Training Committee verifies whether the authorized articling period or portion of the articling period constitutes, in accordance with section 30, valid preparation for the practice of the profession of advocate. For that purpose, the Committee may request from the articling supervisor or articled student, or from or any other person who contributed to the period, information and documents to enable the Committee to determine the validity of the articling period.

When the Committee considers that the articling period constitutes valid preparation for the practice of the profession of advocate, it confirms that the candidate has successfully completed the articling period and notifies its decision to the candidate.

When the Committee considers that the articling period or a portion of the articling period does not constitute valid preparation for the practice of the profession of advocate, it may render one or more of the following decisions:

(1) cancels or refuses to recognize all or part of the articling period;

(2) suspends the articling period;

(3) extends the articling period;

(4) determines the conditions under which the articling period may be completed in a valid manner;

(5) suspends or cancels the articled student card.

Before rendering a decision under the third paragraph, the Committee notifies a notice to the articled student and the articling supervisor to inform them of its intention, giving reasons, and of the date of the meeting during which the file will be examined. The notice also informs them of their right to present written observations and, where applicable, to provide a copy of any document needed to complete the file, within 5 working days of the date of notification of the notice.

The Committee notifies its decision to the articled student and articling supervisor within 5 working days following the meeting referred to in the third paragraph. The decision is final.

CHAPTER IV
TRANSITIONAL AND FINAL PROVISIONS

42. This By-law replaces the By-law respecting the professional training of advocates (chapter B-1, r. 14).

However, sections 22 to 31 of the replaced By-law continue to apply to articled students to whom the Professional Training Committee has issued an articled student card in accordance with the first paragraph of section 25 of the By-law before the date of coming into force of this By-law.

In addition, the Règlement sur la mise en œuvre du projet pilote du nouveau programme de formation professionnelle au sein de l'École du Barreau pour l'année scolaire 2023-2024, adopted by way of resolution CA 2022 11 17 – 7.2 dated 17 November 2022, continues to apply until 3 August 2024 to candidates registered for the pilot project on the date of coming into force of this Regulation.

43. For the purpose of calculating the time limits provided for in section 9 of this Regulation, the time elapsed since the date of a candidate's registration for a professional training session under the Règlement sur la mise en œuvre du projet pilote du nouveau programme de formation professionnelle au sein de l'École du Barreau pour l'année scolaire 2023-2024, adopted by way of resolution CA 2022 11 17 – 7.2 dated 17 November 2022 or, as the case may be, since the date of the declaration of the candidate's eligibility for an articling period in accordance with the By-law respecting the professional training of advocates (chapter B-1, r. 14), is taken into account.

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In addition, for the purpose of calculating the number of attempts at the examinations provided for in section 11 of this Regulation, the examination and the number of attempts at the examination provided for in section 17 du Règlement sur la mise en œuvre du projet pilote du nouveau programme de formation professionnelle au sein de l'École du Barreau pour l'année scolaire 2023-2024 are taken into account.

44. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

106638

Gouvernement du Québec

O.C. 1868-2023, 20 December 2023

Act respecting the Société des alcools du Québec (chapter S-13)

Wine and other alcoholic beverages made or bottled by holders of a wine maker's permit — Amendment

Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit

WHEREAS, under subparagraph 1 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), the Government, upon the recommendation of the Minister of Economy, Innovation and Energy and the Minister of Public Security, may make regulations determining the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit was published in Part 2 of the *Gazette officielle du Québec* of 13 September 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 Economy, Innovation and Energy and the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit

Act respecting the Société des alcools du Québec (chapter S-13, s. 37, 1st par., subpar. 1)

1. The Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit (chapter S-13, r. 7) is amended in section 12 by replacing "Champagne" in subparagraph 2 of the second paragraph by "traditional".

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

106639

Gouvernement du Québec

O.C. 1875-2023, 20 December 2023

Change of the date of 31 December 2024 provided for in sections 17 and 18 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection to a later date for contracts covering, in whole or in part, the collection and transportation of certain residual materials

WHEREAS the second paragraph of section 23 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5) provides that the Government may, before 31 December 2023, change the date of 31 December 2024 provided under the Act to a later date;

WHEREAS it is expedient to change the date of 31 December 2024 provided for in sections 17 and 18 of the Act to 31 December 2025 for contracts that concern

— only the collection and transportation of the residual materials identified by the Government pursuant to section 53.31.2 of the Environment Quality Act (chapter Q-2);

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— in part the collection and transportation of those residual materials, but only for that part of the contracts, if it is possible to determine therein the amounts of money that must be paid for that collection and transportation;

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

THAT the date of 31 December 2024 provided for in sections 17 and 18 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5) be changed to 31 December 2025 for contracts that concern

— only the collection and transportation of the residual materials identified by the Government pursuant to section 53.31.2 of the Environment Quality Act (chapter Q-2);

— in part the collection and transportation of those residual materials, but only for that part of the contracts, if it is possible to determine therein the amounts of money that must be paid for that collection and transportation.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

106641

Gouvernement du Québec

O.C. 1877-2023, 20 December 2023

Designation of the Réserve de biodiversité d'Anticosti, situated in the Côte-Nord region

WHEREAS, pursuant to section 27 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may designate any land in the domain of the State as a protected area with sustainable use, a biodiversity reserve, an ecological reserve or a marine reserve;

WHEREAS, in accordance with section 31 of the Act, the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks held a public information period concerning the designation of the Réserve de biodiversité d'Anticosti from 2 March to 1 April 2022;

WHEREAS, during the public information period, an application for a public consultation was made to the Minister;

WHEREAS, in accordance with sections 34 and 36 of the Act, the Minister mandated the Bureau d'audiences publiques sur l'environnement to hold a targeted consultation on the designation of the Réserve de biodiversité d'Anticosti, which began on 9 May 2022, and whereas the report on the inquiry and targeted consultation was made public on 3 October 2022;

WHEREAS in September 2023, the Commission de toponymie sent the Minister a notice approving the name "Réserve de biodiversité d'Anticosti" to designate the permanent biodiversity reserve;

WHEREAS the territory of the Réserve de biodiversité d'Anticosti, shown on the map appended to this Order in Council, is in the domain of the State;

WHEREAS to protect and maintain biological diversity and the natural and cultural resources associated with Île d'Anticosti, and more specifically to protect representative elements of the geodiversity of the insular setting with outstanding universal value, it is expedient to designate the Réserve de biodiversité d'Anticosti, situated in the Côte-Nord region, with the territory shown on the map appended to this Order in Council;

WHEREAS, pursuant to the first paragraph of section 40 of the Act, the Government's decision to designate an area as a protected area comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the Réserve de biodiversité d'Anticosti, situated in the Côte-Nord region, be designated with the territory delimited on the map appended to this Order in Council.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

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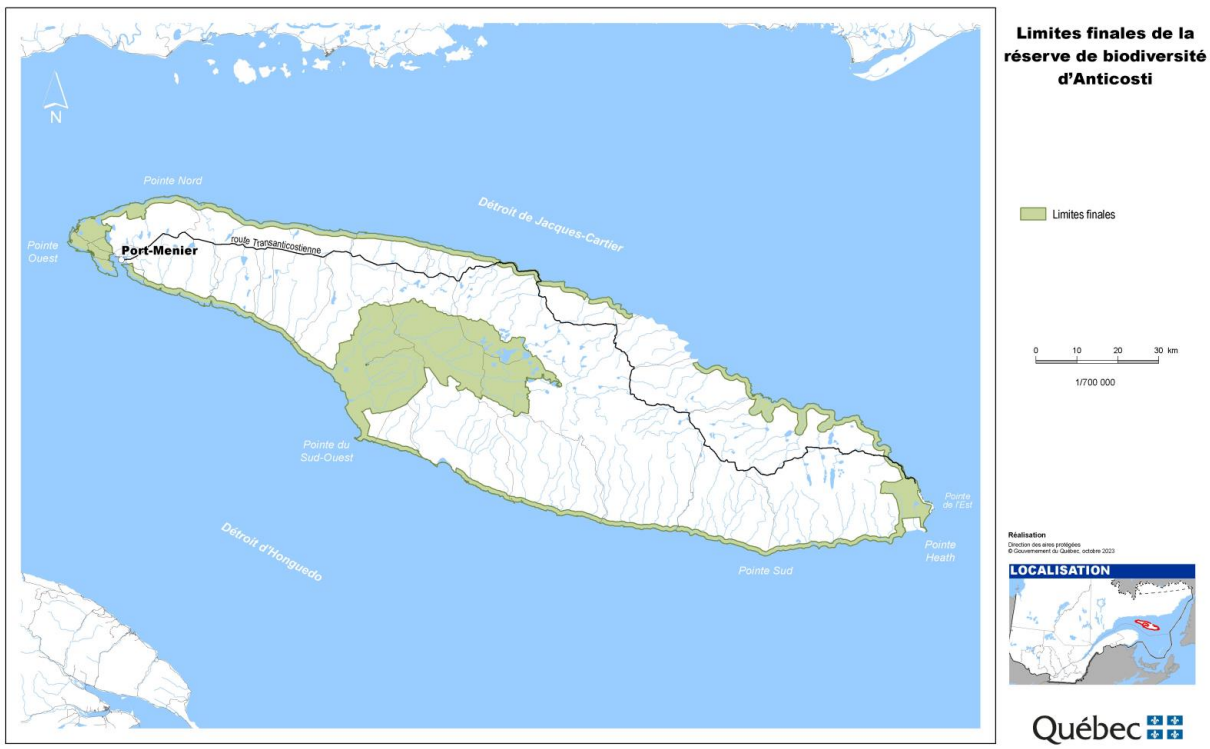
SCHEDULE

MAP OF THE RÉSERVE DE BIODIVERSITÉ D'ANTICOSTI



106642

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Gouvernement du Québec

O.C. 1914-2023, 20 December 2023

Youth Protection Act
(chapter P-34.1)

Act respecting health services and social services
(chapter S-4.2)

Act respecting health services and social services for Cree Native persons
(chapter S-5)

Financial assistance to facilitate tutorship and Indigenous customary tutorship to a child

Regulation respecting financial assistance to facilitate tutorship and Indigenous customary tutorship to a child

WHEREAS, under section 70.3 of the Youth Protection Act (chapter P-34.1), to facilitate tutorship, financial assistance for the child's upkeep may be granted to the tutor referred to in section 70.2 of the Act, according to the terms and conditions prescribed by government regulation;

WHEREAS, under section 131.19 of the Act, financial assistance may, in the cases and on the terms and conditions prescribed by government regulation, be granted by an institution operating a child and youth protection centre to facilitate in particular Indigenous customary tutorship to a child whose situation is taken in charge by a director of youth protection;

WHEREAS, under paragraphs e.1 and i of section 132 of the Act, the Government may make regulations in particular to determine the cases in which and the terms and conditions on which financial assistance may be granted to facilitate Aboriginal customary tutorship to a child whose situation is taken in charge by the director, and to determine the terms and conditions on which financial assistance may be granted to facilitate tutorship to a child;

WHEREAS, under section 512 of the Act respecting health services and social services (chapter S-4.2), the Government determines, by regulation, the contribution that may be required of users lodged in a facility maintained by a public or private institution under agreement, or taken in charge by an intermediate resource of a public institution or by a family-type resource, and the regulation also determines the amount of personal expense allowance which must be left at the disposal of the user each month;

WHEREAS, under section 159 of the Act respecting health services and social services for Cree Native persons (chapter S-5), the Government determines, by regulation, the contribution that may be required for the beneficiaries who are sheltered in an institution or taken in charge by a foster family;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting financial assistance to facilitate tutorship and Aboriginal customary tutorship to a child was published in Part 2 of the Gazette officielle du Québec of 27 June 2018 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 Health and the Minister responsible for Social Services:

THAT the Regulation respecting financial assistance to facilitate tutorship and Indigenous customary tutorship to a child, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting financial assistance to facilitate tutorship and Indigenous customary tutorship to a child

Youth Protection Act
(chapter P-34.1, ss. 70.3, 131.19 and 132, par. *e*.1 and *i*)

Act respecting health services and social services
(chapter S-4.2, s. 512)

Act respecting health services and social services for Cree Native persons
(chapter S-5, s. 159)

CHAPTER I
ELIGIBILITY FOR FINANCIAL ASSISTANCE

1. Any person referred to in section 70.2 of the Youth Protection Act (chapter P-34.1) and who has been appointed as tutor to a child pursuant to section 70.1 of the Act is entitled to the financial assistance provided for in this Regulation, provided that the following conditions are met:

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(1) the child was entrusted to that person pursuant to the Youth Protection Act for a continuous period of at least 6 months before the rendering of the tutorship judgment;

(2) the person provides in fact for the child's upkeep.

Entitlement to financial assistance begins on the date of the tutorship judgment.

2. Any person covered by a certificate issued by a competent authority in accordance with article 199.10 of the Civil Code and section 131.18 of the Youth Protection Act (chapter P-34.1) and attesting that the person is the tutor to a child is entitled to the financial assistance provided for in this Regulation, provided that the following conditions are met:

(1) the child was entrusted to that person pursuant to the Youth Protection Act for a continuous period of at least 6 months before the issue of the certificate;

(2) the person provides in fact for the child's upkeep;

(3) the Indigenous customary tutorship suspended the offices of legal tutor and of person having parental authority with respect to both of the child's parents;

(4) the Indigenous customary tutorship allowed the director of youth protection to end the intervention with the child, pursuant to the Youth Protection Act.

Entitlement to financial assistance begins on the date on which the director's intervention with the child ends, pursuant to the Youth Protection Act.

CHAPTER II
APPLICATION FOR FINANCIAL ASSISTANCE

3. A tutor who wishes to benefit from the financial assistance provided for in this Regulation must apply therefor to the institution of his or her territory operating a child and youth protection centre, within 60 days, as the case may be, of the date of the tutorship judgment or the date on which the director of youth protection ends the intervention with the child.

If an application is not submitted within the time prescribed in the first paragraph, financial assistance may, despite the delay, be granted to the tutor if the tutor gives sufficient grounds to explain the delay. Where applicable, financial assistance may be granted retroactively for not more than 6 months as of the date of receipt of the duly completed application.

The application must be made using the form provided by the institution. It must also contain the tutor's name, address and date of birth as well as the name of the child for whom financial assistance is applied for.

4. Every application for financial assistance must be accompanied by the child's certificate of birth and by affidavits from the tutor and a third person certifying that the tutor provides for the child's upkeep, resides in Canada or, as the case may be, is in a situation described in the first paragraph of section 20.

The third person referred to in the first paragraph may not be the tutor's spouse, an ascendant, a descendant or a relative in the collateral line to the third degree of the tutor. Nor may the third person be the spouse of that ascendant, descendant or relative.

For the purposes of the second paragraph, "spouse" has the meaning assigned to it by section 61.1 of the Interpretation Act (chapter I-16).

5. The application for financial assistance for a tutorship granted under section 70.1 of the Youth Protection Act (chapter P-34.1) must be accompanied, in addition to the documents provided for in the first paragraph of section 4, by the tutorship judgment or a copy of the minutes of the judgment.

6. The application for financial assistance for Indigenous customary tutorship must be accompanied, in addition to the documents provided for in the first paragraph of section 4, by

(1) a copy of the certificate issued by the competent authority; and

(2) a written statement by the director of youth protection indicating that the conditions set out in subparagraphs 1 and 4 of the first paragraph of section 2 are met and indicating the date on which the director's intervention with the child ended.

7. Where the certificate of Indigenous customary tutorship certifies that the child has 2 tutors, the application for financial assistance may be submitted by one of them or jointly by both tutors.

If the application is submitted jointly, the affidavits provided for in the first paragraph of section 4 must be filed for each of the 2 tutors. Despite the foregoing, if, at the time of the joint application, both tutors have left Canada to establish their residence in another country, only one of them must file a declaration certifying that the tutor is in a situation described in the first paragraph of section 20.

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CHAPTER III
TERM AND RENEWAL OF FINANCIAL ASSISTANCE

8. Financial assistance granted for the first time ends on 31 December of the year in which the application is submitted.

9. Financial assistance may be renewed on 1 January of each year until the child reaches 18 years of age.

To maintain entitlement to financial assistance for the following year, the tutor must submit a renewal application to the institution not later than 30 November of the current year. Despite the foregoing, the tutor is not required to submit a renewal application for the year following the year in which the tutor submitted a first application for financial assistance if the application was submitted after 1 June. In the latter case, financial assistance is automatically renewed.

The renewal application must be made using the form provided by the institution, contain the information provided for in the third paragraph of section 3 and be accompanied by the affidavits provided for in the first paragraph of section 4.

Despite the first paragraph, financial assistance may be maintained until the child reaches 21 years of age where the person who acted as tutor continues to provide for the child's upkeep and the child is registered in an educational institution to receive services governed by the Education Act (chapter I-13.3), the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) or section 5 of the Act respecting the Ministère de l'Éducation, du Loisir et du Sport (chapter M-15), other than instructional services in vocational training. In that case, the renewal application must be accompanied, in addition to the documents provided for in the third paragraph, by proof certifying that the child is registered in such an educational institution to receive such services.

10. Where a renewal application is submitted after the date provided for in the second paragraph of section 9, financial assistance may, despite the delay, be granted to the tutor if the tutor gives sufficient grounds to explain the delay. Where applicable, financial assistance may be granted retroactively, for the year covered by the application, for not more than 6 months as of the date of receipt of the duly completed application.

11. Where the Indigenous customary tutorship certificate certifies that the child has 2 tutors, the renewal application for financial assistance may be submitted by only one of them, although the initial application was submitted jointly, and vice versa.

If the renewal application is submitted jointly, the affidavits provided for in the first paragraph of section 4 must be filed for each of the 2 tutors. Despite the foregoing, if at the time of the joint renewal application, both tutors have left Canada to establish their residence in another country, only one of them must file an affidavit certifying that the tutor is in a situation described in the first paragraph of section 20.

CHAPTER IV
AMOUNT AND PAYMENT OF FINANCIAL ASSISTANCE

12. Except in the case provided for in section 14, a tutor is entitled, as financial assistance for the child's upkeep, to a daily amount obtained by adding the following amounts:

(1) a daily amount determined by subtracting the amount to stand in lieu of monetary compensation provided for in subparagraph *a* of paragraph 4 of section 34 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2) from the net remuneration, established pursuant to paragraph 3 of section 34, and to which the tutor would be entitled under a group agreement entered into in accordance with that Act as a foster family within the meaning of the Act respecting health services and social services (chapter S-4.2);

(2) the daily amount determined as what constitutes reasonable operating expenses in accordance with paragraph 3 of section 34 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements;

(3) a daily amount of $5 to cover the child's personal expenses.

A daily lump sum of $2.75 is added to the amount obtained pursuant to the first paragraph as special compensation. The lump sum is adjusted on 1 January of each year in accordance with the Pension Index established in accordance with section 117 of the Act respecting the Québec Pension Plan (chapter R-9).

The amounts referred to in subparagraphs 1 and 2 of the first paragraph and determined pursuant to the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, are published on the website of the Ministère de la Santé et des Services sociaux.

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13. The level of services required to determine the amount of compensation provided for in subparagraph 1 of the first paragraph of section 12 is established by the institution at the time of the initial application for financial assistance. Despite the foregoing, it may be reviewed by the institution upon request by the tutor if a significant change, either permanent or chronic, occurs in the condition of the child. Such a situation must be certified by a physician who is a member of the Collège des médecins du Québec.

For such purposes, the institution uses the Form for the determination and classification of support and assistance services provided for as a schedule to the Regulation respecting the classification of services offered by an intermediate resource and a family-type resource (chapter S-4.2, r. 3.1).

The amount adjusted following a review is granted retroactively to the date of receipt of the duly completed application for review.

14. A tutor who, before becoming a tutor, met the following conditions is entitled, as financial assistance for the child's upkeep, to a daily amount of $90.29, adjusted on 1 January of each year in accordance with the Pension Index established in accordance with section 117 of the Act respecting the Québec Pension Plan (chapter R-9), to which a daily amount of $5 is added to cover the child's personal expenses:

(1) the child was entrusted to the tutor pursuant to the Youth Protection Act (chapter P-34.1) in a capacity other than as foster family within the meaning of the Act respecting health services and social services (chapter S-4.2);

(2) the tutor's assessment had been made, as the case may be, by a social service centre pursuant to the Act respecting health services and social services for Cree Native persons (chapter S-5) or by a Native community or a group of communities pursuant to an agreement entered into under section 131.20 or 131.23 of the Youth Protection Act.

15. Financial assistance is paid to the tutor in a single monthly payment.

In the case of Indigenous customary tutorship, where 2 tutors are covered by the certificate of Indigenous customary tutorship, the monthly amount of financial assistance is paid to the tutor who submitted the initial application for financial assistance or the renewal application, as the case may be; it is paid to both tutors if the initial application for financial assistance or the renewal application, as the case may be, was submitted jointly by both tutors.

CHAPTER V
REDUCTION AND CESSATION OF FINANCIAL ASSISTANCE

16. The amount of financial assistance granted to a tutor under this Regulation is reduced if the child under tutorship is, under an Act, placed, entrusted or provided with foster care outside the residence of the tutor for a period exceeding 30 consecutive days.

In such a case, the tutor is only entitled, as of the 31st day of the child's stay outside the tutor's residence, to a daily amount of $19.33. The amount is adjusted on 1 January of each year in accordance with the Pension Index established in accordance with section 117 of the Act respecting the Québec Pension Plan (chapter R-9).

Financial assistance is entirely granted again as of the date on which the child returns living with his or her tutor.

17. An institution that takes charge of a child who is in the situation described in section 16 must so inform the institution that pays financial assistance under this Regulation. It must also inform it of the date on which the child returns living with his or her tutor.

18. If a child is in the situation described in section 16, no contribution provided for in section 512 of the Act respecting health services and social services (chapter S-4.2) or in section 159 of the Act respecting health services and social services for Cree Native persons (chapter S-5) may be required from the child's tutor or parents.

19. Entitlement to financial assistance ends as soon as

(1) the child dies;

(2) the child reaches 18 years of age or, if financial assistance was maintained beyond 18 years of age pursuant to the fourth paragraph of section 9, the child is no longer in the situation referred to therein or reaches 21 years of age, whichever occurs first;

(3) at least one of the child's parents has been reinstated as tutor;

(4) the tutor ceases to provide for the child's upkeep;

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(5) the tutor dies;

(6) tutorship or Indigenous customary tutorship, as the case may be, ends for other reasons, including the tutor's replacement; or

(7) the tutor leaves Canada to establish his or her residence in another country, unless the tutor is in one of the situations described in the first paragraph of section 20.

The tutor is required to notify the institution in writing as soon as one of the situations referred to in subparagraph 1 to 4, 6 and 7 of the first paragraph occurs and, if leaving Canada, the tutor must do so before the tutor leaves.

Despite the first paragraph, if, in the case of Indigenous customary tutorship, the application for financial assistance was made jointly by both tutors, financial assistance ends, in the cases provided for in subparagraphs 4 to 7 of the first paragraph, only if both tutors are in one of the situations described therein.

20. Financial assistance granted to a tutor who leaves Canada to establish his or her residence in another country is maintained if the tutor

(1) is registered as a student in an educational institution in Québec or Canada while pursuing a program of study outside Canada;

(2) is a trainee outside Canada at a university, an institution affiliated with a university, a research institute, a government or international body or an enterprise or agency affiliated with such an institute or body;

(3) is employed by the government of Québec, the government of another province in Canada or the government of Canada and is posted outside Canada;

(4) holds employment outside Canada on behalf of a legal person, a partnership or an organization having its head office or a place of business in Québec or Canada to which the tutor is directly accountable;

(5) works abroad as an employee of a non-profit organization having its head office in Canada, under an international aid or cooperation program; or

(6) is a member of the Royal Canadian Mounted Police or the Canadian Forces and is posted outside Canada.

A tutor who is in one of the situations referred to in the first paragraph must, to take advantage of the right to maintain financial assistance, provide the institution with a supporting document.

If, in the case of Indigenous customary tutorship, the application for financial assistance was made jointly by both tutors and both tutors left Canada to establish their residence in another country, only one of the tutors must be in one of the situations described in the first paragraph to maintain financial assistance.

21. A tutor who ceased receiving financial assistance because the tutor established his or her residence elsewhere than in Canada and returns to Canada to establish his or her residence therein, may file a new application for financial assistance in accordance with Chapter II.

In such a case, entitlement to financial assistance begins on the date of receipt of the duly completed application.

CHAPTER VI
INSTITUTION'S RESPONSIBILITIES

22. Any institution operating a child and youth protection centre must ensure that assistance is provided to any person wishing to apply for financial assistance and inform that person of the rights and obligations under this Regulation.

23. An institution that receives an application for financial assistance must ensure that the application contains all the information and is accompanied by all the documents necessary for making the decision. If it finds that that is not the case, it must communicate with the tutor and give the tutor the opportunity to provide the relevant information or documents.

The institution ascertains the admissibility of the application for financial assistance, determines the amount to which the tutor is entitled and pays the financial assistance.

The institution must give the reasons and inform the tutor in writing of any decision made pursuant to this Regulation.

CHAPTER VII
TRANSITIONAL AND FINAL

24. Every person who, on the date of coming into force of this Regulation, provides in fact for the upkeep of a child for whom a certificate issued by a competent authority in accordance with article 199.10 of the Civil Code and section 131.18 of the Youth protection Act (chapter P-34.1) certifies that the person is the tutor to the child is entitled to the financial assistance provided for in this Regulation, provided that the following conditions are met:

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(1) the Indigenous customary tutorship suspended the offices of legal tutor and of person having parental authority with respect to both of the child's parents;

(2) the conditions set out in subparagraphs 1 and 4 of the first paragraph of section 2 of this Regulation were met at the time concerned.

In such a case, entitlement to financial assistance begins on the date of coming into force of this Regulation.

A person who wishes to qualify for financial assistance must apply within 60 days following the date of coming into force of this Regulation. Chapter II applies to such an application, with the necessary modifications.

25. Financial assistance granted pursuant to the Regulation respecting financial assistance to facilitate tutorship to a child (chapter P-34.1, r. 5) which a person is receiving on the date of coming into force of this Regulation and that concerns a child 18 years of age or older registered in an educational institution to receive instructional services in vocational training governed by the Educational Act (chapter I-13.3), the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) or section 5 of the Act respecting the Ministère de l'Éducation, du Loisir et du Sport (chapter M-15) is maintained.

THAT financial assistance continues to be governed by the Regulation respecting financial assistance to facilitate tutorship to a child, except as concerns

(1) the amount of the financial assistance, which is determined in accordance with sections 12 and 13 of this Regulation; and

(2) the cessation of the financial assistance, which takes place upon the occurrence of one of the situations referred to in section 19 of this Regulation or not later than 31 December 2024.

26. The Regulation respecting financial assistance to facilitate tutorship to a child (chapter P-34.1, r. 5) is revoked.

27. This Regulation comes into force on 1 February 2024.

106644

Gouvernement du Québec

O.C. 1915-2023, 20 December 2023

Youth Protection Act
(chapter P-34.1)

Act respecting health services and social services
(chapter S-4.2)

Act respecting health services and social services for Cree Native persons
(chapter S-5)

Financial assistance to facilitate the adoption and Indigenous customary adoption of a child

Regulation respecting financial assistance to facilitate the adoption and Indigenous customary adoption of a child

WHEREAS, under section 71.3 of the Youth Protection Act (chapter P-34.1), an institution operating a child and youth protection centre may, in the cases and in accordance with the criteria and conditions prescribed by government regulation, grant financial assistance to facilitate the adoption of a child;

WHEREAS, under section 131.19 of the Act, financial assistance may, in the cases and on the terms and conditions prescribed by government regulation, be granted by an institution operating a child and youth protection centre to facilitate in particular Indigenous customary adoption of a child whose situation is taken in charge by a director of youth protection;

WHEREAS, under paragraphs *e*.1 and f of section 132 of the Act, the Government may make regulations in particular to determine the cases in which and the terms and conditions on which financial assistance may be granted to facilitate Aboriginal customary adoption of a child whose situation is taken in charge by the director, and to determine in what cases, according to what criteria and on what conditions an institution operating a child and youth protection centre may grant financial assistance to facilitate the adoption of a child;

WHEREAS, under section 512 of the Act respecting health services and social services (chapter S-4.2), the Government determines, by regulation, the contribution that may be required of users lodged in a facility maintained by a public or private institution under agreement, or taken in charge by an intermediate resource of a public institution or by a family-type resource, and the regulation also determines the amount of personal expense allowance which must be left at the disposal of the user each month;

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WHEREAS, under section 159 of the Act respecting health services and social services for Cree Native persons (chapter S-5), the Government determines, by regulation, the contribution that may be required for the beneficiaries who are sheltered in an institution or taken in charge by a foster family;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting financial assistance to facilitate the adoption and Aboriginal customary adoption of a child was published in Part 2 of the *Gazette officielle du Québec* of 27 June 2018 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 Health and the Minister responsible for Social Services:

THAT the Regulation respecting financial assistance to facilitate the adoption and Indigenous customary adoption of a child, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting financial assistance to facilitate the adoption and Indigenous customary adoption of a child

Youth Protection Act
(chapter P-34.1, ss. 71.3, 131.19 and 132, par. *e*.1 and *f*)

Act respecting health services and social services
(chapter S-4.2, s. 512)

Act respecting health services and social services for Cree Native persons
(chapter S-5, s. 159)

CHAPTER I
ELIGIBILITY FOR FINANCIAL ASSISTANCE

1. Any person covered by an order of placement made for the adoption of a child is entitled to the financial assistance provided for in this Regulation, provided that the following conditions are met:

(1) the child was entrusted to that person pursuant to the Youth Protection Act (chapter P-34.1) for a continuous period of at least 6 months before the issue of the order of placement;

(2) the person provides in fact for the child's upkeep.

Entitlement to financial assistance begins on the date of the order of placement.

2. Any person covered by a certificate issued by a competent authority in accordance with article 543.1 of the Civil Code and section 131.18 of the Youth Protection Act (chapter P-34.1) and attesting that the person is the adopter of a child is entitled to the financial assistance provided for in this Regulation, provided that the following conditions are met:

(1) the child was entrusted to that person pursuant to the Youth Protection Act for a continuous period of at least 6 months before the issue of the certificate;

(2) the person provides in fact for the child's upkeep;

(3) the Indigenous customary adoption dissolved the bond of filiation between the child and each of the child's parents of origin;

(4) the Indigenous customary adoption allowed the director of youth protection to end the intervention with the child, pursuant to the Youth Protection Act.

Entitlement to financial assistance begins on the date on which the director's intervention with the child ends, pursuant to the Youth Protection Act.

CHAPTER II
APPLICATION FOR FINANCIAL ASSISTANCE

3. An adopter who wishes to benefit from the financial assistance provided for in this Regulation must apply therefor to the institution of his or her territory operating a child and youth protection centre, within 60 days, as the case may be, of the date of the order of placement or the date on which the director of youth protection ends the intervention with the child.

If an application is not submitted within the time prescribed in the first paragraph, financial assistance may, despite the delay, be granted to the adopter if the adopter gives sufficient grounds to explain the delay. Where applicable, financial assistance may be granted retroactively for not more than 6 months as of the date of receipt of the duly completed application.

The application must be made using the form provided by the institution. It must also contain the adopter's name, address and date of birth as well as the name and date of birth of the child for whom financial assistance is applied for. In the case of an application submitted by a person referred to in section 1, the application must also contain the date on which the order of placement was made.

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4. Every application for financial assistance must be accompanied by affidavits from the adopter and a third person certifying that the adopter provides for the child's upkeep, resides in Canada or, as the case may be, is in a situation described in the first paragraph of section 20. It must also be accompanied by the documents referred to in the first paragraph of section 13.

The third person referred to in the first paragraph may not be the adopter's spouse, an ascendant, a descendant or a relative in the collateral line to the third degree of the adopter. Nor may the third person be the spouse of that ascendant, descendant or relative.

For the purposes of the second paragraph, "spouse" has the meaning assigned to it by section 61.1 of the Interpretation Act (chapter I-16).

5. The application for financial assistance for an Indigenous customary adoption must be accompanied, in addition to the documents provided for in the first paragraph of section 4, by the following documents:

(1) a copy of the Indigenous customary adoption certificate referred to in the first paragraph of section 2;

(2) a written statement by the director of youth protection indicating that the conditions set out in subparagraphs 1 and 4 of the first paragraph of section 2 are met and indicating the date on which the director's intervention with the child ended.

6. Where there are 2 adopters, the application for financial assistance may be submitted by one of them or jointly by both adopters.

If the application is submitted jointly, the affidavits provided for in the first paragraph of section 4 must be filed for each of the 2 adopters. Despite the foregoing, if, at the time of the joint application, both adopters have left Canada to establish their residence in another country, only one of them must file an affidavit certifying that the adopter is in a situation described in the first paragraph of section 20.

CHAPTER III
TERM AND RENEWAL OF FINANCIAL ASSISTANCE

7. Financial assistance is granted for not more than 3 consecutive years.

The financial assistance period begins on the date, determined pursuant to Chapter I, on which the adopter's entitlement for financial assistance begins. Despite the foregoing, where on that date the adopter receives adoption benefits under the Act respecting parental insurance (chapter A-29.011), the adopter may request that the start date of the financial assistance period be postponed to the date on which payment of those benefits ends. To do so, the adopter must apply to the institution at the time the adopter submits his or her application for financial assistance.

8. To maintain entitlement to financial assistance, the adopter must submit to the institution an application for the renewal of the financial assistance within 60 days preceding the date on which the first and second years of financial assistance end.

The renewal application must be made using the form provided by the institution, contain the information provided for in the third paragraph of section 3 and be accompanied by the documents provided for in the first paragraph of section 4.

Where a renewal application is submitted outside the time prescribed in the first paragraph, financial assistance may, despite the delay, be granted to the adopter if the adopter gives sufficient grounds to explain the delay. Where applicable, financial assistance may be granted retroactively, for the year of financial assistance covered by the application, for not more than 6 months as of the date of receipt of the duly completed application.

9. Where there are 2 adopters, the renewal application for financial assistance may be submitted by only one of them, although the initial application was submitted jointly, and vice versa.

If the renewal application is submitted jointly, the affidavits provided for in the first paragraph of section 4 must be filed for each of the 2 adopters. Despite the foregoing, if at the time of the joint renewal application, both adopters have left Canada to establish their residence in another country, only one of them must file an affidavit certifying that the adopter is in a situation described in the first paragraph of section 20.

10. The financial assistance period ends 3 years after the start date, determined pursuant to the second paragraph of section 7, even if the financial assistance is granted following an initial application for late financial assistance pursuant to the second paragraph of section 3 or an application for the renewal of late financial assistance pursuant to the third paragraph of section 8.

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CHAPTER IV
AMOUNT AND PAYMENT OF FINANCIAL ASSISTANCE

11. Except in the case provided for in section 12, the adopter is entitled, as financial assistance for the child's upkeep, to the amount of financial assistance to which a tutor is entitled in accordance with section 12 of the Regulation respecting financial assistance to facilitate tutorship and Indigenous customary tutorship to a child made by Order in Council 1914-2023 dated 20 December 2023, less the amounts, that are reasonably attributable to the child, to which the adopter and the adopter's spouse are entitled, on a daily basis, as the family allowance provided for in section 1029.8.61.18 of the Taxation Act (chapter I-3) and the Canada child benefit provided for in section 122.61 of the Income Tax Act (R.S.C. 1985, c. 1 (5th Suppl.)).

For the purposes of the first paragraph, the adopter's spouse is his or her "cohabiting spouse" according to the definition of that expression provided for in section 1029.8.61.8 of the Taxation Act, or his or her "cohabiting spouse or common-law partner" according to the definition provided for in section 122.6 of the Income Tax Act.

The level of services required to determine the amount of compensation provided for in the first paragraph is established by the institution at the time of the initial application for financial assistance. For such purposes, the institution uses the Form for the determination and classification of support and assistance services provided for as a schedule to the Regulation respecting the classification of services offered by an intermediate resource and a family-type resource (chapter S-4.2, r. 3.1).

12. An adopter who, before becoming an adopter, met the following conditions is entitled, as financial assistance for the child's upkeep, to the amount of financial assistance to which a tutor is entitled in accordance with section 14 of the Regulation respecting financial assistance to facilitate tutorship and Indigenous customary tutorship to a child made by Order in Council 1914-2023 dated 20 December 2023, less the amounts, that are reasonably attributable to the child, to which the adopter and the adopter's spouse are entitled, on a daily basis, as the family allowance provided for in section 1029.8.61.18 of the Taxation Act (chapter I-3) and the Canada child benefit provided for in section 122.61 of the Income Tax Act (R.S.C. 1985, c. 1 (5th Suppl.)):

(1) the child was entrusted to the adopter pursuant to the Youth Protection Act (chapter P-34.1) in a capacity other than as foster family within the meaning of the Act respecting health services and social services (chapter S-4.2);

(2) the adopter's assessment had been made, as the case may be, by a social service centre pursuant to the Act respecting health services and social services for Cree Native persons (chapter S-5) or by a Native community or a group of communities pursuant to an agreement entered into under section 131.20 and 131.23 of the Youth Protection Act.

For the purposes of the first paragraph, the adopter's spouse is his or her "cohabiting spouse" according to the definition of that expression provided for in section 1029.8.61.8 of the Taxation Act, or his or her "cohabiting spouse or common-law partner" according to the definition provided for in section 122.6 of the Income Tax Act.

13. For the purposes of sections 11 and 12, the amounts considered by the institution as family allowance and Canada child benefit, to which the adopter and his or her spouse are entitled, are those determined in the documents issued by the authorities concerned.

Where the amounts are changed during a year of financial assistance, the adopter must so inform the institution and provide documents indicating the new amounts.

14. In the first year of financial assistance, the adopter is entitled to 100% of the amount calculated, as the case may be, in accordance with section 11 or 12. The adopter is entitled to only 75% of that amount in the second year and to only 50% of that amount in the third year.

15. Financial assistance is paid to the adopter in a single monthly payment.

Where there are 2 adopters, the monthly amount of financial assistance is paid to the adopter who submitted the initial application for financial assistance or the renewal application, as the case may be; it is paid to both adopters if the initial application for financial assistance or the renewal application, as the case may be, was submitted jointly by both adopters.

CHAPTER V
REDUCTION AND CESSATION OF FINANCIAL ASSISTANCE

16. The amount of financial assistance granted to an adopter under this Regulation is reduced if the child is, under an Act, placed, entrusted or provided with foster care outside the residence of the adopter for a period exceeding 30 consecutive days.

In such a case, the adopter is only entitled, as of the 31st day of the child's stay outside the adopter's residence, to a daily amount of $19.33, adjusted on 1 January of each

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year in accordance with the Pension Index established in accordance with section 117 of the Act respecting the Québec Pension Plan (chapter R-9), less the amounts, that are reasonably attributable to the child, to which the adopter and the adopter's spouse are entitled, on a daily basis, as the family allowance provided for in section 1029.8.61.18 of the Taxation Act (chapter I-3) and the Canada child benefit provided for in section 122.61 of the Income Tax Act (R.S.C. 1985, c. 1 (5th Suppl.)).

Financial assistance is entirely granted again as of the date on which the child returns living with the adopter.

For the purposes of the second paragraph, the adopter's spouse is his or her "cohabiting spouse" according to the definition of that expression provided for in section 1029.8.61.8 of the Taxation Act, or his or her "cohabiting spouse or common-law partner" according to the definition provided for in section 122.6 of the Income Tax Act. In addition, the adopter is subject to the requirement provided for in the second paragraph of section 13 of this Regulation.

17. An institution that takes charge of a child who is in the situation described in section 16 must so inform the institution that pays financial assistance under this Regulation. It must also inform it of the date on which the child returns living with the adopter.

18. If a child is in the situation described in section 16, no contribution provided for in section 512 of the Act respecting health services and social services (chapter S-4.2) or in section 159 of the Act respecting health services and social services for Cree Native persons (chapter S-5) may be required from an adopter.

19. Entitlement to financial assistance ends as soon as

(1) the child dies;

(2) the child reaches 18 years of age;

(3) the adopter ceases to provide for the child's upkeep;

(4) the bond of filiation between the child and the adopter is dissolved;

(5) the adopter leaves Canada to establish his or her residence in another country, unless the adopter is in one of the situations described in the first paragraph of section 20; or

(6) the adopter dies.

The adopter is required to notify the institution in writing as soon as one of the situations referred to in subparagraphs 1 to 5 of the first paragraph occurs and, if leaving Canada, the adopter must do so before the adopter leaves.

Despite the first paragraph, if the application for financial assistance was made jointly by both adopters, financial assistance ends, in the cases provided for in subparagraphs 3 to 6 of the first paragraph, only if both adopters are in one of the situations described therein.

20. Financial assistance granted to an adopter who leaves Canada to establish his or her residence in another country is maintained if the adopter

(1) is registered as a student in an educational institution in Québec or Canada while pursuing a program of study outside Canada;

(2) is a trainee outside Canada at a university, an institution affiliated with a university, a research institute, a government or international body or an enterprise or agency affiliated with such an institute or body;

(3) is employed by the government of Québec, the government of another province in Canada or the government of Canada and is posted outside Canada;

(4) holds employment outside Canada on behalf of a legal person, a partnership or an organization having its head office or a place of business in Québec or Canada to which the adopter is directly accountable;

(5) works abroad as an employee of a non-profit organization having its head office in Canada, under an international aid or cooperation program; or

(6) is a member of the Royal Canadian Mounted Police or the Canadian Forces and is posted outside Canada.

An adopter who is in one of the situations referred to in the first paragraph must, to take advantage of the right to maintain financial assistance, provide the institution with a supporting document.

If the application for financial assistance was made jointly by both adopters and both adopters left Canada to establish their residence in another country, only one of the adopters must be in one of the situations described in the first paragraph to maintain financial assistance.

21. An adopter who ceased receiving financial assistance because the adopter established his or her residence elsewhere than in Canada and returns to Canada to establish his or her residence may, if the 3-year period

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during which the adopter is entitled to financial assistance has not elapsed, file a new application for financial assistance in accordance with Chapter II.

In such a case, entitlement to financial assistance begins on the date of receipt of the duly completed application.

CHAPTER VI
INSTITUTION'S RESPONSIBILITIES

22. Any institution operating a child and youth protection centre must ensure that assistance is provided to any person wishing to apply for financial assistance and inform that person of the rights and obligations under this Regulation.

23. An institution that receives an application for financial assistance must ensure that the application contains all the information and is accompanied by all the documents necessary for making the decision. If it finds that that is not the case, it must communicate with the adopter and give the adopter the opportunity to provide the relevant information or documents.

The institution ascertains the admissibility of the application for financial assistance, determines the amount to which the adopter is entitled and pays the financial assistance.

The institution must give the reasons and inform the adopter in writing of any decision made pursuant to this Regulation.

CHAPTER VII
TRANSITIONAL AND FINAL

24. Every person who, on the date of coming into force of this Regulation, provides in fact for the upkeep of a child in respect of whom a certificate issued by a competent authority in accordance with article 543.1 of the Civil Code and section 131.18 of the Youth Protection Act (chapter P-34.1) certifies that the person is the adopter is entitled to the financial assistance provided for in this Regulation, provided that the following conditions are met:

(1) the Indigenous customary adoption dissolved the bond of filiation between the child and each of the child's parents of origin;

(2) the conditions set out in subparagraphs 1 and 4 of the first paragraph of section 2 of this Regulation were met at the time concerned.

In such a case, entitlement to financial assistance begins on the date of coming into force of this Regulation.

A person who wishes to qualify for financial assistance must apply within 60 days following the date of coming into force of this Regulation. Chapter II applies to such an application, with the necessary modifications.

25. The Regulation respecting financial assistance to facilitate the adoption of a child (chapter P-34.1, r. 4) is revoked.

Despite the first paragraph, the financial assistance granted to an adopter pursuant to the Regulation respecting financial assistance to facilitate the adoption of a child remains governed by it, except that section 6 of that Regulation is replaced by section 11 of this Regulation.

26. This Regulation comes into force on 1 February 2024.

106645

Gouvernement du Québec

O.C. 1916-2023, 20 December 2023

Combative sports between amateur athletes in the territory of Québec

WHEREAS, under subsection 1 of section 83 of the Criminal Code (R.S.C., 1985, c. C-46), every one who engages as a principal in a prize fight, advises, encourages or promotes a prize fight, or is present at a prize fight as an aid, second, surgeon, umpire, backer or reporter, is guilty of an offence punishable on summary conviction;

WHEREAS, under paragraph *a* of subsection 2 of section 83 of the Criminal Code, a contest between amateur athletes in a combative sport with fists, hands or feet held in a province if the sport is on the programme of the International Olympic Committee or the International Paralympic Committee and, in the case where the province's lieutenant governor in council or any other person or body specified by him or her requires it, the contest is held with their permission, is not included in the definition of prize fight;

WHEREAS, under paragraph *b* of subsection 2 of section 83 of the Criminal Code, a contest between amateur athletes in a combative sport with fists, hands or feet held in a province if the sport has been designated by the

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province's lieutenant governor in council or by any other person or body specified by him or her and, in the case where the lieutenant governor in council or other specified person or body requires it, the contest is held with their permission, is not included in the definition of prize fight;

WHEREAS, under Order in Council 510-2018 dated 18 April 2018, kick-boxing is designated as an amateur combative sport not included in the definition of prize fight;

WHEREAS, under Order in Council 1692-2022 dated 26 October 2022, karate is designated as an amateur combative sport not included in the definition of prize fight;

WHEREAS, under the first paragraph of section 26 of the Act respecting safety in sports (chapter S-3.1), every sports federation and every unaffiliated sports body must adopt safety regulations concerning the matters prescribed by regulation of the Government, and see that they are observed by its members;

WHEREAS, under the first paragraph of section 27 of the Act, a sports federation or unaffiliated sports body must have its safety regulations approved by the Minister Responsible for Sports, Recreation and the Outdoors;

WHEREAS it is expedient, for the purposes of paragraph *b* of subsection 2 of section 83 of the Criminal Code, to designate kick-boxing and karate as amateur combative sports not included in the definition of prize fight, provided they are not excluded pursuant to paragraph *a* of subsection 2 of section 83 of the Criminal Code and are held by a sports federation or an unaffiliated sports body that has a safety regulation approved by the Minister Responsible for Sports, Recreation and the Outdoors in accordance with the Act respecting safety in sports;

WHEREAS it is expedient to replace Order in Council 510-2018 dated 18 April 2018 and Order in Council 1692-2022 dated 26 October 2022;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Sports, Recreation and the Outdoors:

THAT, for the purposes of paragraph *b* of subsection 2 of section 83 of the Criminal Code (R.S.C., 1985, c. C-46), kick-boxing and karate are designated as amateur combative sports not included in the definition of prize fight, provided they are not excluded pursuant to paragraph *a* of subsection 2 of section 83 of the Criminal Code and are held by a sports federation or an unaffiliated sports body that has a safety regulation approved in accordance with the Act respecting safety in sports (chapter S-3.1);

THAT this Order in Council replaces Order in Council 510-2018 dated 18 April 2018 and Order in Council 1692-2022 dated 26 October 2022;

THAT this Order comes into force on 20 August 2024.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

106646

Gouvernement du Québec

O.C. 1919-2023, 20 December 2023

Act respecting roads
(chapter V-9)

Amendment of Order in Council 292-93 dated 3 March 1993 concerning roads under the management of the Minister of Transport

Amendment of Order in Council 292-93 dated 3 March 1993 concerning roads under the management of the Minister of Transport

WHEREAS, under the first paragraph of section 2 of the Act respecting roads (chapter V-9), the Government determines, by an order published in the *Gazette officielle du Québec*, the roads under the management of the Minister of Transport and Sustainable Mobility;

WHEREAS, under the first paragraph of section 3 of the Act, the Government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of the Minister of Transport and Sustainable Mobility will, from the date indicated in the order, be managed by a municipality in accordance with Chapter I and Division I of Chapter IX of Title II of the Municipal Powers Act (chapter C-47.1);

WHEREAS, under the second paragraph of section 3 of the Act, the Government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of a municipality will, from the date indicated in the order, pass under the management of the Minister of Transport and Sustainable Mobility;

WHEREAS Order in Council 292-93 dated 3 March 1993 and its subsequent amendments determined, by municipality, the roads under the management of the Minister of Transport and Sustainable Mobility;

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WHEREAS it is expedient to further amend the Schedule to that Order in Council and its subsequent amendments, in respect of the stated municipalities, in order to correct the description of certain roads and list the roads that underwent a geometric redevelopment and those that underwent a change in the right-of-way width, as indicated in the Schedule to this Order in Council;

WHEREAS it is expedient to further amend the Schedule to that Order in Council and its subsequent amendments, in respect of the stated municipalities, in order to determine that certain roads under the management of the Minister of Transport and Sustainable Mobility are to come under the management of the municipalities in which the roads are situated and that certain other roads under the management of municipalities are to come under the management of the Minister of Transport and Sustainable Mobility, by making the required additions and removals, as indicated in the Schedule to this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Sustainable Mobility:

THAT the Schedule to Order in Council 292-93 dated 3 March 1993 and its subsequent amendments be further amended, in respect of the stated municipalities, in order to correct the description of certain roads and list the roads that underwent a geometric redevelopment and those that underwent a change in the right-of-way width, as indicated in the Schedule to this Order in Council;

THAT the Schedule to Order in Council 292-93 dated 3 March 1993 and its subsequent amendments be further amended, in respect of the stated municipalities, in order to determine that certain roads under the management of the Minister of Transport and Sustainable Mobility are to come under the management of the municipalities in which the roads are situated and that certain other roads under the management of municipalities are to come under the management of the Minister of Transport and Sustainable Mobility, by making the required additions and removals, as indicated in the Schedule to this Order in Council.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

SCHEDULE

ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT AND SUSTAINABLE MOBILITY

PRESENTATION NOTE

The roads under the management of the Minister of Transport and Sustainable Mobility are described for each municipality in which they are located. The update of the Schedule to Order in Council 292-93 dated 3 March 1993 and its subsequent amendments indicates the corrections made to road descriptions, roads that were added or removed and roads that underwent a change to their right-of-way width or a geometric redevelopment.

(A) CORRECTIONS TO ROAD DESCRIPTIONS, AND ADDITION OR REMOVAL OF ROADS

Roads that are the subject of a correction to their description or that were added or removed are listed using the following five elements:

1. ROAD CLASS

The nomenclature of road classes is based on the functional classification established by the Ministère des Transports et de la Mobilité durable.

2. SECTION IDENTIFICATION

The roads are identified according to the codification system used by the Ministère to subdivide its road network. The codification is classified by Road / Segment / Section / Sub-road. The sequence within sub-roads has evolved over the years (the current codification appears in boldface in the examples below). Here is how to interpret the information:

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Main road

Road	Segment	Section	Sub-road	Description
00138	- 01	- 110	- **000-C**	Main road (000) with **C**ontiguous lanes
00020	- 02	- 090	- **000-S**	Main road (000) with **S**eparated (divided) roadways
00020	- 02	- 090	- 0-00-1	Main road (000) with number serving for computer validation “1” (from 0 to 9)

Ramp

Road	Segment	Section	Sub-road	Description
00020	- 02	- 090	- **32A**	Ramp (**3**), intersection No. **2**, named “**A**”
00020	- 02	- 090	- 3-02-0-A	Ramp (3), intersection No. 02, named “0-A”

3. Road name (odonym)

For roads with a number lower than 1000, it is the number, and not the odonym, that is indicated. The odonym is used for all other roads.

When one or more ramps are present along a road section, the total number of ramps attached to the section is also indicated. The cumulative length of all those ramps is then indicated under the heading “Length in kilometres”.

4. Location of beginning

This element contains a description of a physical reference point to indicate the beginning of a road section or identify a municipal boundary.

5. Length in kilometres

The length in kilometres is indicated for each road or portion of a road. The length, established by the Minister of Transport and Sustainable Mobility, corresponds to the distance travelled by a vehicle between two points, without taking into account the number of lanes or the layout in contiguous lanes or divided roadways. Thus, the length is the same, whether for an autoroute or a collector road.

(B) CHANGE OF RIGHT-OF-WAY WIDTH OR GEOMETRIC REDEVELOPMENT

Roads that have undergone a change of right-of-way width or a geometric redevelopment are described using the same elements as in section A above, as well as the plan number, the land surveyor’s name and the number of the land surveyor’s minutes, where relevant.

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SAINT-JULES, SD (0508000)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00132-19-010-0-00-9	Route 132	Municipal boundary of New-Richmond, V	0.73

replaced with

CASCAPÉDIA-SAINT-JULES, M (0507700)

- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00132-19-015-000-C*	Route 132	End of divided roadways	0.92

* This section is also in Ville de New Richmond

CÔTE-NORD-DU-GOLFE-DU-SAINT-LAURENT, M (9801500)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Collector	00138-13-120-0-00-6	Route 138	Bridge over Ruisseau Clay-Brook, western limit	4.15
Collector	00138-13-130-0-00-4	Route 138	Bridge over Rivière Foreman, western limit	7.72

- **Addition (new Route 138);**
- **Removal (former Route 138);**
- **Geometric redevelopment.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00138-13-127-000-C	Route 138	Pont de la rivière Clay	4.11
National	00138-13-136-000-C	Route 138	Pont de la petite rivière Kegaska (Foreman)	7.79

DÉGELIS, V (1300500)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00085-01-010-000-S	Autoroute 85 11 ramps	New Brunswick border	11.47 6.81
Autoroute	00085-01-020-000-S	Autoroute 85 4 ramps	Intersection with Route 295	4.88 1.30
Autoroute	00085-01-030-000-C*	Autoroute 85	End of divided roadways	0.76

- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00085-01-010-000-S	Autoroute 85 12 ramps	New Brunswick border	14.50 7.48
Autoroute	00085-01-040-000-S*	Autoroute 85 3 ramps	Intersection with Route 295	5.65 1.24

* This section is also in Ville de Témiscouata-sur-le-Lac

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DORVAL, V (6608700)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-050-000-S	Autoroute 20 10 ramps	Municipal boundary of Pointe-Claire, V	3.00 4.21
Autoroute	00020-02-060-000-S	Autoroute 20 9 ramps	Westbound bridge, Autoroute 520 (Dorval circle)	1.58 3.25
Local	61054-01-030-000-S	Rue Cardinal	Intersection with Boulevard Albert-de-Niverville	0.75

- **Removal (Rue Cardinal and ramps);**
- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-050-000-S	Autoroute 20 9 ramps	Municipal boundary of Pointe-Claire, V	3.00 3.55
Autoroute	00020-02-060-000-S	Autoroute 20 9 ramps	Westbound bridge, Autoroute 520 (Dorval circle)	1.58 5.07

COTEAU-STATION, VL (7103500)

- **Removal.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Collector	30241-03-000-0-00-8	Montée Coteau-Landing	Municipal boundary of Coteau-Landing, VL	1.58

NEW RICHMOND, V (0507000)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00132-18-163-000-C	Route 132 Est	Municipal boundary of Caplan, M	8.70
National	00132-18-166-000-S	Route 132 Ouest	End of contiguous lane	0.88
National	00132-18-167-000-C	Route 132 Ouest	End of divided lanes	4.30
National	00132-18-187-0-00-0	Route 132 Ouest	Intersection with Route 299	0.95
Collector	97140-01-020-000-C	Boulevard Perron Ouest	Intersection with Chemin Campbell	4.47

- **Geometric redevelopment;**
- **Change to right-of-way width;**
- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00132-18-155-000-C	Route 132 Est 4 ramps	Municipal boundary of Caplan, M	9.12 0.12
National	00132-18-175-000-C	Route 132 Ouest	Intersection with traffic circle	4.30
National	00132-18-186-000-S*	Route 132 Ouest	End of contiguous lanes	1.10
National	00132-19-015-000-C	Route 132 Ouest	End of divided roadways	0.21
Collector	97140-01-020-000-C	Boulevard Perron Ouest	Intersection with Chemin Campbell	4.44
According to plan AA-6309-154-06-0397 prepared by G. Magella Proulx, land surveyor, under number 2255 of his minutes, and according to plan TR-6309-154-21-7631 prepared by Francis Tremblay, land surveyor, under number 707 of his minutes.				

* This section is also in Municipalité de Cascapédia-Saint-Jules

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UNSUBDIVIDED TERRITORY, NO (9690207)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00389-02-180-0-00-5	Route 389	1300 m. south of Lac Pamphile (km 240.3)	16.57

replaced with

RIVIÈRE-AUX-OUTARDES, TNO (9690200)

- **Addition (new Route 389);**
- **Removal (former Route 389);**
- **Geometric redevelopment.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00389-02-181-000-C	Route 389	1300 m. south of Lac Pamphile (km 240.3)	15.70

SAINT-ANSELME, VL (1906000)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Regional	00277-01-140-0-00-3	Route 277	Municipal boundary of Saint-Anselme, P	2.28

and

SAINT-ANSELME, P (1906500)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Regional	00277-01-130-0-00-5	Route 277	Municipal boundary of Sainte-Claire, SD	2.78
Regional	00277-01-150-0-00-0	Route 277	Municipal boundary of Saint-Anselme, VL	3.90

replaced with

SAINT-ANSELME, M (1906200)

- **Geometric redevelopment.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Regional	00277-01-135-000-C	Route 277	Municipal boundary of Sainte-Claire, M	3.91
Regional	00277-01-142-000-S	Route 277	End of contiguous lanes	0.37
Regional	00277-01-145-000-C	Route 277	End of divided roadways	2.45
Regional	00277-01-148-000-S	Route 277 4 ramps	End of contiguous lanes	0.08 0.15
Regional	00277-01-156-000-S	Route 277 4 ramps	Rang de la Montagne	2.12 0.23

SAINT-AUGUSTIN-DE-WOBURN, P (3000500)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00161-01-025-0-00-9	Route 161	Intersection with Route 263 Nord	7.37

- **Corrections to the description.**

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Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00161-01-025-000-C	Route 161 1 ramp	Intersection with Route 263 Nord	7.38 0.27

SAINT-HENRI, M (1906800)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Regional	00277-01-161-000-C	Route 277	Municipal boundary of Saint-Anselme, P	3.11
Regional	00277-01-175-000-S	Route 277 8 ramps	End of contiguous lane	3.48 0.37

- **Geometric redevelopment.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Regional	00277-01-168-000-S	Route 277 24 ramps	Municipal boundary of Saint-Anselme, M	4.62 1.10
Regional	00277-01-181-000-S	Route 277 5 ramps	Saint-Henri southbound traffic circle	1.82 0.15

SAINT-JÉRÔME, V (7501700)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00015-03-061-000-S	Autoroute 15 20 ramps	Former municipal boundary of Bellefeuille	4.04 14.61

- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00015-03-061-000-S	Autoroute 15 8 ramps	Exit 41 interchange	4.04 5.85
Autoroute	00915-01-010-000-S	Autoroute 915 10 ramps	Intersection with Autoroute 15 Nord at km 44	2.46 4.11
National	00117-02-090-000-S	Autoroute 117 5 ramps	Intersection with Route 333	2.76 1.84

SAINT-LOUIS-DU-HA! HA!, P (1308000)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00085-01-050-000-S	Autoroute 85 4 ramps	Intersection with Route 232 Ouest	6.83 1.78

- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00085-01-050-000-S*	Autoroute 85 4 ramps	Intersection with Route 232 Ouest	6.83 2.01

* This section is also in Ville de Témiscouata-sur-le-Lac

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SAINT-MATHIEU, SD (6700500)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Collector	63702-01-000-0-00-3	Chemin Principale	Intersection with Montée de la Petite Côte	2.91
Collector	63702-02-000-0-00-1	Montée Monette	Bridge on Autoroute 15	0.39
Collector	63719-02-000-0-00-5	Chemin Principale	Municipal boundary of Saint-Michel, P	2.37

and

SAINT-PHILIPPE, P (6701000)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Collector	63702-03-000-0-00-9	Montée Monette	Municipal boundary of Saint-Mathieu, SD	3.44

replaced with

SAINT-MATHIEU, M (6700500)

- **Removal (Montée Monette in Saint-Philippe);**
- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Collector	63719-02-040-000-C	Montée Monette	Municipal boundary of Saint-Michel, M	6.34

TÉMISCOUATA-SUR-LE-LAC, V (1307300)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00085-01-030-000-C	Autoroute 85 5 ramps	Municipal boundary of Dégelis, V	8.23 3.32
Autoroute	00085-01-040-000-S	Autoroute 85 11 ramps	End of contiguous lanes	8.86 5.95
Autoroute	00085-01-050-000-S	Autoroute 85 6 ramps	Intersection with Route 232 Ouest	5.40 3.66

- **Corrections to the description.**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00085-01-040-000-S*	Autoroute 85 14 ramps	Intersection with Route 295	17.13 8.25
Autoroute	00085-01-050-000-S**	Autoroute 85 8 ramps	Intersection with Route 232 Ouest	5.40 4.88

* This section is also in Ville de Dégelis
** This section is also in Municipalité de Paroisse de Saint-Louis-du-Ha!-Ha!

TERREBONNE, V (6400800)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00640-03-080-0-00-0	Autoroute 640 3 ramps	Municipal boundary of Bois-Des-Filion, V	9.16 1.45

- **Changes in right-of-way width;**
- **Corrections to the description.**

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Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00640-03-080-000-S	Autoroute 640 9 ramps	Municipal boundary of Bois-Des-Filion, V	9.16 7.08
According to plan AA-2902-154-02-1026 prepared by Martin Larocque, land surveyor, under number 5374 of his minutes.				

106647

M.O., 2023

Order 2023-01 of the Minister Responsible for Government Administration and Chair of the Conseil du trésor dated 11 December 2023

Professional Code
(chapter C-26)

Amount of the contribution payable by the members of the professional orders for the 2024-2025 fiscal year of the Office des professions du Québec

THE MINISTER RESPONSIBLE FOR GOVERNMENT ADMINISTRATION AND CHAIR OF THE CONSEIL DU TRÉSOR,

CONSIDERING the first paragraph of section 196.2 of the Professional Code (chapter C-26), which provides that the expenditures incurred by the Office des professions du Québec in a fiscal year are to be payable by the members of the professional orders;

CONSIDERING the second paragraph of section 196.2 of the Code, which provides that, for each fiscal year of the Office, the members of the orders are required to pay a contribution determined by the Minister responsible for the administration of the Professional Code and the Acts constituting the professional orders, after consulting with the Minister of Finance, the Minister Responsible for Immigration, the Minister of Health and Social Services and the Chair of the Conseil du trésor;

CONSIDERING the third paragraph of section 196.2 of the Code, which provides that, each fiscal year, the surplus of the Office for the preceding fiscal is added to, or its deficit for the preceding fiscal year is deducted from, the expenditures determined by the Office in its budget estimates for the following fiscal year;

CONSIDERING the third paragraph of section 196.2 of the Code, which provides that any surplus or deficit expected by the Office for a fiscal year may also be taken into account in whole or in part;

CONSIDERING the third paragraph of section 196.2 of the Code, which provides that the resulting amount is then divided by the number of members in all the orders on 31 March of the calendar year in progress and that the quotient is the amount of the annual contribution of each member;

CONSIDERING the first paragraph of section 196.8 of the Code, which provides that every person or group and every department or other government body are to pay the charge determined by regulation of the Government after consultation with the Office and the Québec Interprofessional Council in respect of any request they submit to the Office or of any act that must be performed by the Office in the exercise of its functions;

CONSIDERING the second paragraph of section 196.8 of the Code, which provides that the charges collected during a fiscal year are taken into account in establishing the contribution computed under section 196.2 of the Code;

CONSIDERING that, under subparagraph 4 of the first paragraph of section 19.1 of the Code, the Chair of the Conseil du trésor has submitted to the Québec Interprofessional Council, for advice, the amount of the contribution of each member of an order for the 2024-2025 fiscal year of the Office;

CONSIDERING that the Minister of Finance, the Minister Responsible for Immigration, the Minister of Health and Social Services and the Chair of the Conseil du trésor have been consulted;

CONSIDERING that it is expedient to determine the amount of the contribution of each member of a professional order for the 2024-2025 fiscal year of the Office;

ORDERS AS FOLLOWS:

THAT $29.50 be determined as the amount of the contribution of each member of a professional order for the 2024-2025 fiscal year of the Office des professions du Québec.

Québec, 11 December 2023

SONIA LEBEL
Minister Responsible for Government Administration and Chair of the Conseil du trésor

106637

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Draft Regulations

Draft Regulation

Charter of the French language
(chapter C-11)

Language of commerce and business
— 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 mainly the Regulation respecting the language of commerce and business, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation, in particular,

— updates the wording of certain provisions, particularly to ensure harmonization with the amendments made by the Act respecting French, the official and common language of Québec (2022, chapter 14) to the Charter of the French language (chapter C-11);

— specify certain cases in which an inscription on a product may be only in a language other than French;

— sets rules applicable to public signs and posters of trade marks and enterprise's names.

The draft Regulation also provides for provisions to facilitate the implementation of the Charter of the French language, in particular with regards to contracts of adhesion and inscriptions on products. Lastly, it provides for the scope of the requirement on the markedly predominance of French and revokes the Regulation defining the scope of the expression "markedly predominant" for the purposes of the Charter of the French language (chapter C-11, r. 11).

The impact on enterprises may vary from business to business, regardless of the business's size. According to estimates, the direct cost of complying with the new provisions will likely be 7 to 15 million dollars. The provisions proposed introduce no new administrative formalities.

Further information on the draft Regulation may be obtained by contacting Josée Saindon, Director General, Direction générale des relations avec les entreprises et l'Administration, Office québécois de la langue française, 800, rue du Square-Victoria, 31e étage, Montréal (Québec), H4Z 1C8; telephone: 514 873-6565, extension 8031; email: josee.saindon@oqlf.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of the French Language, 800, rue D'Youville, 13e étage, Québec (Québec) G1R 3P4.

Jean-François Roberge
Minister of the French Language

Regulation to amend mainly the Regulation respecting the language of commerce and business

Charter of the French language
(chapter C-11, ss. 54.1, 58 and 93)

1. The Regulation respecting the language of commerce and business (chapter C-11, r. 9) is amended in section 2 by replacing "disk, film or tape" by "album or film".

2. Section 3 is amended

(1) by inserting "only" after "intended" in paragraph 1;

(2) in paragraph 6

(*a*) by inserting ", except if it concerns safety or is necessary for the use of the product," after "inscription";

(*b*) by striking out the last sentence.

3. Section 7 is amended by striking out paragraph 4.

4. Section 10 is amended

(1) by replacing the first paragraph by the following:

"The documents referred to in section 52 of the Charter of the French language (chapter C-11) may be in two separate versions, one exclusively in French, the other exclusively in another language, if the French version is accessible under no less favourable conditions.";

(2) by replacing "catalogues, brochures, folders, commercial directories and any similar publications" in the third paragraph by "documents".

5. Sections 11 to 14 are amended by replacing the words "Catalogues, brochures, folders, commercial directories and any similar publications" and "catalogues, brochures, folders, commercial directories and any

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similar publications" wherever they appear by "Documents referred to in section 52 of the Charter of the French language (chapter C-11)" and "documents referred to in section 52 of the Charter of the French language (chapter C-11)", respectively.

6. Section 19 is revoked.

7. Section 25 is amended by striking out paragraph 4.

8. Sections 25.1 to 25.5 are revoked.

9. The following is inserted after section 27:

"**DIVISION IV.1**
PROVISIONS TO FACILITATE THE IMPLEMENTATION OF CHAPTER VII OF THE CHARTER OF THE FRENCH LANGUAGE

§I. Inscription concerning a product and documents related to the product

27.1. For the purposes of section 51 of the Charter of the French language (chapter C-11) and of this Regulation, an inscription on a product includes the inscription displayed for the user using an integrated software.

27.2. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14),

(1) a product includes its container or wrapping and any document or object supplied with it;

(2) no generic term or description of a product included in a trademark in another language may be given greater prominence than that in French or be available on more favourable terms.

27.3. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14),

(1) a description refers to one or more words describing the characteristics of a product;

(2) a generic term refers to one or more words describing the nature of a product.

27.4. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), a registered trademark includes a trademark in respect of which an application for registration is pending, as of the filing date of the application with the Registrar of Trademarks instituted under the Trademarks Act (R.S.C., 1985, c. T-13).

27.5. For the purposes of section 52 of the Charter of the French language (chapter C-11) and of this Regulation, the documents referred to in that section include the information published on websites or posted on social media.

§II. Contracts of adhesion

27.6. For the purposes of section 55 of the Charter of the French language (chapter C-11),

(1) a document related to a contract of adhesion includes a document

(*a*) attesting to the existence of the contract, such as an insurance certificate;

(*b*) whose attachment to the contract is required by law, such as a resiliation or resolution form;

(*c*) that otherwise constitutes an ancillary document;

(2) the requirement to issue a French version of a contract of adhesion that is entered into by telephone is met if the adhering party has stated the express wish to enter into the contract in a language other than French, provided that

(*a*) the adhering party had an opportunity to consult the applicable standard clauses in French using a technological means; or

(*b*) the contract is to take effect immediately and the adhering party does not have the technological means to access the applicable standard clauses in the contract;

(3) the requirement to issue a French version of a contract of adhesion entered into using a technological means is met by giving the adhering party the applicable standard clauses in French.

§III. Public signs and posters

27.7. On public signs and posters that are both in French and in another language, French is markedly predominant where the text in French has a much greater visual impact than the text in the other language.

In assessing the marked predominance of French, the text in French for the business hours, telephone numbers, addresses, numbers, percentages or definite, indefinite or partitive articles is not considered.

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In assessing the visual impact, the following are not considered where their presence is specifically allowed under an exception provided for in the Charter of the French language (chapter C-11) or in a regulation made for the application of the Charter:

(1) a family name or a place name;

(2) a trademark, except the trademark that appears on public signs and posters visible from outside premises and written, even partially, only in a language other than French;

(3) other terms in a language other than French.

27.8. For the purposes of the second paragraph of section 58.1 and section 68.1 of the Charter of the French language (chapter C-11), as made by sections 48 and 49 respectively of the Act respecting French, the official and common language of Québec (2022, chapter 14), and subparagraph 2 of the third paragraph of section 27.7, public signs and posters are visible from outside premises where they may be seen

(1) from outside a space, closed or not, including on an immovable, a group of immovables or inside a shopping centre;

(2) on a bollard or other independent structure, including a pylon sign except, in the latter case, where more than two trademarks or enterprise names appear on the public signs and posters.

27.9. For the purposes of section 27.7, French text has a much greater visual impact where, within the same visual field, the following conditions are met:

(1) the French text is at least twice as large as the text in another language;

(2) the French text's legibility and permanent visibility are equivalent to those of the text in another language.

Public signs and posters whose components in French are permanent and that, in relation to those in another language, are designed, lighted and situated so as to make them easy to read, both at the same time, at all times are considered to meet the requirements for legibility and visibility.

A "same visual field" refers to an overall view where all the components of the public signs and posters are visible and legible at the same time without having to move.

For the purposes of the first paragraph, public signs and posters that are of a precarious nature through their materials or the manner in which the public signs and posters are attached, in particular public signs and posters likely to be easily removed or tore off, are not considered to ensure permanent visibility, unless the display system is the subject of measures for guaranteeing the presence or replacement of the public signs and posters.

27.10. For the purposes of the second paragraph of section 58.1 and section 68.1 of the Charter of the French language (chapter C-11), as made by sections 48 and 49 respectively of the Act respecting French, the official and common language of Québec (2022, chapter 14), to ensure that French is markedly predominant, public signs and posters of a trademark or an enterprise's name visible from outside premises must be accompanied at least by terms in French, such as a generic term, a description of the products or services concerned, or a slogan.

For the purposes of the first paragraph, "generic term" and "description" have the meaning assigned by section 27.3 with regard to both products and services.".

10. Until 1 June 2027, products that are non-compliant with section 51.1 of the Charter of the French language (chapter C-11) as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), may be distributed, retailed, leased, offered for sale or lease, or otherwise offered on the market, by gratuitous or onerous title, provided they were both

(1) manufactured before 1 June 2025; and

(2) no French-language version of the product's recognized trademark within the meaning of the Trademarks Act (R.S.C., 1985, c. T-13) was registered as of (*insert the date of publication of this Regulation in the Gazette officielle du Québec*).

11. The Regulation defining the scope of the expression "markedly predominant" for the purposes of the Charter of the French language (chapter C-11, r. 11) is revoked.

12. This Regulation comes into force on 1 June 2025, except the provisions of sections 1, 2, 4 and 5 as well as those of section 9, insofar as they enact sections 27.1 and 27.5 and subdivision II of Division IV.1, which come into force on the fifteenth day following the date of the Regulation's publication in the *Gazette officielle du Québec*.

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Draft Regulation

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve de biodiversité d'Anticosti

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the Réserve de biodiversité d'Anticosti, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The object of the draft Regulation is to establish the activity framework applicable in the Réserve de biodiversité d'Anticosti.

Further information on the draft Regulation may be obtained by contacting Estelle Bassilekin, Official Documents Officer, Direction des aires protégées, Direction générale de la conversation de la biodiversité, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, édifice Marie-Guyart, 4e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; email: estelle.bassilekin@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jacob Martin-Malus, Associate Deputy Minister for Biodiversity, Wildlife and Parks, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30e étage, Québec (Québec) G1R 5V7; email: consultation08@environnement.gouv.qc.ca.

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

Regulation respecting the Réserve de biodiversité d'Anticosti

Natural Heritage Conservation Act
(chapter C-61.01, s. 44, 1st par.)

1. This Regulation establishes the activity framework applicable in the Réserve de biodiversité d'Anticosti, designated by the Government pursuant to section 27 of the Natural Heritage Conservation Act (chapter C-61.01).

2. For the purposes of this Regulation, "boundary of the littoral zone", "littoral zone", "lakeshore", "riverbank" and "flood zone" have the meaning given in section 4 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas (chapter Q-2, r. 0.1).

3. Unless authorization is obtained from the Minister, no person may remove, extract, excavate or damage a fossil in the biodiversity reserve.

Despite the first paragraph, no authorization is required to remove fossils when

(1) the removal is effected on a non-commercial basis;

(2) the fossils removed are exposed at the ground surface;

(3) the fossils removed are separated from the rock that contains them;

(4) the removal does not require excavation using mechanical means or extraction using tools;

(5) the removal is limited to a maximum of five fossils of less than 10 cm per person per year; and

(6) the removal is effected only in a place where no signage erected by the Minister prohibits removal in order to preserve fossil-bearing sectors that must be maintained intact because of their representative or exceptional nature.

4. Unless authorization is obtained from the Minister, no person may carry on an activity that negatively affects a species of fauna or flora designated or likely to be designated as threatened or vulnerable and that is not already subject to authorization or prohibited under the Act respecting the conservation and development of wildlife (chapter C-61.1) or the Act respecting threatened or vulnerable species (chapter E-12.01) and their regulations.

For the purposes of the first paragraph, an activity that negatively affects a species of fauna or flora designated or likely to be designated as threatened or vulnerable is, in particular, an activity involving removing, capturing or otherwise disturbing a specimen of that species.

5. Unless authorization is obtained from the Minister and subject to the prohibition in the second paragraph, no person may introduce a specimen of a native or non-native species of fauna into the biodiversity reserve, including by stocking.

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No person may stock a lake or watercourse for aquaculture, commercial fishing or any other commercial purpose.

Unless authorization is obtained from the Minister, no person may introduce a specimen of a non-native species of flora into the biodiversity reserve.

6. No person may use fertilizers in the biodiversity reserve.

Despite the first paragraph, the use of compost for domestic purposes is permitted at least 20 m from a lake or watercourse, measured from the boundary of the littoral zone.

7. No person may remove plant species, berries or any other non-timber forest product from the biodiversity reserve by mechanical means.

8. Unless authorization is obtained from the Minister, no person may, in the biodiversity reserve,

(1) install or erect any construction, infrastructure or new works;

(2) intervene in a wetland or body of water;

(3) modify the natural drainage or water regime, including by creating or developing lakes or watercourses;

(4) carry on an activity other than those referred to in paragraphs 1 to 3 that is likely to directly and substantially alter the physical, chemical or biological characteristics or the quality of a wetland or body of water in the biodiversity reserve, including by discharging or dumping any residual material or contaminant into the wetland or body of water;

(5) carry out soil development work or an activity likely to degrade the soil or a geological formation, or to damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;

(6) reconstruct or demolish a structure, infrastructure or works;

(7) use a pesticide;

(8) carry on educational or research-related activities if the activities are likely to directly or significantly damage or disturb the natural environment, in particular because of the nature or size of the samples removed or the invasive character of the method or process used; or

(9) hold a sports event, tournament, rally or any other similar event where

(*a*) fauna or flora species are removed or are likely to be removed; or

(*b*) vehicles or watercraft are used.

9. Despite paragraph 1 of section 8, no authorization is required for the installation of a platform, either a floating platform with a movable anchor or on piles, or a boathouse on piles in accordance with section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1).

10. Despite paragraphs 6, 7 and 8 of section 8, if the requirements provided for in the second paragraph are met, no authorization is required to carry out the following work:

(1) the rebuilding, maintenance, closure, repair or improvement of any construction, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(*a*) of a dependency or a facility ancillary to a shelter or a cabin, including a shed, a water withdrawal facility or devices for the discharge and disposal of wastewater, grey water and toilet effluents; or

(*b*) of a shelter or cabin when, on (*insert here the date of coming into force of this Regulation*), such a building was allowed under the right of use or occupancy granted, but was not yet carried out; or

(3) the demolition or reconstruction of a shelter or a cabin, including a dependency or a facility ancillary to such a construction, such as a shed, a water withdrawal facility or devices for the discharge and disposal of wastewater, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following:

(1) the work involves a construction, infrastructure or works whose presence is allowed in the biodiversity reserve;

(2) the work is carried out within the area of the land or right of way covered by the right of use or occupancy in the biodiversity reserve, whether the right results from a lease, a servitude or another form of title, permit or authorization;

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(3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits allowed by the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits set under an authorization issued in connection with that construction, works or infrastructure;

(4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the construction, infrastructure or works to which they are related, as well as in compliance with the applicable laws and regulations;

(5) in the case of forest roads, the work must not result in altering or exceeding the existing right of way or converting the road into a higher class of road.

For the purposes of this section, rebuilding, maintenance, closure, repair or improvement work includes work to replace or install structures or facilities with a view to complying with a law or regulation.

11. Despite paragraph 7 of section 8, no authorization is required for the use of an insect repellent for personal purposes or of a pesticide inside a building used as an accommodation unit for outfitting purposes.

12. Unless authorization is obtained from the Minister, no person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister.

Despite the first paragraph, no authorization is required to use a disposal facility or site, in compliance with the Environment Quality Act (chapter Q-2) and its regulations, if the use is part of the activities of an outfitting operation and began before (*insert here the date of coming into force of this Regulation*).

13. Unless authorization is obtained from the Minister, no person may enter, carry on an activity or operate a vehicle in a given sector of the biodiversity reserve if the signage erected by the Minister restricts such entry, the carrying on of such an activity or the operation of such a vehicle in the sector in order to protect the public from danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

14. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage installed by the Minister within the biodiversity reserve.

15. Unless authorization is obtained from the Minister, no person may, for a period of more than 30 days in the same year, occupy or use the same site in the biodiversity reserve.

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(*a*) staying or settling on the biodiversity reserve, for instance for vacation purposes;

(*b*) setting up a camp or shelter;

(*c*) installing, burying or abandoning any property in the reserve, including equipment, a device or a vehicle; and

(2) the reference to the same site includes any other site within a radius of 1 km from that site.

Despite the first paragraph, an authorization is not required if a person

(1) on (*insert here the date of coming into force of this regulation*) was a party to a lease or had entitlement under another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State (chapter T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees.

16. Unless authorization is obtained from the Minister, no person may carry on a forest development activity for a non-commercial purpose.

Despite the first paragraph, no authorization is required by a person staying or residing in the biodiversity reserve and who harvests the wood needed to make a campfire.

No such authorization is required if a person, under a lease to occupy land in the biodiversity reserve in accordance with the provisions of this Regulation, carries out a forest development activity for the purpose of

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(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1), including for access roads, stairs or other trails permitted under those provisions; or

(2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or improvement of power, water, sewer or telecommunication lines, facilities and mains.

If the work referred to in subparagraph 2 of the third paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires authorization from the Minister, other than in the case of the exemption provided for in section 17.

17. Unless authorization is obtained from the Minister, no person may carry on commercial activities in the biodiversity reserve other than those provided for in section 49 de la Natural Heritage Conservation Act (chapter C-61.01).

Despite the first paragraph, no authorization is required

(1) if the activity does not involve the removal of fauna or flora resources or the use of a motor vehicle; or

(2) to carry on commercial activities if, on (*insert here the date of coming into force of this Regulation*), the activities were the subject of a right of use of the land for such purpose, whether or not the right results from a lease or another form of title, permit or authorization, within the limits of what the right allows.

18. Despite any other provision of this Regulation, an authorization is not required by a person for an activity or other form of intervention within the biodiversity reserve if urgent action is necessary to prevent harm to the life, health or safety of a human being, an ecosystem or a living species or to repair or prevent damage caused by an actual or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

19. Despite any other provision of this Regulation, an authorization is not required for a member of a Native community for an intervention within the biodiversity reserve where that intervention is part of the exercise of rights covered by section 35 of the Constitution Act, 1982 (being Schedule B to the Canada Act 1982 (U.K.), 1982, c. 11) and those rights are credibly asserted or established.

20. 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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Notices

Notice

An Act respecting transport infrastructure partnerships (chapter P-9.001)

P-10942 Bridge of Highway 30 that spans the St. Lawrence River —Fee Schedule

In compliance with section 5 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement, Nouvelle Autoroute 30, s.e.n.c. ("A30 EXPRESS") publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective as of February 1st, 2024 on the P-10942 Bridge of Highway 30 that spans the St. Lawrence River. Any modification to the Fee Schedule will be subjected to a new publication in the *Gazette officielle du Quebec.*

TOLL CHARGES																
PERIODS	**WORKING DAYS**								**WEEK-ENDS & HOLIDAYS**							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
EASTBOUND	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
WESTBOUND	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
Category A, Classes 1 to 5, rate per axle	$ 2.90		$ 2.90		$ 2.90		$ 2.90				$ 2.90				$ 2.90	
Category A, Classes 6 and 7, rate per axle	$ 80.00		$ 80.00		$ 80.00		$ 80.00				$ 80.00				$ 80.00	
Category B, rate per axle	$ 1.95		$ 1.95		$ 1.95		$ 1.95				$ 1.95				$ 1.95	
Category C, rate per axle	$ 2.90		$ 2.90		$ 2.90		$ 2.90				$ 2.90				$ 2.90	

PHAM: Peak Hour – Morning
OPHD: Off Peak Hour – Daytime
PHPM: Peak Hour – Evening
OPHN: Off Peak Hour – Night

TYPE OF VEHICLE	DESCRIPTION
Category A	Any outsized vehicle within the meaning of section 462 of the Highway Safety Code
Category B	Any road vehicle not covered by Class A and measuring less than 230 cm
Category C	Any road vehicle not covered by Class A and measuring 230 cm or higher

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ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
MONTHLY ADMINISTRATIVE FEES FOR A CUSTOMER ACCOUNT				
●	Administrative fees for an account, per customer account in good standing, with online statement of account	$ 0.00	$ 0.00	$ 0.00
●	Administrative fees for an account, per customer account in good standing, with statement of account by regular mail	$ 3.50	$ 3.50	$ 3.50
●	Administrative fees, per vehicle, for vehicles referred to in Article 4 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (RLRQ, c. P-9.001, r. 3) which are exempted from toll payment	$ 3.50	$ 3.50	$ 3.50
RECOVERY FEES				
●	Recovery fee per passage in addition to the toll rate incurred for the passage of the vehicle in case of non-payment of the Toll Rate at the toll plaza when passing over the bridge P-10942 on Highway 30 - Additional delay of 7 calendar days	$ 8.00	$ 8.00	$ 8.00
●	Recovery fee per passage in addition to the toll rate incurred for the passage of the vehicle in case of non-payment of the Toll Rate at the toll plaza when passing over the bridge P-10942 on Highway 30 - Beyond the additional 7 calendar days	$ 35.00	$ 35.00	$ 35.00

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
RECOVERY FEES				
●	Recovery fees per transaction for each payment declined by the financial institution that issued the credit card in the context of the automatic replenishments	$ 10.00	$ 10.00	$ 10.00
●	Recovery fees if the User fails to replenish his customer account and the customer account balance becomes negative after payment of the applicable administrative fees	$ 5.00	$ 5.00	$ 5.00

Note: Applicable taxes shall be added to the administrative fees listed in this Fee Schedule, if any.

INTEREST RATE			
DESCRIPTION	CLASS A	CLASS B	CLASS C
Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Annual interest rate of 5% *		

* This monthly interest rate cannot be higher than the daily rate of Canadian bankers' acceptances appearing on the CDOR page of the Reuters system at 10 AM on the date on which the sum bearing interest first becomes payable, plus 4%, in which case the latter rate applies.

KEVIN LECOUFFE
Chief Financial Officer of Nouvelle Autoroute 30, s.e.n.c.

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Erratum

Table of Contents

Gazette officielle du Québec, Part 2, January 3, 2024, Volume 156, No. 1, page 3.

In the table of contents, the first header should have read "Acts 2023" instead of "Acts 2024".

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