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# NATIONAL ASSEMBLY OF QUÉBEC

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SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 103  
(2021, chapter 35)

**An Act to amend various legislative  
provisions mainly for the purpose of  
reducing red tape**

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**Introduced 6 October 2021  
Passed in principle 9 November 2021  
Passed 7 December 2021  
Assented to 9 December 2021**

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## EXPLANATORY NOTES

*This Act proposes amendments to various Acts mainly to reduce red tape for enterprises.*

*In the mining sector, the Act proposes, among other things, to withdraw the requirement to hold a prospecting licence, to abolish staking as a mean of obtaining claims, to extend the term of a claim to three years, and to reduce the frequency of transmission of certain documents to the minister responsible for natural resources.*

*In the municipal sector, the Act withdraws municipalities' obligation to send certain reports to the minister responsible for municipal affairs. Moreover, under the Act, the supply contracts of municipal bodies may take the form of a delivery order contract, and such bodies are granted extra time when they are required to publish a list of their contracts.*

*The Act also allows municipalities to enter into an agreement with Hydro-Québec to offer a public charging service for electric vehicles within the framework of a network established by Hydro-Québec or one of its wholly-owned subsidiaries.*

*In the agricultural sector, the Act clarifies the functions and powers of the Commission de protection du territoire agricole du Québec, including that of promoting the practice of agriculture in accordance with a diversity of models requiring varying areas of land. The Act restricts access to certain documents held by the commission. The mechanism for applying for the exclusion of a lot from an agricultural zone is amended. The Act also provides that the Government may decide to include a lot from such a zone, in addition to establishing that a decision of the Government authorizing exclusion of a lot from an agricultural zone must provide for conditions to reinclude the lot in the event the project is not carried out. The Act also establishes that such a Government decision, as well as the decision authorizing the use of a lot in an agricultural zone for purposes other than agriculture may be accompanied by impact reduction measures considered sufficient by the minister responsible for agriculture.*

*In the environmental sector, the Act extends the characterization study filing time to one year from the date of cessation of an industrial or commercial activity, while authorizing the minister responsible*

*for the environment to grant additional time, and grants a 90-day period for filing a rehabilitation plan for approval if the study reveals the presence of contaminants. Moreover, the Act allows for accreditations or certifications of laboratories carrying out environmental collections, analyses and other verifications to be combined into a single accreditation or certification. It also provides that certain obligations imposed on such laboratories do not end on 23 March 2023, but instead remain applicable until the making of a regulation by the Government.*

*The Act allows syndicates of co-owners of an immovable held in divided co-ownership and cooperatives to hold meetings as well as votes by technological means. It also allows a cooperative to keep its Québec business number in the case of an amalgamation, other than an ordinary amalgamation.*

*The Act also allows the minister responsible for culture to shorten the 90-day time limit that a municipality must comply with when issuing a demolition permit for an immovable constructed before 1940.*

*The Act repeals the Act respecting stuffing and upholstered and stuffed articles.*

*Lastly, the Act makes consequential amendments, including to several regulations, and contains transitional and final provisions.*

#### **LEGISLATION AMENDED BY THIS ACT:**

- Civil Code of Québec;
- Act respecting land use planning and development (chapter A-19.1);
- Cities and Towns Act (chapter C-19);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- Cooperatives Act (chapter C-67.2);
- Hydro-Québec Act (chapter H-5);

- Mining Act (chapter M-13.1);
- Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- Act respecting the legal publicity of enterprises (chapter P-44.1);
- Environment Quality Act (chapter Q-2);
- Act respecting public transit authorities (chapter S-30.01);
- Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4);
- Act to amend the Cultural Heritage Act and other legislative provisions (2021, chapter 10).

**LEGISLATION REPEALED BY THIS ACT:**

- Act respecting stuffing and upholstered and stuffed articles (chapter M-5).

**REGULATIONS AMENDED BY THIS ACT:**

- Regulation respecting wildlife habitats (chapter C-61.1, r. 18);
- Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec (chapter P-41.1, r. 1.1).

## Bill 103

### AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS MAINLY FOR THE PURPOSE OF REDUCING RED TAPE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

**1.** The Civil Code of Québec is amended by inserting the following article after article 1084:

**“1084.1.** The directors may participate in a meeting of the board of directors by the use of a means which allows all those participating to communicate directly with each other.

Directors who participate in such a meeting may vote by any means enabling votes to be cast in a way that allows them to be verified afterwards and protects the secrecy of the vote when such a ballot has been requested.”

**2.** The Code is amended by inserting the following article after article 1088:

**“1088.1.** A meeting may be held by the use of a means which allows all those participating to communicate directly with each other.”

**3.** The Code is amended by inserting the following article after article 1089:

**“1089.1.** Co-owners who participate in a meeting by the use of a means which allows all those participating to communicate directly with each other may vote by any means enabling votes to be cast in a way that allows them to be verified afterwards and protects the secrecy of the vote when such a ballot has been requested.”

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

**4.** Section 246 of the Act respecting land use planning and development (chapter A-19.1) is amended by striking out “staking or” in the first paragraph.

## CITIES AND TOWNS ACT

**5.** Section 105.2 of the Cities and Towns Act (chapter C-19) is amended

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

“The first paragraph does not apply to reports of an external auditor made in respect of a chief auditor or of every legal person referred to in subparagraph 2 of the first paragraph of section 107.7 or in subparagraph 4 of the first paragraph of section 85 of the Act respecting the Commission municipale (chapter C-35).”;

(2) by replacing “second” in the third paragraph by “third”.

**6.** Section 477.6 of the Act is amended by replacing “31 January” in subparagraph 2 of the second paragraph by “31 March”.

**7.** Section 573 of the Act is amended by replacing “and 573.1.0.1.1” in subsection 7 by “, 573.1.0.1.1 and 573.1.0.1.3”.

**8.** The Act is amended by inserting the following section after section 573.1.0.1.2:

**“573.1.0.1.3.** A supply contract may take the form of a delivery order contract when the procurement requirements are recurrent, and the quantity of goods or the rate or frequency at which they are acquired are uncertain. Such a contract, whose term may not exceed three years, may be entered into with one or more suppliers.

The call for tenders or a document to which it refers must indicate the approximate quantities of the goods that may be acquired or, failing that, the approximate value of the contract.

The tenders are evaluated according to the price or according to a system of bid weighting and evaluating in accordance with section 573.1.0.1 or 573.1.0.1.1.

If the delivery order contract is entered into with more than one supplier, the orders are awarded to the supplier who proposed the lowest price or obtained the highest score, as the case may be, unless the supplier cannot fill the orders, in which case the other suppliers are solicited according to their respective rank.

A delivery order contract may allow any selected supplier to replace goods offered by equivalent goods or to reduce the price of goods offered. The call for tenders or a document to which it refers must then indicate the procedure applicable to make such amendments as well as the mechanism to inform the other selected suppliers of the amendments.”

## MUNICIPAL CODE OF QUÉBEC

**9.** Article 176.2 of the Municipal Code of Québec (chapter C-27.1) is amended

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

“The first paragraph does not apply to reports of an external auditor made in respect of every legal person referred to in subparagraph 2 of the first paragraph of article 966.2.1 or in subparagraph 4 of the first paragraph of section 85 of the Act respecting the Commission municipale (chapter C-35).”;

(2) by replacing “second” in the third paragraph by “third”.

**10.** Article 935 of the Code is amended by replacing “and 936.0.1.1” in subarticle 7 by “, 936.0.1.1 and 936.0.1.3”.

**11.** The Code is amended by inserting the following article after article 936.0.1.2:

**“936.0.1.3.** A supply contract may take the form of a delivery order contract when the procurement requirements are recurrent, and the quantity of goods or the rate or frequency at which they are acquired are uncertain. Such a contract, whose term may not exceed three years, may be entered into with one or more suppliers.

The call for tenders or a document to which it refers must indicate the approximate quantities of the goods that may be acquired or, failing that, the approximate value of the contract.

The tenders are evaluated according to the price or according to a system of bid weighting and evaluating in accordance with article 936.0.1 or 936.0.1.1.

If the delivery order contract is entered into with more than one supplier, the orders are awarded to the supplier who proposed the lowest price or obtained the highest score, as the case may be, unless the supplier cannot fill the orders, in which case the other suppliers are solicited according to their respective rank.

A delivery order contract may allow any selected supplier to replace goods offered by equivalent goods or to reduce the price of goods offered. The call for tenders or a document to which it refers must then indicate the procedure applicable to make such amendments as well as the mechanism to inform the other selected suppliers of the amendments.”

**12.** Article 961.4 of the Code is amended by replacing “31 January” in subparagraph 2 of the second paragraph by “31 March”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE  
DE MONTRÉAL

**13.** Section 105.3 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by replacing “31 January” in the third paragraph by “31 March”.

**14.** Section 108 of the Act is amended by replacing “and 109.1” in the twelfth paragraph by “, 109.1 and 109.3”.

**15.** The Act is amended by inserting the following section after section 109.2:

**“109.3.** A supply contract may take the form of a delivery order contract when the procurement requirements are recurrent, and the quantity of goods or the rate or frequency at which they are acquired are uncertain. Such a contract, whose term may not exceed three years, may be entered into with one or more suppliers.

The call for tenders or a document to which it refers must indicate the approximate quantities of the goods that may be acquired or, failing that, the approximate value of the contract.

The tenders are evaluated according to the price or according to a system of bid weighting and evaluating in accordance with section 109 or 109.1.

If the delivery order contract is entered into with more than one supplier, the orders are awarded to the supplier who proposed the lowest price or obtained the highest score, as the case may be, unless the supplier cannot fill the orders, in which case the other suppliers are solicited according to their respective rank.

A delivery order contract may allow any selected supplier to replace goods offered by equivalent goods or to reduce the price of goods offered. The call for tenders or a document to which it refers must then indicate the procedure applicable to make such amendments as well as the mechanism to inform the other selected suppliers of the amendments.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE  
DE QUÉBEC

**16.** Section 98.3 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by replacing “31 January” in the third paragraph by “31 March”.

**17.** Section 101 of the Act is amended by replacing “and 102.1” in the twelfth paragraph by “, 102.1 and 102.3”.



**18.** The Act is amended by inserting the following section after section 102.2:

**“102.3.** A supply contract may take the form of a delivery order contract when the procurement requirements are recurrent, and the quantity of goods or the rate or frequency at which they are acquired are uncertain. Such a contract, whose term may not exceed three years, may be entered into with one or more suppliers.

The call for tenders or a document to which it refers must indicate the approximate quantities of the goods that may be acquired or, failing that, the approximate value of the contract.

The tenders are evaluated according to the price or according to a system of bid weighting and evaluating in accordance with section 102 or 102.1.

If the delivery order contract is entered into with more than one supplier, the orders are awarded to the supplier who proposed the lowest price or obtained the highest score, as the case may be, unless the supplier cannot fill the orders, in which case the other suppliers are solicited according to their respective rank.

A delivery order contract may allow any selected supplier to replace goods offered by equivalent goods or to reduce the price of goods offered. The call for tenders or a document to which it refers must then indicate the procedure applicable to make such amendments as well as the mechanism to inform the other selected suppliers of the amendments.”

#### COOPERATIVES ACT

**19.** The Cooperatives Act (chapter C-67.2) is amended by inserting the following sections after section 76.1:

**“76.2.** Subject to the by-laws, an annual meeting may be held by the use of means enabling all participants to communicate directly with each other.

**“76.3.** Subject to the by-laws, members who participate in a meeting by the use of a means enabling all participants to communicate directly with each other may vote by any means enabling votes to be cast in a way that allows them to be verified afterwards and protects the secrecy of the vote when such a ballot has been requested.”

**20.** Section 79.1 of the Act is replaced by the following section:

**“79.1.** Sections 76.2 and 76.3 apply, with the necessary modifications, to a special meeting.”

**21.** Section 95 of the Act is amended by adding the following paragraph at the end:

“Directors who participate in such a meeting may vote by any means enabling votes to be cast in a way that allows them to be verified afterwards and protects the secrecy of the vote when such a ballot has been requested.”

#### HYDRO-QUÉBEC ACT

**22.** The Hydro-Québec Act (chapter H-5) is amended by inserting the following section after section 48.2:

**“48.3.** A municipality may enter into an agreement with the Company to offer a public charging service for electric vehicles within the framework of a network established by the Company or one of its wholly-owned subsidiaries.

Within the scope of this agreement, the Company may provide that the municipality must, despite the rules governing the making of contracts that are applicable to it, acquire certain equipment and services only from suppliers retained by the Company or one of its wholly-owned subsidiaries.

To retain a supplier referred to in the second paragraph, the Company or one of its wholly-owned subsidiaries must have made a call for tenders in compliance with any intergovernmental agreement on the opening of public procurement applicable to the municipality.”

#### ACT RESPECTING STUFFING AND UPHOLSTERED AND STUFFED ARTICLES

**23.** The Act respecting stuffing and upholstered and stuffed articles (chapter M-5) is repealed.

#### MINING ACT

**24.** The heading of Division II of Chapter III of the Mining Act (chapter M-13.1) is amended by striking out “LICENCE”.

**25.** Sections 19 to 25 of the Act are replaced by the following section:

**“19.** Any person may prospect on or may designate on a map a parcel of land on which a claim may be obtained.”

**26.** Section 26 of the Act is amended

(1) by replacing “entitled to engage in prospecting or staking on that land under” by “prospecting on that land in accordance with the provisions of”;

(2) by striking out “and, in the case of a licence holder, if he produces his licence”.

- 27.** Sections 28 and 28.1 of the Act are repealed.
- 28.** Section 29 of the Act is amended
- (1) by striking out “stake or”;
  - (2) by inserting “a claim,” after “subject to”;
  - (3) by replacing “mining rights” by “claims”.
- 29.** Section 30 of the Act is amended by striking out both occurrences of “stake or”.
- 30.** Section 30.1 of the Act is amended by striking out “stake,”.
- 31.** Section 32 of the Act is repealed.
- 32.** Section 33 of the Act is amended by striking out “or stake” in the introductory clause.
- 33.** Sections 35 and 36 of the Act are repealed.
- 34.** Section 38 of the Act is amended
- (1) by striking out “stake or”, “before 7:00 a.m. in the case of staking, or” and “in the case of map designation” in the first paragraph;
  - (2) by striking out “stake or” in the second paragraph.
- 35.** Section 39 of the Act is amended by striking out “stake or”.
- 36.** Section 40 of the Act is amended
- (1) by striking out “staking or” in the first paragraph;
  - (2) by replacing the second paragraph by the following paragraph:  
  
“For the purposes of this division, “staked claim”, “claim obtained by staking” or “parcel of land staked”, “staked parcel of land”, or “land staked”, means a claim obtained by staking or the parcel of land on which such a claim is obtained in accordance with this Act, as it reads on 8 December 2021.”
- 37.** Section 42 of the Act is amended by striking out the first and second paragraphs.
- 38.** Sections 42.5 to 46 of the Act are repealed.
- 39.** Section 47 of the Act is amended by striking out “map designated”.

- 40.** Section 48 of the Act is repealed.
- 41.** Section 49 of the Act is amended by striking out the second paragraph.
- 42.** Sections 50 and 51 of the Act are repealed.
- 43.** Section 52 of the Act is amended
- (1) by striking out “the second paragraph of section 28 or” in subparagraph 3 of the first paragraph;
  - (2) by replacing the second paragraph by the following paragraph:

“The registrar shall forward, to the Minister, every notice of map designation that concerns a parcel of land

    - (1) referred to in section 4, where only gold and silver form part of the domain of the State;
    - (2) from which mineral substances referred to in section 5 have been, or are being, extracted, except sand or gravel;
    - (3) referred to in section 33; or
    - (4) where the mineral substances are reserved to the State under section 304.”
- 44.** Section 53 of the Act is amended
- (1) by striking out “staking, notice of staking or” in the first paragraph;
  - (2) by striking out the second paragraph.
- 45.** Section 54 of the Act is repealed.
- 46.** Section 55 of the Act is amended by striking out “of staking or a notice”.
- 47.** Section 56 of the Act is amended by striking out the first paragraph.
- 48.** Section 58 of the Act is amended by striking out “allow a post fixing the boundaries of a staked parcel of land to be moved, altered or replaced. He may also” in the second paragraph.
- 49.** Section 59.1 of the Act is amended by replacing “subparagraph 1 of the second paragraph of section 49” by “the third paragraph of section 59”.
- 50.** Section 60 of the Act is repealed.

**51.** Section 60.1 of the Act is amended

(1) by striking out “by staking and the boundaries of the territories in which claims may be obtained” in the first paragraph;

(2) by striking out the last two sentences of the third paragraph.

**52.** Section 61 of the Act is amended

(1) by replacing “two” in the first paragraph by “three”;

(2) by replacing “before the 60th day preceding its date of expiry or, on payment of the extra amount fixed by regulation, after that date but before its date of expiry” in subparagraph 1 of the second paragraph by “before its date of expiry”.

**53.** Section 65 of the Act is amended

(1) in the second paragraph,

(a) by replacing “il” in the French text by “le titulaire de claim”;

(b) by adding the following sentence at the end: “In such cases, the Minister shall, within 60 days after the claim is registered, notify the owner, the lessee, the holder of the exclusive lease to mine surface mineral substances and the local municipality of the claim and publish a notice to that effect on the department’s website, in the manner determined by regulation.”;

(2) by replacing the third and fourth paragraphs by the following paragraph:

“With respect to lands granted or alienated by the State for purposes other than mining purposes, if the claim is in the territory of a local municipality, the claim holder must inform the municipality and the landowner of the work to be performed at least 30 days before the work begins.”

**54.** Section 71.1 of the Act is replaced by the following section:

**“71.1.** The claim holder must, not later than 31 January each year, submit to the Minister a report on the work performed during the period from 1 January to 31 December of the preceding year. The report must be presented using a form supplied by the Minister and must contain the information determined by regulation.

Despite the first paragraph, the first report on the work performed during the period from the date of registration of the claim to 31 December of the year following the year of registration must be submitted within 30 days following that period.”

**55.** Section 72 of the Act is amended

- (1) by striking out “60 days or more” in the first paragraph;
- (2) by striking out the second sentence of the second paragraph.

**56.** Section 81 of the Act is amended

- (1) by striking out “staking or” in the first paragraph;
- (2) by striking out the second paragraph.

**57.** Section 101 of the Act is amended by replacing “mentioned in section 22, 31.5, 164 or 201 of the Environment Quality Act (chapter Q-2) has been issued” in the second paragraph by “required under the Environment Quality Act (chapter Q-2) for mining operation work has been issued or amended”.

**58.** The Act is amended by inserting the following section after section 104:

**“104.1.** The Minister may grant an increase in the area of the territory covered by the lease to the lessee who applies for one, provided

- (1) the added land is contiguous to that territory;
- (2) the added land is subject to one or more claims held by the lease holder;
- (3) mining operations have come into production in reasonable commercial quantities;
- (4) the revised rehabilitation and restoration plan has been approved in accordance with this Act, and the authorization required under the Environment Quality Act (chapter Q-2) has been issued or amended, as applicable; and
- (5) the lessee has complied with any requirement prescribed by regulation and paid the annual rental for the portion of added land as well as the fees prescribed.

An application for an increase in the area of the territory covered by the lease must also be accompanied by a survey of the parcel of land involved, unless it has already been entirely surveyed, a report describing the nature, extent and probable value of the deposit, certified by an engineer or a geologist who meets the qualification requirements determined by regulation, and a report presenting an estimate of mineral resources and reserves.”

**59.** Section 155 of the Act is amended

- (1) by replacing “On the dates fixed by regulation, the lessee shall transmit to the Minister a report” in the first paragraph by “Not later than 15 April each year, the lessee shall transmit to the Minister a report covering the period from 1 April to 31 March preceding that date”;

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

“The lessee shall transmit to the Minister, at the Minister’s request and within the time fixed by the Minister, a monthly or quarterly report with the same information.”

**60.** Section 207 of the Act is amended

(1) in the first paragraph,

(a) by striking out “staking or”;

(b) by replacing “under section 32 or 33, a report, an application for exemption from the” by “under section 33, a report or an application relating to”;

(2) by striking out the second paragraph;

(3) in the third paragraph,

(a) by replacing “Applications for a licence, a lease or an authorization under section 32 or 33” by “Map designation notices or applications for a lease or an authorization under section 33”;

(b) by striking out the last two sentences;

(4) by replacing “licence, lease or authorization under section 32 or 33” in the fourth paragraph by “lease or authorization under section 33”.

**61.** Section 213 of the Act is amended by striking out the fifth paragraph.

**62.** Section 223 of the Act is amended

(1) by replacing “forward to the Minister, within the same time as for the report required under section 222,” by “, every five years, forward to the Minister”;

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

“The Minister may require that the operator provide him, within the time fixed by the Minister, with the plans prescribed by regulation.

Whenever amendments to the plans are justified by changes in the mining activities, the operator must forward the plans to the Minister within the time provided for by regulation.”

**63.** Section 280 of the Act is repealed.

**64.** Section 281 of the Act is amended by striking out paragraph 4.

**65.** Section 284 of the Act is amended by replacing “in sections 280 and 281” in the second paragraph by “in section 281”.

**66.** Section 285 of the Act is repealed.

**67.** Section 291 of the Act is amended by striking out “, 280”.

**68.** Section 304 of the Act is amended by replacing “staking,” in the second paragraph by “prospecting,”.

**69.** Section 304.1 of the Act is amended by striking out “stake and” in the first paragraph.

**70.** Section 306 of the Act is amended

(1) by striking out paragraphs 6 and 7;

(2) by striking out “notices of staking,” in paragraph 8;

(3) by striking out “in the second paragraph of section 72 and” in paragraph 11;

(4) by inserting the following paragraph after paragraph 12.12:

“(13) fix the amount of the fees to be paid by the lessee who applies for an increase in the area of the territory subject to the lease in accordance with section 104.1;”;

(5) by striking out paragraph 14.1;

(6) by inserting “as well as the time limits for transmitting those plans to the Minister whenever amendments to the plans are justified by changes in the mining activities” at the end of paragraph 24.

**71.** Section 314 of the Act is amended by striking out “19, 20, 45,” in paragraph 1.

#### ACT RESPECTING THE PRESERVATION OF AGRICULTURAL LAND AND AGRICULTURAL ACTIVITIES

**72.** Section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) is amended by replacing “in the plan and technical description” in the definition of “agricultural zone” in subparagraph 17 of the first paragraph by “in the plan and in the technical description, if any,”.

**73.** Section 1.1 of the Act is amended by inserting “, in accordance with a diversity of models requiring in particular varying areas of land,” after “agriculture”.



**74.** Section 3 of the Act is amended by inserting “and to promote, in keeping with the concept of sustainable development, the preservation and development of agricultural activities and enterprises” after “agricultural land of Québec” in the introductory clause of the second paragraph.

**75.** Section 12 of the Act is amended by inserting “while promoting the development of those activities and of agricultural enterprises” after “agricultural activities” in the first paragraph.

**76.** Section 15 of the Act is amended by adding the following at the end of the third paragraph: “However, on payment of the costs, only the following may consult the documents mentioned in the second paragraph that contain industrial, financial, commercial, scientific or technical information, such as financial statements and business plans, and obtain a copy of them:

- (1) the declarant;
- (2) the applicant;
- (3) the owner or operator of the lot to which a declaration or an application for authorization applies;
- (4) the regional county municipality, community or certified association that must transmit a recommendation under section 58.4;
- (5) the regional county municipality or community, the local municipality concerned or the certified association referred to in section 59;
- (6) an interested person to whom paragraph *b* of section 18.6, section 60.1, section 79.6 or the seventh paragraph of section 100.1 applies; or
- (7) any other person determined by regulation.”

**77.** Section 31.1 of the Act is amended by replacing “at the record office of” in the second paragraph by “with”.

**78.** Section 62 of the Act is amended, in the second paragraph,

- (1) by replacing “In” in the introductory clause by “In addition to the considerations provided for in section 12, in”;
- (2) by replacing “farming activities” in paragraph 8 by “the practice of agriculture in accordance with a diversity of models and of viable agricultural projects that may require varying areas of land”.

**79.** Section 65 of the Act is amended

- (1) in the first paragraph,

(a) by striking out “to the local municipality in whose territory the lot is situated and forward a copy of the application”;

(b) by adding the following sentence at the end: “The regional county municipality or the community may identify more than one area for the purposes of the application for exclusion.”;

(2) by striking out the second paragraph;

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

(4) by inserting the following paragraphs after the third paragraph:

“The applicant must transmit a copy of the application to the local municipality concerned or, as the case may be, the local municipalities concerned. Upon receipt of the copy, the clerk or secretary-treasurer of the local municipality shall advise the commission of the date of receipt.

The local municipality may require from the applicant any information and document it considers relevant.

The local municipality shall, within 45 days of receiving the copy of the application, transmit to the commission all the information required by the commission, in particular as regards the standards intended to reduce the inconvenience caused by odours resulting from agricultural activities established pursuant to the powers provided for in subparagraph 4 of the second paragraph of section 113 of the Act respecting land use planning and development (chapter A-19.1), and its recommendation, and transmit the assessment of an authorized officer as to whether the application is consistent with its zoning by-law and with the interim control measures, if any.”;

(5) in the fourth paragraph,

(a) by replacing “58.1” by “58.2”;

(b) by inserting “a recommendation and to” after “apply to”.

**80.** The Act is amended by inserting the following section after section 65:

“**65.0.1.** Where the commission receives applications for exclusion relating to the same project and pertaining to lots situated in the territory of more than one local municipality, it may, on its own initiative or on request, group together the applications for exclusion so they are processed as a single record.”

**81.** Section 65.1 of the Act is amended by replacing “local” in the first paragraph by “regional county”.

**82.** Section 66 of the Act is amended

(1) by replacing “the use for purposes other than agriculture, the subdivision, the alienation and the exclusion of a lot from an agricultural zone for the purposes of a department or public agency” in the first paragraph by “and for the purposes of a department or public body, the use for purposes other than agriculture, the subdivision, the alienation, the inclusion and the exclusion of a lot”;

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

“A decision of the Government authorizing the exclusion of a lot from an agricultural zone must, on such conditions as are determined in the decision, provide for its reinclusion in the event that the project is not carried out. In addition, a decision of the Government authorizing a use for purposes other than agriculture or an exclusion of a lot may be accompanied by any impact reduction measure considered sufficient by the Minister, in particular the inclusion or reinclusion of a lot in the agricultural zone.”

**83.** The Act is amended by inserting the following section after section 66:

“**66.1.** The Minister may enter into any agreement relating to the implementation of the impact reduction measures provided for in the second paragraph of section 66.”

**84.** The Act is amended by inserting the following section after section 79.2.3:

“**79.2.3.1.** Where a livestock facility can only be enlarged by encroaching upon the space that must be left open under separation distance requirements, the enlargement of the facility is allowed notwithstanding the separation distance requirements so long as

(1) the enlargement is necessary in order to comply with a code of practice or a standard of a certification aimed at ensuring the welfare of animals;

(2) there is no increase in the number of livestock units; and

(3) the enlargement is not erected on the side of the building used for a purpose other than an agricultural purpose whose siting would entail the greatest restriction on the potential for expanding the agricultural activities of that breeding unit if the separation distance requirements were taken into account.”

**85.** Section 80 of the Act is amended, in the second paragraph,

(1) by replacing “agricultural operation or an equestrian centre” in subparagraph 1 by “agricultural operation”;

(2) by inserting “or a use related to farm product processing on a farm” at the end of subparagraph 2.

**86.** The Act is amended by inserting the following section after section 96:

“**96.1.** The second paragraph of section 66 and section 66.1 apply to a decision of the Government rendered under section 96.”

**87.** The Act is amended by inserting the following sections after section 105.1:

“**105.2.** The commission may, after consulting the regional county municipality concerned, prepare an adjusted plan of an agricultural zone in its territory.

For the preparation of an adjusted plan, the commission shall refer to the plan and technical description prepared and adopted in accordance with sections 49 and 50 and shall also take into account any clarifications made to the cadastre in Québec under the Act to promote the reform of the cadastre in Québec (chapter R-3.1). Moreover, the commission may

(1) more accurately reproduce the boundaries of an agricultural zone; and

(2) make the minor corrections shown on the renewal of the cadastre provided for in the Act to promote the reform of the cadastre in Québec to an agricultural zone.

“**105.3.** Sections 49 to 54 and section 69.4, adapted as required, apply to the adjusted plan.

The adjusted plan may, where appropriate, not be accompanied by a technical description.”

#### ACT RESPECTING THE LEGAL PUBLICITY OF ENTERPRISES

**88.** Section 21 of the Act respecting the legal publicity of enterprises (chapter P-44.1) is amended by inserting “an amalgamation involving a cooperative, where the legal person resulting from the amalgamation continues under the Cooperatives Act (chapter C-67.2), except an ordinary amalgamation within the meaning of that Act, or” after “other than” in subparagraph 6 of the first paragraph.

**89.** Section 41 of the Act is amended by inserting “an amalgamation involving a cooperative, other than an ordinary amalgamation within the meaning of the Cooperatives Act (chapter C-67.2), where the legal person resulting from the amalgamation continues under that Act, or to a legal person resulting from” and “, as applicable, the cooperative or” after “legal person resulting from” and “information concerning”, respectively, in the second paragraph.

## ENVIRONMENT QUALITY ACT

**90.** Section 31.51 of the Environment Quality Act (chapter Q-2) is amended

(1) by replacing “perform a characterization study of the land on which the activity was carried on within six months of the cessation or within such additional time, not exceeding 18 months, as the Minister may grant, subject to the conditions fixed by the Minister, with a view to the resumption of activity. Upon completion, the study must be transmitted to the Minister and to the owner of the land” in the first paragraph by “transmit to the Minister and to the owner of the land a characterization study of the land on which the activity was carried on, within 12 months of the cessation or within such reasonable additional time as the Minister may grant, subject to the conditions determined by the Minister”;

(2) by replacing “as soon as possible after being informed of the presence of the contaminants” in the second paragraph by “not later than three months after the study is transmitted”.

**91.** Section 118.6 of the Act is amended by adding the following paragraph at the end:

“Where a person or a municipality already holds an accreditation or certification, the Minister shall add to that accreditation or certification, on the conditions the Minister determines, any new activity referred to in the first paragraph if the person or municipality meets the conditions set out in subparagraphs 1 and 2 of the second paragraph.”

**92.** The Act is amended by inserting the following section after section 118.7:

**118.7.1.** The Minister may, on the terms and conditions the Minister determines, at the request of a person or municipality holding two or more accreditations or certifications or on the Minister’s own initiative on an application for an accreditation or certification or its renewal, combine all the accreditations or certifications held by the person or municipality into a single one.

On issuing such an accreditation or certification, the Minister may not make any amendment to the conditions set out in the accreditations or certifications thus combined that would subject the accredited or certified person or municipality to new obligations.

As of the date of its issue, the accreditation or certification is deemed to be issued under section 118.6 and replaces the accreditations or certifications it combines, which cease to have effect without this affecting any offences committed, proceedings instituted or penalties incurred before that date in relation to those accreditations or certifications.”

## ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

**93.** Section 92.3 of the Act respecting public transit authorities (chapter S-30.01) is amended by replacing “31 January” in the third paragraph by “31 March”.

**94.** Section 95 of the Act is amended by replacing “and 96.1” in the twelfth paragraph by “, 96.1 and 96.3”.

**95.** The Act is amended by inserting the following section after section 96.2:

**“96.3.** A supply contract may take the form of a delivery order contract when the procurement requirements are recurrent, and the quantity of goods or the rate or frequency at which they are acquired are uncertain. Such a contract, whose term may not exceed three years, may be entered into with one or more suppliers.

The call for tenders or a document to which it refers must indicate the approximate quantities of the goods that may be acquired or, failing that, the approximate value of the contract.

The tenders are evaluated according to the price or according to a system of bid weighting and evaluating in accordance with section 96 or 96.1.

If the delivery order contract is entered into with more than one supplier, the orders are awarded to the supplier who proposed the lowest price or obtained the highest score, as the case may be, unless the supplier cannot fill the orders, in which case the other suppliers are solicited according to their respective rank.

A delivery order contract may allow any selected supplier to replace goods offered by equivalent goods or to reduce the price of goods offered. The call for tenders or a document to which it refers must then indicate the procedure applicable to make such amendments as well as the mechanism to inform the other selected suppliers of the amendments.”

## ACT TO AMEND THE ENVIRONMENT QUALITY ACT TO MODERNIZE THE ENVIRONMENTAL AUTHORIZATION SCHEME AND TO AMEND OTHER LEGISLATIVE PROVISIONS, IN PARTICULAR TO REFORM THE GOVERNANCE OF THE GREEN FUND

**96.** Section 287 of the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4) is amended by striking out “or not later than five years after 23 March 2018,” in the introductory clause.

**97.** Section 288 of the Act is amended, in the first paragraph,

(1) by replacing “between 23 March 2018 and 23 March 2021” by “as of 23 March 2018 and until the coming into force of the first regulation made”;

(2) by replacing “of five years under the programs established by the Minister for that purpose before 23 March 2018 and published on the website of the Minister’s department” by “of not more than five years”.

#### ACT TO AMEND THE CULTURAL HERITAGE ACT AND OTHER LEGISLATIVE PROVISIONS

**98.** Section 138 of the Act to amend the Cultural Heritage Act and other legislative provisions (2021, chapter 10) is amended by adding the following paragraph at the end:

“The Minister may however shorten the time prescribed in the first paragraph by means of a notice sent to the municipality.”

#### REGULATION RESPECTING WILDLIFE HABITATS

**99.** The Regulation respecting wildlife habitats (chapter C-61.1, r. 18) is amended

(1) by striking out “stakes a claim or” in section 9;

(2) by striking out “de jalonnement ou” in section 19 in the French text.

#### REGULATION RESPECTING MINERAL SUBSTANCES OTHER THAN PETROLEUM, NATURAL GAS AND BRINE

**100.** Chapter I of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2), comprising sections 1 to 2, is repealed.

**101.** Division I of Chapter II of the Regulation, comprising sections 3 to 4, is repealed.

**102.** Section 5 of the Regulation is repealed.

**103.** Section 6 of the Regulation is amended

(1) by replacing paragraph 1 by the following paragraphs:

“(1) the applicant’s name, address, telephone number and, where applicable, the date of birth and the name, address and telephone number of the person to whom correspondence shall be sent;

“(2) the business number assigned to the applicant under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable;”;

(2) by replacing paragraph 4 by the following paragraph:

“(4) a declaration from the applicant attesting to the accuracy of the information provided;”.

**104.** Section 7 of the Regulation is repealed.

**105.** Section 10 of the Regulation is amended by striking out the third paragraph.

**106.** Section 13 of the Regulation is repealed.

**107.** Division III of Chapter VI of the Regulation, comprising section 59, is repealed.

**108.** Section 62 of the Regulation is amended by replacing “in the first paragraph of section 59 of this Regulation or on the date fixed by the Minister under the second paragraph of section 155 of the Act” in subparagraph 1 of the first paragraph by “in the first and second paragraph of that section”.

**109.** Section 129 of the Regulation is amended by striking out “32 or” in the first paragraph.

**110.** Section 130 of the Regulation is repealed.

**111.** Section 130.2 of the Regulation is amended by replacing “1, 2, 3, 7, 8, 128, 129 and 130” in the first paragraph by “8, 128 and 129”.

REGULATION RESPECTING THE AUTHORIZATION FOR THE  
ALIENATION OR USE OF A LOT WITHOUT THE AUTHORIZATION  
OF THE COMMISSION DE PROTECTION DU TERRITOIRE AGRICOLE  
DU QUÉBEC

**112.** Chapter III of the Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec (chapter P-41.1, r. 1.1), comprising section 26, is repealed.



## MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

**113.** Order in Council 839-2013 dated 23 July 2013 (2013, G.O. 2, 3523, French only), concerning the making of an agreement relating to the taking of responsibility by municipalities for offering a public charging service for electric vehicles within the framework of Hydro-Québec's Electric Circuit network, and an agreement entered into between a municipality and the Minister of Natural Resources and Wildlife under that Order in Council cease to have effect on 9 December 2021.

**114.** A partnership agreement for the deployment of charging stations for electric vehicles within the framework of Hydro-Québec's Electric Circuit network between a municipality and Hydro-Québec, in force on 9 December 2021, is deemed to be an agreement entered into under the first paragraph of section 48.3 of the Hydro-Québec Act (chapter H-5), enacted by section 22. Such a partnership agreement continues to have effect until it is replaced or resiliated by the parties.

**115.** Section 65 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), as it reads on 8 December 2021, continues to apply to an application for exclusion received by the Commission de protection du territoire agricole du Québec before 9 December 2021.

**116.** The provisions of this Act come into force on 9 December 2021, except subparagraph *a* of paragraph 1 and paragraphs 4 and 5 of section 79, which come into force on the date or dates to be determined by the Government.





