



Part 2

LAWS AND REGULATIONS

10 July 2024 / Volume 156

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Part 2 – LAWS AND REGULATIONS

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Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
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PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

QUÉBEC, 28 MAY 2024

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 28 May 2024*

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

- 50 An Act to enact the Act respecting civil protection to promote disaster resilience and to amend various provisions relating in particular to emergency communication centres and to forest fire protection

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

PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

QUÉBEC, 6 JUNE 2024

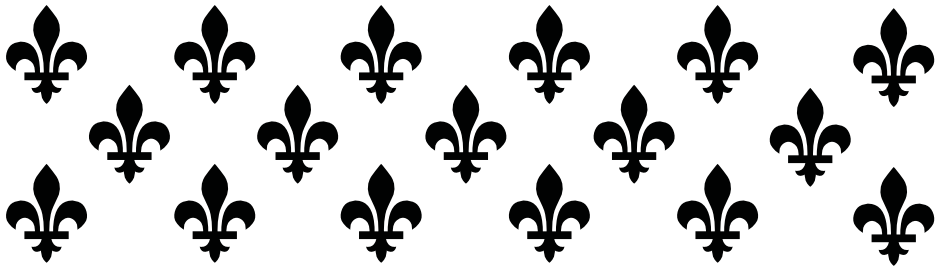
OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 6 June 2024*

This day, at a quarter to noon, Her Excellency the Lieutenant-Governor was pleased to assent to the following bill:

65 An Act to limit lessors' right of eviction and to enhance the protection of senior lessees

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

Québec Official Publisher



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 50
(2024, chapter 18)

**An Act to enact the Act respecting
civil protection to promote disaster
resilience and to amend various
provisions relating in particular to
emergency communication centres
and to forest fire protection**

**Introduced 31 January 2024
Passed in principle 26 March 2024
Passed 22 May 2024
Assented to 28 May 2024**

**Québec Official Publisher
2024**

EXPLANATORY NOTES

This Act proposes mainly a new civil protection regime whose purpose is the protection of persons and property through effective disaster risk management and an optimal response to disasters with a view to promoting society's disaster resilience.

The Act establishes the principle that every person must contribute to civil protection and that local municipalities are the primary authorities responsible for the protection of persons and property in their territory.

The Act provides that a regional municipality is to carry out a disaster risk management process in collaboration with the local municipalities in its territory in order to plan and put in place measures to assess disaster risks and to prevent disasters and prepare the response to them. It therefore provides that regional municipalities and local municipalities must respectively put in place a regional disaster resilience plan and an emergency preparedness plan. It authorizes the Government to determine, by regulation, the municipal authorities' obligations and powers relating to the carrying out of the disaster risk management process and of the above plans, and the procedure and other conditions applicable to their carrying out as well as the content of the plans.

The Act provides that persons whose property or activities may cause a disaster that the Government determines by regulation must collaborate with the municipal authorities by filing a risk report. It authorizes the Government to impose other obligations on those persons. Local municipalities will be authorized to, among other things, impose those obligations on persons whose property is situated in its territory or whose activities are carried on there. The Act also provides that every local municipality is responsible for seeing to the application of the government regulation and grants them the required inspection powers.

The Act makes it mandatory for local municipalities to deploy emergency response or recovery measures to respond to a disaster. It sets out various rules relating to the deployment of those measures and provides for mutual assistance between local municipalities. It allows a local municipality to declare a state of emergency for its territory, for a maximum period of 10 days, when a disaster occurs or is imminent there and the local municipality considers that it must

resort to the extraordinary powers provided for by this Act to protect human life, health or integrity. The Act determines the other rules governing a state of emergency, including those relating to its renewal and its end, as well as to the report to be produced after it ends.

At the government level, the Act formalizes the administrative structure for government coordination of civil protection in Québec, which structure is composed of the government civil protection coordinator, the Comité de sécurité civile et de résilience aux sinistres du Québec and the Organisation de la sécurité civile du Québec. It entrusts to the Minister of Public Security the role of coordinating civil protection and sets out the Minister's functions and powers, including the coordination of a government disaster risk management process to develop awareness of disaster risks of national interest and to plan and put in place measures to prevent disasters and prepare the response to them. The Minister is also entrusted with responsibility for establishing a national disaster resilience plan and a government disaster response plan.

The Act specifies the warning and mobilization procedures applicable in the event of a disaster or its imminence, and makes it mandatory for the government authorities concerned to deploy emergency response or recovery measures to respond to it. It also allows the Government to declare a national state of emergency in all or part of its territory, for a maximum period of 10 days, when a disaster or another event that interferes with the functioning of the community to the point of compromising human safety occurs or is imminent and the Government considers that it must resort to the extraordinary powers provided for in this Act in order to take the immediate actions required to protect human life, health or integrity. The Act determines the other rules governing a national state of emergency, including those relating to its renewal and its end, as well as to the report to be produced after it ends.

The Act sets out the circumstances with regard to which general or specific financial assistance or compensation programs may be established by the Government, including for measures that must be taken because of the imminence of a disaster or for financial assistance to facilitate recovery after a disaster. It specifies, in particular, the terms for implementing the program as well as certain rules relating to eligibility requirements and to the conditions for applying for financial assistance or compensation. The Act establishes that certain information is public and determines the cases in which personal information may be communicated without the consent of the person concerned.

In addition, the Act amends the Act respecting land use planning and development to require the council of a municipality to suspend, for a period not exceeding 12 months, the issue of a permit or certificate if it has serious reasons to believe that the planned uses, activities, structures or works must be governed or prohibited by a regulation for certain reasons of public safety, and prescribes the applicable terms.

The Act amends the Civil Protection Act so that it contains only the provisions relating to emergency communication centres and, consequently, replaces the title of that Act to take those amendments into account. The Act amends certain provisions of that Act, in particular to extend the period of validity of a 9-1-1 call centre's certificate of compliance and allow the Minister to inspect such a centre that does not hold a certificate of compliance and to order the centre to take corrective measures. The Act introduces a prohibition against communicating with the 9-1-1 emergency service for frivolous or vexatious purposes or under false pretenses, and against automatically connecting an alarm system to the 9-1-1 emergency service.

Furthermore, the Act transfers the power to designate a forest fire protection organization to the Minister of Public Security and expands the responsibilities of that organization to include the protection of communities and strategic infrastructures. It also gives the Minister the power to order any measure to ensure public safety when a forest fire or the risk of such a fire so requires, such as restricting or prohibiting travel in or access to a forest and prohibiting the making of fires in the territory the Minister determines.

Lastly, the Act contains technical, consequential and transitional provisions.

LEGISLATION ENACTED BY THIS ACT:

- Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1).

LEGISLATION AMENDED BY THIS ACT:

- Act respecting industrial accidents and occupational diseases (chapter A-3.001);

- Sustainable Forest Development Act (chapter A-18.1);
- Act respecting land use planning and development (chapter A-19.1);
- Charter of Ville de Lévis (chapter C-11.2);
- Charter of Ville de Longueuil (chapter C-11.3);
- Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);
- Charter of Ville de Québec, national capital of Québec (chapter C-11.5);
- Highway Safety Code (chapter C-24.2);
- Labour Code (chapter C-27);
- Coroners Act (chapter C-68.01);
- Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001);
- Act respecting municipal taxation (chapter F-2.1);
- Education Act (chapter I-13.3);
- Act respecting administrative justice (chapter J-3);
- Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2);
- Act respecting labour standards (chapter N-1.1);
- Civil Protection Act (chapter S-2.3);
- Fire Safety Act (chapter S-3.4);
- Act respecting pre-hospital emergency services (chapter S-6.2);
- Act respecting the remuneration of elected municipal officers (chapter T-11.001);
- Act to establish the Administrative Labour Tribunal (chapter T-15.1).

REGULATIONS AMENDED BY THIS ACT:

- Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1);
- Forest Protection Regulation (chapter A-18, r. 10.1);
- Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3, r. 1);
- Dam Safety Regulation (chapter S-3.1.01, r. 1).

Bill 50

AN ACT TO ENACT THE ACT RESPECTING CIVIL PROTECTION TO PROMOTE DISASTER RESILIENCE AND TO AMEND VARIOUS PROVISIONS RELATING IN PARTICULAR TO EMERGENCY COMMUNICATION CENTRES AND TO FOREST FIRE PROTECTION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ENACTMENT OF THE ACT RESPECTING CIVIL PROTECTION TO PROMOTE DISASTER RESILIENCE

I. The Act respecting civil protection to promote disaster resilience, the text of which appears in this chapter, is enacted.

“ACT RESPECTING CIVIL PROTECTION TO PROMOTE DISASTER RESILIENCE

“AS Québec is facing an increase in the frequency and magnitude of disasters, in particular because of climate change;

“AS disasters cause harm to persons, including loss of human life, damage to property and the environment, and social and economic disruptions that are very costly for Québec society;

“AS civil protection means all measures planned and put in place to assess disaster risks and to prevent disasters and prepare the response to them, and all emergency response and recovery measures deployed to respond to disasters in order to limit their consequences;

“AS civil protection is inseparably and interdependently connected to the other areas that contribute to civil protection, such as sustainable land use planning and development for the territory, the environment, the fight against climate change, health and the economy;

“AS civil protection constitutes a responsibility that is shared by various society stakeholders, in particular citizens, enterprises and authorities working in the field of civil protection, including municipal and government authorities as well as authorities of Indigenous communities, and that must be assumed through a comprehensive and integrated approach in order to promote concerted action between them and coherence in their decisions;

“CHAPTER I

“PURPOSE AND INTERPRETATION

“**1.** The purpose of this Act is the protection of persons and property as regards civil protection through effective disaster risk management and an optimal response to disasters with a view to promoting society’s disaster resilience.

To that end, the Act is intended to ensure that municipal and government authorities develop disaster risk awareness and plan and put in place coordinated, complementary and coherent measures to prevent disasters and prepare the response to them, and deploy emergency response and recovery measures to respond to disasters.

“**2.** For the purposes of this Act,

“disaster” means an event resulting from the occurrence of a hazard or a combination of hazards that causes harm to persons or substantial damage to property, that interferes with the normal functioning of all or part of a community and that requires the deployment of exceptional measures to limit the consequences of the event;

“disaster risk” means a risk that, according to the combination of a hazard’s probability of occurring and the potential resulting consequences for vulnerable elements of an area, could cause a disaster;

“government authority” means a government department or government body a majority of whose members are appointed by the Government or a minister, whose personnel is by law appointed in accordance with the Public Service Act (chapter F-3.1.1) or whose capital forms part of the domain of the State;

“hazard” means a natural or anthropogenic phenomenon or activity, such as a flood, an earthquake, a landslide, an accident involving dangerous substances, the failure of an infrastructure, a forest fire or a pandemic;

“municipal authority” means a local municipality or a regional municipality;

“regional municipality” means

(a) a regional county municipality, a local municipality to which a regional county municipality has delegated all or part of its jurisdiction in accordance with subparagraph 2 of the third paragraph of section 8, or an authority that has affirmed in accordance with the law that it has jurisdiction with respect to a field of jurisdiction that this Act confers on a regional county municipality;

(b) the Kativik Regional Government;

(c) Ville de Montréal, Ville de Québec, Ville de Longueuil, Ville de La Tuque and Municipalité des Îles-de-la-Madeleine for the territory of the urban agglomeration for which they are the central municipality;

(d) Ville de Gatineau, Ville de Laval, Ville de Lévis, Ville de Mirabel, Ville de Rouyn-Noranda, Ville de Saguenay, Ville de Shawinigan, Ville de Sherbrooke and Ville de Trois-Rivières; and

(e) any other local municipality whose territory is not included in that of a regional municipality within the meaning of subparagraphs *a* to *d*, except if an authority referred to in subparagraph *a* has affirmed in accordance with the law that it has jurisdiction as regards the local municipality with respect to a field of jurisdiction that this Act confers on a regional county municipality or if the authority has entered into an agreement in accordance with subparagraph 1 of the third paragraph of section 8, unless, in the latter case, the authority acts as a regional municipality.

“**3.** This Act applies in complementarity with other Acts and does not restrict the application of provisions of those Acts that are related to civil protection.

“**4.** This Act is binding on the State.

“CHAPTER II

“CIVIL PROTECTION AT THE LOCAL AND REGIONAL LEVELS

“DIVISION I

“GENERAL PRINCIPLES

“§1. — *Persons*

“**5.** Every person must contribute to civil protection and is therefore responsible for ensuring their own safety and the safety of their property and activities.

To that end, every person must exercise prudence and foresight with regard to the disaster risks present in their environment. They must also follow the instructions of the responsible authorities in the event of a disaster or its imminence and, depending on the situation and as far as they are able to, be in a position to ensure their autonomy in the event of a disaster and contribute to limiting the consequences of the disaster.

“§2. — *Municipal authorities*

“**6.** Local municipalities are the primary authorities responsible for the protection of persons and property in their territory as regards civil protection.

To that end, a regional municipality and the local municipalities in its territory must act in concert and collaborate in order to plan and put in place, in their territory, measures to assess disaster risks and to prevent disasters and prepare the response to them, with a view to promoting their community's disaster resilience. They must promote the participation of their citizens in civil protection, in particular by consulting them and informing them of those measures and of the measures the citizens can take to reduce disaster risks and limit the consequences of disasters.

“DIVISION II

“DISASTER RISK MANAGEMENT

“§1. — *Planning*

“**7.** Each local municipality must put in place a civil protection coordination structure responsible for managing disaster risks and coordinating the response to disasters in its territory, under the authority of a municipal civil protection coordinator designated by the local municipality.

Each local municipality must also establish an emergency preparedness plan containing, in particular, general preparation measures to respond to a disaster or its imminence, including procedures for warning the municipality's population and mobilizing resources, and keep the plan up to date.

“**8.** Each regional municipality must, in complementarity and coherence with its other fields of jurisdiction that contribute to civil protection and taking into account climate change, carry out a disaster risk management process, according to a continuous improvement approach, that includes the following steps:

- (1) establishment of the context applicable to the carrying out of the process;
- (2) risk assessment, that is, identification, analysis and evaluation of the risks present in its territory in order to identify those that constitute disaster risks and to establish, among the latter, those that must be given priority; and
- (3) processing of disaster risks in order to plan and put in place, according to established priorities and with a view to promoting their community's disaster resilience, measures to prevent disasters and prepare the response to them.

Every local municipality whose territory is included in the regional municipality's territory must closely collaborate in the carrying out of the disaster risk management process, in particular by contributing its knowledge and resources and by sending the necessary information and documents to the regional municipality.

For the purposes of the first paragraph,

(1) a local municipality referred to in paragraph *e* of the definition of “regional municipality” may reach an agreement with a regional municipality whereby the local municipality’s territory is taken into account by the regional municipality or reach an agreement with other local municipalities referred to in the same paragraph so that one of them acts as the regional municipality, except if an authority referred to in paragraph *a* of that definition has affirmed in accordance with the law that it has jurisdiction as regards the local municipality with respect to a field of jurisdiction that this Act confers on a regional county municipality; and

(2) a regional county municipality may, by resolution, delegate all or part of its jurisdiction to a local municipality in its territory.

“9. Each regional municipality must adopt a regional disaster resilience plan containing the measures planned during the disaster risk management process and must put in place the measures under its responsibility, where applicable.

In addition to the measures provided for in the second paragraph of section 7, each local municipality must include in its emergency preparedness plan the measures of the regional plan that are under its responsibility and put them in place.

Despite the first paragraph, a local municipality that acts as a regional municipality within the meaning of paragraph *d* or *e* of the definition of “regional municipality” may, in its emergency preparedness plan, include the measures planned during the process in order to prevent disasters and prepare the response to them.

“10. The Government may, by regulation, determine

(1) the municipal authorities’ obligations and powers relating to the carrying out of the disaster risk management process, the regional disaster resilience plan and the emergency preparedness plan, and the procedure and other conditions applicable to their carrying out as well as the content of the plans;

(2) the training, evaluation and communication activities and the exercises and other measures to be carried out by municipal authorities to reinforce their capacity to respond to disasters, and the registers that must be kept for recording them; and

(3) the information and documents, in particular the reports and summaries, to be produced by the municipal authorities, and the information and documents to be communicated, broadcast or sent.

“§2. — *Persons whose property or activities may cause a disaster*

“**11.** The persons whose property or activities may cause a disaster that the Government determines by regulation must collaborate with the municipal authorities in whose territory the property is situated or the activities are carried on by filing a risk report.

The Government also determines the form and content of the risk report, the other authorities to whom the report must be sent, the conditions governing its sending and any other applicable terms.

The Government may determine the disaster response preparation measures that the persons referred to in the first paragraph must put in place and the emergency response and recovery measures that they must deploy to respond to a disaster, prescribe the terms applicable to the putting in place of such measures or to their deployment, and determine other obligations to collaborate with the municipal authorities or with any other authority that the Government designates.

“**12.** A local municipality may, by by-law, make a person whose property situated in its territory or whose activities carried on there may cause a disaster subject to the obligation provided for in the first paragraph of section 11. The by-law may determine the provisions of the regulation made under that section that apply to the person.

A local municipality may also impose, on a person referred to in the first paragraph or a person referred to in the first paragraph of section 11 whose property situated in the municipality’s territory or whose activities carried on there may cause a disaster, the obligation to put in place or deploy measures in addition to those determined by the regulation made under section 11.

A provision of a municipal by-law adopted under this section that is inconsistent with a provision of an Act or a regulation of the Government or a minister is inoperative.

“**13.** Every local municipality is responsible for seeing to the application, in its territory, of any regulation made under section 11. For the purpose of verifying the application of such a regulation and of a by-law made under section 12, such a municipality may designate any person to act as an inspector.

Inspectors may, in the exercise of inspection functions,

(1) enter, at any reasonable time, and inspect any premises where the inspector has reasonable cause to believe that a property is located or an activity is carried on under the responsibility of a person referred to in a regulation made under section 11 or a by-law made under section 12;

(2) take photographs or make recordings of the person’s property or activities;

(3) require a person who is on the premises to provide reasonable assistance; and

(4) require, within the time the inspector specifies, any information relating to the application of this subdivision and the communication of any relevant document.

Inspectors must, on request, identify themselves and produce a document attesting their capacity.

“DIVISION III

“DISASTER RESPONSE

“§1. — *Deployment of measures*

“**14.** A local municipality must, to respond to a disaster that occurs or is imminent in its territory, deploy the emergency response or recovery measures in its emergency preparedness plan, adapting them if necessary, or any other measure it considers appropriate in the circumstances.

The municipality must notify the Minister if a disaster occurs or is imminent in its territory.

“**15.** Where human life, health or integrity is threatened because of a disaster that occurs or is imminent in a local municipality’s territory, any person designated for that purpose by the local municipality may require scientific, technical or other information from any expert or any person whose property or activities are threatened or affected by the disaster or may aggravate the consequences of the disaster, and may have access to any premises in order to assess and understand the situation and its potential consequences.

The designated person may communicate the information thus obtained to any person who needs the information to protect persons whose life, health or integrity is threatened.

“**16.** A local municipality that, where the situation exceeds its emergency response capabilities or those of the resources secured by the municipality by way of an agreement, requests the assistance of another municipal authority to respond to a disaster that occurs or is imminent in its territory must assume the cost of that assistance. Despite any municipal by-law and subject to the fee set by the Minister, the cost of the assistance is set in a manner that is reasonable in the circumstances by the assisting authority, unless the municipal authorities concerned decide otherwise.

“17. A local municipality must, within six months after the deployment of emergency response measures to respond to a disaster that occurred or was imminent in its territory, communicate to the regional municipality and to the Minister, according to the terms that the latter determines, the hazard concerned, the date, time, place, territory, probable causes and circumstances of the disaster and its consequences, in particular for persons and property, and a description of the measures deployed.

The Minister may extend the time limit prescribed in the first paragraph at the request of a local municipality that proves to the Minister that it is unable to communicate the required information within that time limit.

“18. Where a local municipality is unable to or fails to act when a disaster occurs or is imminent in its territory, the Minister may order the deployment of the emergency response or recovery measures in the municipality’s emergency preparedness plan to respond to the disaster, adapting them if necessary, or of any other measure the Minister considers appropriate in the circumstances and designate the person responsible.

The Minister’s order takes effect as soon as it is declared and must specify the nature of the disaster, the territory concerned, and the circumstances warranting and the effective period of the order.

The Minister orders the end of the deployment of the measures as soon as the Minister considers that they are no longer necessary.

Notice of an order made under this section must be given promptly to the local municipality and to the regional municipality, and must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“§2. — *Local state of emergency*

“19. A local municipality may declare a state of emergency in its territory, for a maximum period of 10 days, when a disaster occurs or is imminent there, if the normal operating rules do not make it possible to take the immediate actions required to protect human life, health or integrity and if, for that purpose, the local municipality considers that it must resort to the extraordinary powers provided for in section 23.

Before the state of emergency ends, the municipality may renew it for other maximum periods of 10 days, as long as the conditions set out in the first paragraph are met.

“20. If a municipal council is unable to meet in a timely manner, the mayor may declare a state of emergency for a maximum period of 48 hours.

“21. A state of emergency comes into force on being declared and is maintained so long as it is renewed.

The declaration of the state of emergency must specify the nature of the disaster, the territory concerned and the duration of the state of emergency. It must also specify the extraordinary powers required to respond to the situation and the reasons that justify their use. It may authorize persons to exercise one or more of those powers. Any renewal of the state of emergency must specify the same information.

Notice of the declaration and of any renewal of the state of emergency must be given promptly to the Minister and to the regional municipality and must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“22. For the purpose of declaring a state of emergency or while the state of emergency is in effect, the municipal council may meet at any place, even outside the municipality’s territory, or by using any technological means.

The municipal council may depart from the usual rules that apply to its meetings, except those pertaining to their public nature, the question period, the quorum or voting.

The notice of meeting for a council meeting is notified, using the most efficient means, to the council members at least 12 hours before the meeting is held.

“23. Subject to compliance with the measures taken under section 57 of this Act or section 123 of the Public Health Act (chapter S-2.2) and despite any provision to the contrary, the local municipality or any person authorized to act under the state of emergency may, without delay and without formality, to protect human life, health or integrity,

(1) control access to roads or to the territory concerned or make them subject to special rules;

(2) order, where there is no alternative means of protection, the evacuation of persons or their sheltering, including their confinement;

(3) require the services of any person capable of assisting the personnel deployed;

(4) requisition, in the municipality’s territory, the necessary rescue services and private shelter facilities;

(5) grant, for the time the municipality or the authorized person considers necessary for the rapid and efficient conduct of emergency response measures, authorizations or exemptions in fields under the municipality’s jurisdiction; and

(6) make the expenditures and enter into the contracts the municipality or the authorized person considers necessary.

While the state of emergency is in effect, and in exceptional circumstances, the Minister may, to protect human life, health or integrity, exercise a power provided for in subparagraphs 1 to 4 of the first paragraph or ensure that an order given under those subparagraphs is maintained.

“24. The local municipality must lift the state of emergency as soon as the conditions set out in the first paragraph of section 19 are no longer met. If the municipality fails to do so, the Minister may lift the state of emergency. To that end, the Minister may require the municipality to send the Minister any document or information the Minister considers necessary.

Notice of the end of the state of emergency must be given promptly to the Minister or to the local municipality, as applicable, and to the regional municipality, and must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“25. Every person authorized to act under a state of emergency to exercise extraordinary powers must submit, not later than at the first municipal council meeting held at least 60 days after the end of the state of emergency, a substantiated report to the council.

“26. A local municipality having declared a state of emergency must file a report within six months after the end of the state of emergency. The report must specify the date and time of the declaration of the state of emergency, the duration of the state of emergency, the nature of the disaster that led to the state of emergency and the extraordinary powers exercised under the first paragraph of section 23. The report must also explain how the normal operating rules were inadequate to protect human life, health or integrity.

The Minister may extend the time limit prescribed in the first paragraph at the request of a local municipality that proves to the Minister that it is unable to produce the report within that time limit.

The municipality publishes its report on its website, after extracting any information that could compromise the safety of facilities, infrastructures, equipment or any other type of property.

“27. A local municipality grants, within three months after an application made to it by a person whose services were required or property was requisitioned under subparagraph 3 or 4 of the first paragraph of section 23, a compensation determined on the basis of the current price for the service or, as applicable, of the price for the rental or sale of the property, as it stood immediately before the disaster.

In addition, the municipality compensates the person for damage caused in the exercise of the power provided for in subparagraph 4 of the first paragraph of section 23, except damage that clearly would have resulted from the disaster

in any case, such damage being considered, for the purposes of financial assistance or compensation programs established under section 62, to have been caused by the disaster.

Entitlement to such compensation is prescribed one year after the end of the state of emergency.

“28. The Minister may, in the place and stead of a local municipality that is unable to act in a situation described in section 19, declare or renew a state of emergency. The Minister promptly notifies the municipality.

Sections 19, 21 and 23 to 27 apply with the necessary modifications and subject to the following:

(1) the Minister must give the notice provided for in the third paragraph of section 21 to the local municipality; and

(2) the expenditures made under subparagraph 6 of the first paragraph of section 23 and the compensation provided for under section 27 are, in accordance with the terms determined by the Minister, reimbursed to the Minister or paid by the municipality.

“CHAPTER III

“CIVIL PROTECTION AT THE GOVERNMENT LEVEL

“DIVISION I

“MINISTER

“29. The Minister coordinates civil protection. For that purpose, the Minister’s functions include

(1) proposing general policy directions and national objectives to the Government with respect to civil protection; those objectives may in particular set targets that municipal and government authorities must achieve, and government measures to increase society’s disaster resilience;

(2) promoting good civil protection practices;

(3) facilitating concerted action between all civil protection stakeholders; and

(4) monitoring disasters on an ongoing basis.

“30. The Minister advises and supports municipal and government authorities with respect to civil protection, in particular in the carrying out of their disaster risk management process. The Minister ensures that those authorities fulfil their responsibilities under this Act.

For those purposes, the Minister may transmit guidelines to them concerning any matter relating to this Act.

In addition, the Minister may require municipal and government authorities to communicate to the Minister any information necessary for the carrying out of this Act. The Minister may communicate such information to another of those authorities if the information is necessary for the exercise of its responsibilities under this Act.

“31. The Minister may, according to the framework the Minister establishes, provide financial, technical or informational support

(1) for the carrying out of projects relating to disaster risk management, in particular to develop disaster risk awareness, prevent disasters and prepare the response to them;

(2) to a municipal authority, for the carrying out of the regional disaster risk management process, for the authority’s collaboration in that process or for the development of a plan provided for by this Act; and

(3) to organizations designated under subparagraph 6 of section 33 and to associations working in the field of civil protection, in particular to recruit volunteers, or to promote the creation of such associations.

“32. The Minister may, in carrying out the Minister’s functions and in accordance with the law, enter into an agreement with a government in Canada or abroad, a department or body of such a government, an international organization or a body of such an organization.

“33. The Minister may also

(1) conduct or commission research on any matter related to civil protection;

(2) document the civil protection situation at the local and regional levels and at the government level, require any person who has information in that regard to communicate it to the Minister, and make public all or part of the above information;

(3) organize civil protection training activities intended for the personnel of municipal and government authorities, or participate in the organization of such activities;

(4) establish an accreditation mechanism with respect to the civil protection training activities offered by bodies or by enterprises and, in the case of professional development activities, by educational institutions;

(5) promote, encourage or recognize civil protection initiatives and projects, in particular by granting awards in recognition of actions carried out by persons, enterprises, municipal or government authorities, or other bodies; and

(6) designate organizations to be responsible for putting in place measures to reinforce and increase the operational capabilities of municipal or government authorities to respond to a disaster or its imminence, and prescribe the terms for deploying such measures.

“34. The Minister or any person the Minister designates as an inspector may, to ensure compliance with the provisions of this Act or to assess the effectiveness of the measures provided for by a plan carried out under this Act,

(1) require any municipal authority to communicate to the Minister or any such person, within the time the Minister specifies, for examination or reproduction, any document or information;

(2) enter, at any reasonable time, the office of a municipal authority or any premises where regulatory standards adopted under paragraph 1 of section 82 apply, inspect the office or premises, and examine and make copies of any document or take photographs or make recordings there; and

(3) require any person who is on the premises to provide reasonable assistance.

Inspectors must, on request, identify themselves and produce a document attesting their capacity.

“35. In the event of non-compliance with the provisions of this Act by a municipal authority or a deficiency in the measures provided for by a plan carried out under this Act, the Minister may, after conducting an overall assessment of the situation and after giving the authority an opportunity to submit observations, recommend corrective measures to the authority or, if the Minister is of the opinion that public safety so requires, order the authority to take the measures the Minister considers necessary for the protection of human life or property against disasters.

“36. The Minister or a person designated by the Minister for that purpose may investigate any matter related to the application of this Act. To that end, the Minister or the person the Minister designates has the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

The Minister may transmit the conclusions of the investigation to the persons or authorities concerned.

Where those conclusions propose corrective measures, the Minister may require the persons or authorities concerned to communicate to the Minister, within the time determined by the Minister, their intentions in that regard. Where the conclusions propose measures to a municipal authority that the Minister considers to be imperative to ensure public safety, the Minister may order their implementation and the sending of a compliance report within the time determined by the Minister.

“DIVISION II**“GOVERNMENT COORDINATION STRUCTURE****“§1. — *Government civil protection coordinator***

“37. The associate deputy minister responsible for civil protection within the Ministère de la Sécurité publique acts as government civil protection coordinator.

The coordinator exercises the functions conferred on the coordinator by this Act or by the Minister. In the exercise of those functions, the coordinator must promote the coordination of civil protection actions undertaken by government authorities and ensure their coherence and complementarity.

“§2. — *Comité de sécurité civile et de résilience aux sinistres du Québec*

“38. The Government forms a civil protection and disaster resilience committee for Québec under the name “Comité de sécurité civile et de résilience aux sinistres du Québec” (the Committee) and determines its framework of operation.

The government civil protection coordinator acts as strategic adviser on the Committee and ensures liaison between the Committee and the Organisation de la sécurité civile du Québec.

“39. The Committee’s functions are

(1) to assist the Minister in the exercise of the responsibilities conferred on the Minister by this Act;

(2) to advise government authorities with respect to civil protection;

(3) to contribute to government civil protection planning by advising the Government on measures to be taken to efficiently manage disaster risks and optimally respond to disasters, in coherence and complementarity with the other areas that contribute to civil protection and taking climate change into account;

(4) to supervise the deployment of emergency response and recovery measures by government authorities to respond to a disaster; and

(5) to carry out any other mandate entrusted to the Committee by the Government.

“§3. — *Organisation de la sécurité civile du Québec and regional organizations*

“**40.** The Government forms a civil protection organization for Québec under the name “Organisation de la sécurité civile du Québec” (the Organization), composed of designated government authorities and chaired by the government civil protection coordinator, and determines its framework of operation.

Each government authority designates an assistant deputy minister or associate deputy minister or a senior officer, as applicable, to represent it within the Organization. Each representative acts as a civil protection coordinator within their department or body and oversees the implementation of the Organization’s decisions, those of the Comité de sécurité civile et de résilience aux sinistres du Québec and those of the Minister and the Government.

“**41.** The Organization is responsible for planning civil protection at the government level and for coordinating the deployment of measures to respond to disasters. It contributes to mobilizing government authorities and to ensuring concerted action between them in order to maintain the coherence and complementarity of actions undertaken by them in those matters. The Organization also promotes concerted action between the various civil protection stakeholders.

“**42.** Regional organizations made up of the regional representatives of the government authorities composing the Organization are formed in the administrative regions.

The regional director responsible for civil protection at the Ministère de la Sécurité publique coordinates the organization formed in the regional director’s region and ensures liaison with the government civil protection coordinator.

The regional organizations carry out government civil protection planning in their region and coordinate the deployment of measures in support of the local municipalities in order to respond to a disaster or its imminence.

“**DIVISION III**

“**DISASTER RISK MANAGEMENT**

“§1. — *Planning*

“**43.** The Minister coordinates the carrying out of a government disaster risk management process, according to a continuous improvement approach, to develop awareness of disaster risks of national interest and to plan and put in place measures to prevent disasters and prepare the response to them, with a view to promoting society’s disaster resilience.

The government authorities composing the Organisation de la sécurité civile du Québec as well as the other government authorities solicited by the Minister must work in close collaboration to carry out the government disaster risk management process, in particular by contributing their knowledge and resources and by providing the Minister with all necessary information and documents.

The disaster risk management process is to be carried out so as to ensure the coherence and complementarity of the measures promoting disaster resilience that are put in place at the government level in the areas that contribute to civil protection, and taking climate change into account.

“**44.** The Minister establishes a national disaster resilience plan containing the disaster prevention measures planned during the disaster management process in order to increase disaster risk awareness and prevent disasters.

The plan must be submitted to the Government for approval every five years.

Once the plan is approved, government authorities must put in place the measures under their responsibility.

“**45.** The Minister also establishes a government disaster response plan that determines, among other things,

(1) the training, evaluation and communication activities and the exercises and other measures to be carried out by the government authorities to reinforce their capacity to respond to disasters whose foreseeable consequences are of national interest;

(2) the emergency response and recovery measures that must be deployed by government authorities in support of municipal and government authorities in order to respond to a disaster whose magnitude would exceed their capacity for action or to the imminence of such a disaster; and

(3) the terms governing the concerted action between government authorities when the response to a disaster requires the deployment of their emergency response or recovery measures.

“**46.** The national disaster resilience plan and the government disaster response plan are published on the website of the Ministère de la Sécurité publique after the extraction of any information that could compromise the safety of facilities, infrastructures, equipment or any other type of property.

“**47.** The government civil protection coordinator sees that the government authorities put in place the measures of the national disaster resilience plan and those of the government disaster response plan that are under their responsibility.

“§2. — *Protection of essential goods and services*

“**48.** Government authorities that provide essential goods and services must put in place measures to reduce the severity of hazards that may affect their goods and services and the vulnerability of those goods and services to such hazards, taking climate change, among other things, into account.

“§3. — *Cooperative measures*

“**49.** The Minister may take part, with the government authorities whose resources are called on for the purposes of the government disaster response plan, in the putting in place, with an authority outside Québec, of cooperative civil protection measures that may be deployed in response to a disaster or its imminence in Québec or elsewhere.

“**DIVISION IV**

“**DISASTER RESPONSE**

“§1. — *Deployment of measures*

“**50.** When a disaster or its imminence so requires, the government civil protection coordinator warns and mobilizes the government authorities concerned. Under the coordinator’s coordination, the government authorities concerned must deploy the emergency response or recovery measures in the government disaster response plan under their responsibility, adapting them if necessary, or any other measure the government authorities consider appropriate in the circumstances.

“**51.** Where human life, health or integrity is threatened because of a disaster or its imminence, the Minister or any person designated for that purpose by the Minister may require scientific, technical or other information from any expert or from any person whose property or activities are threatened or affected by the disaster or may aggravate the consequences of the disaster, and may have access to any premises in order to assess and understand the situation and its potential consequences.

The Minister or the designated person may communicate the information thus obtained to any person who needs the information to protect persons whose life, health or integrity is threatened.

“**52.** The Government may grant authorizations or exemptions provided for by law for the carrying on of an activity or the performance of an act that is required for the rapid and efficient deployment, by Québec authorities or by authorities outside Québec, of cooperative civil protection measures to respond to a disaster or its imminence, in Québec or elsewhere.

“§2.—*National state of emergency*

“**53.** The Government may declare a national state of emergency in all or part of the territory of Québec, for a maximum period of 10 days, when a disaster or another event that interferes with the functioning of the community to the point of compromising human safety occurs or is imminent and if the Government considers that it must resort to the extraordinary powers provided for in section 57 in order to take the immediate actions required to protect human life, health and integrity.

Before the state of emergency ends, the Government may renew it for other maximum periods of 10 days or, with the consent of the National Assembly, for maximum periods of 30 days, as long as the conditions set out in the first paragraph are met.

“**54.** If the Government is unable to meet in a timely manner, the Minister may declare a state of emergency for a maximum period of 48 hours.

“**55.** A state of emergency comes into force on being declared and is maintained so long as it is renewed.

The declaration of the state of emergency must specify the nature of the disaster, the territory concerned and the duration of the state of emergency. It must also specify the extraordinary powers required to respond to the situation and the reasons that justify their use. It may authorize ministers to exercise one or more of those powers. Any renewal of the state of emergency must specify the same information.

The declaration and any renewal of the state of emergency are published in the *Gazette officielle du Québec*, and the Minister must use the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“**56.** The National Assembly may, in accordance with its rules of procedure, vote to disallow a declaration or any renewal of a state of emergency.

The disallowance takes effect on the day the motion is passed.

The Secretary General of the National Assembly must promptly publish and disseminate a notice of the disallowance by the most efficient means available to ensure that the authorities and population of the territory concerned are rapidly informed, and must also publish it in the *Gazette officielle du Québec*.

“**57.** While the state of emergency is in effect, despite any provision to the contrary, the Government or any minister authorized to act under the state of emergency may, without delay and without formality, to protect human life, health or integrity,

(1) order the deployment of measures of the emergency preparedness plan of a local municipality or of the government disaster response plan and, where necessary, designate the person in charge;

(2) order the closure of establishments;

(3) control access to roads or to the territory concerned or make them subject to special rules;

(4) order, where there is no alternative means of protection, the construction or demolition of any works or the displacement or removal of any thing;

(5) grant, for the time the Government or the minister considers necessary for the rapid and efficient conduct of emergency response measures, the authorizations and exemptions provided for by law for the carrying on of an activity or the performance of an act that is required in the circumstances;

(6) order, where there is no alternative means of protection, the evacuation of persons or their sheltering, including their confinement;

(7) order that power or water mains be shut off;

(8) require the services of any person capable of assisting the personnel deployed;

(9) requisition the necessary rescue services and private or public shelter facilities;

(10) requisition essentials and see to their distribution;

(11) ration essential goods and services, set their prices and establish supply priorities;

(12) have access to any premises necessary for the carrying out of an order under this section, to the site that is threatened or affected by the event or to the premises of an activity or property that may aggravate the event, in order to assess and understand the situation and its potential consequences;

(13) make the expenditures or enter into the contracts the Government or minister considers necessary;

(14) implement a general financial assistance or compensation program established under the first paragraph of section 62; and

(15) order any other necessary measure.

“58. The sums required by the Government or any minister authorized to act under a state of emergency, in the exercise of the powers conferred on them under this subdivision, are taken out of the Consolidated Revenue Fund.

“59. The Government must lift the national state of emergency as soon as the conditions set out in the first paragraph of section 53 are no longer met.

The decision is published in the *Gazette officielle du Québec*. A notice must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“60. The Minister must table a report before the National Assembly within six months after the end of the national state of emergency or, if the Assembly is not sitting, within 15 days of resumption. The report must specify the date, time, site, nature, probable causes and circumstances of the event, the date and time of the declaration of the state of emergency, the duration of the state of emergency and the measures deployed and powers exercised under section 57.

“61. The Government grants, within three months after an application made to it by a person whose services were required or property was requisitioned under paragraph 8, 9 or 10 of section 57, a compensation determined on the basis of the current price for the service or, as applicable, of the price for the rental or sale of the property, as it stood immediately before the event.

In addition, the Government compensates the person for damage caused in the exercise of any of the powers provided for in paragraphs 4 and 9 of section 57, except damage that clearly would have resulted from the event in any case, such damage being considered, for the purposes of financial assistance or compensation programs established under section 62, to have been caused by the event.

Entitlement to compensation under this section is prescribed one year after the end of the state of emergency.

“§3. — *Financial assistance and compensation*

“62. The Government may establish general financial assistance or compensation programs

(1) with regard to disasters or their imminence or other events that compromise human safety;

(2) designed for the implementation, with regard to a disaster risk, of measures that are required immediately for the protection of persons by municipal authorities, by persons required to file a risk report or by persons threatened by the hazard; and

(3) designed to compensate the extra costs resulting from the exercise, during a state of emergency, of the powers provided for in section 23 or 57 and incurred by local municipalities, community organizations or civil protection associations.

The Government may also establish financial assistance or compensation programs specific to a disaster, to another event that compromises human safety, or to the imminence or probability of any of those events, in order to meet the particular needs of a situation.

“63. Each financial assistance or compensation program sets the eligibility requirements, determines the recipients and situations concerned, and determines the scales of and other criteria for determining the amounts to be paid, the conditions of payment of those amounts, and the various mechanics of the program.

Such a program may take into consideration programs established under other Acts, programs of the federal government, public bodies, community organizations or non-profit associations, as well as the damage insurance available on the Québec market and generally carried in the territory concerned and all other amounts that a recipient could be entitled to otherwise than under a program established under section 62. However, the program may, as regards the basic necessities of a natural person, provide that financial assistance or compensation is to be granted to the person regardless of all other amounts the person could be entitled to otherwise than under a program established under section 62 and in relation to those necessities.

“64. A person or a municipal authority is not eligible under financial assistance or compensation programs if they

(1) failed, with regard to a risk, to take or apply, without valid reason, the prevention measures prescribed by law, in particular with respect to land use planning and development, the measures ordered or recommended by a competent public authority or the measures that were clearly necessary; or

(2) are responsible for their losses.

The first paragraph does not apply to a program established under subparagraph 2 of the first paragraph of section 62.

In addition, subparagraph 1 of the first paragraph does not apply to a program relating to an event other than a disaster that compromises human safety.

“65. No financial assistance or compensation may be paid to a municipal authority that fails to comply with the obligations prescribed by this Act or other Acts in relation to civil protection.

However, the Minister may indicate to such an authority its alleged failure and allow the authority to remedy the failure within the time the Minister determines so that the financial assistance or compensation may be paid to the authority, to the extent that the other conditions of the program are met.

The first paragraph does not apply to a program established under subparagraph 2 of the first paragraph of section 62, or to a program relating to another event that, although it does not constitute a disaster, compromises human safety.

“66. Financial assistance or compensation programs are published in the *Gazette officielle du Québec* and must be disseminated by the most efficient means available to ensure that the persons concerned are rapidly informed.

“67. The Minister is responsible for the application of the programs, subject to the designation of another minister, or to a joint designation by the Government when the Government establishes a program.

The minister responsible for the application of a program may, to the extent and on the conditions determined by that minister, delegate its administration to another minister, a municipal authority, a body or any other person. The minister may, in the instrument of delegation, authorize the subdelegation of the functions the minister specifies.

Any information relating to the application of a program that is not under the responsibility of the minister responsible for the administration of this Act must be communicated to the Minister on request.

“68. A general program established under the first paragraph of section 62 is implemented on the decision of the minister responsible for its application or a minister authorized to implement it under section 57. The decision specifies the risk or event for which the program is implemented, the period covered and the territory concerned.

A specific program established under the second paragraph of section 62 is implemented on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the program. When establishing such a program, the Government specifies the risk or event for which the program is implemented, the period covered and the territory concerned.

The minister responsible for the application of a program may extend the territory concerned or the period covered or, if the period covered has not expired, shorten it, but in the latter case the expiry date must not be earlier than the date of publication of the decision shortening the period.

Any decision made under the first or third paragraph must be published in the *Gazette officielle du Québec* and disseminated by the most efficient means available to ensure that the persons concerned are rapidly informed.

“69. To obtain financial assistance or compensation under a program, applicants must send their application to the authority responsible for the administration of the program. The authority must assist any applicant who so requests in order to facilitate the applicant’s understanding of the program and, if applicable, help the applicant in making an application.

The applicant must inform the authority of any change in the applicant’s situation that may have an impact on the application of the program with regard to the applicant.

“70. For the purposes of the application of a program, the authority responsible for its administration may, at any time, require that any document and information that the authority considers necessary be communicated to it, for examination or reproduction, and examine the premises or property concerned.

In addition, the authority may communicate personal information, without the consent of the person concerned, to a municipal authority that needs it to exercise its functions.

“71. When a program is implemented, a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) may communicate personal information, without the consent of the person concerned, to a person or body, provided that communicating the information

(1) is necessary to reach or locate the person concerned; and

(2) is manifestly for the benefit of the person concerned, in particular to maintain or adapt the public services provided to the person.

Only information required for the intended purposes may be communicated.

“72. Information relating to the amounts paid to a natural person under a program concerning any of the following is public:

(1) damage to an immovable;

(2) work to flood-proof a building or stabilize land; and

(3) costs for moving a building, or a departure allowance, including, where applicable, any amount relating to a transfer of land.

When such information is communicated, it is not to be associated with the name of the recipient of the amount, but only with the civic address or the lot number of the immovable concerned.

“73. Entitlement to financial assistance or compensation under a program is prescribed one year after the program’s implementation date or, if a decision is made to extend the period covered or the territory concerned, one year after the date of that decision as concerns the new period or new territory. If the damage appears progressively or tardily, the prescription period runs from the day the damage first appears, provided that first appearance does not occur more than five years after the program’s implementation or after the decision to extend the period covered or the territory concerned, as applicable.

“74. In exceptional circumstances, the minister responsible for the application of a program may decide that a natural person who would otherwise be excluded from the program is entitled to the benefits of the program. In the same circumstances, the minister may also decide that a person eligible under a program is dispensed from some of the program’s requirements.

“75. Financial assistance or compensation granted under a program, or entitlement to it, is a personal right and may therefore not be assigned, subject to the exceptions provided for by the program.

No financial assistance or compensation granted to a recipient may be seized.

“76. Financial assistance granted under a program must be used exclusively for the purposes for which it is paid.

“77. The Government is subrogated by operation of law in the rights of any recipient of financial assistance or compensation under a program, up to the amounts paid, against any third party responsible for the risk, damage or event.

“78. A recipient of financial assistance or compensation must repay to the Minister any amount received without entitlement, unless it was paid as a result of an administrative error which the recipient could not reasonably have discovered. Such an amount may be recovered within three years after it becomes recoverable or, in a case of bad faith, within three years after discovery of the fact, but not later than 15 years after it becomes recoverable.

Despite the second paragraph of section 75, the amount that the recipient must repay may be deducted from any financial assistance or compensation to which the recipient would subsequently be entitled.

“79. Any amount due under a subrogation or under a claim for overpayment is secured by a legal hypothec on the property of the debtor.

“80. A person directly concerned by a decision regarding eligibility under a program, regarding the amount of the financial assistance or compensation granted, regarding a condition for obtaining payment of the assistance or compensation regarding an amount due under a claim for overpayment may apply to the person designated by the minister responsible for the application of the program for a review, except in the case of a decision under section 74.

The person must, within two months after the date on which the person is notified of the decision, file an application for review in writing, stating the main grounds on which the application is based, unless the person proves that it was impossible to act earlier.

An application for review does not suspend the carrying out of the decision, unless the person designated for the purpose of the review decides otherwise.

“81. The sums required for the purposes of the programs, including extra administrative costs incurred during a disaster situation or another event that compromises human safety and during the recovery period, and the sums required to analyze whether a program must be established or implemented are taken out of the Consolidated Revenue Fund.

Amounts recovered under section 77 or 78 are paid into the Consolidated Revenue Fund.

“DIVISION V

“REGULATORY POWERS

“82. In addition to its other regulatory powers under this Act, the Government may, by regulation,

(1) establish standards for ensuring effective disaster risk management or an optimal response to disasters, to the extent that doing so does not encroach on the specific field of jurisdiction of another regulatory authority, or make the standards developed by another government or a standards organization mandatory; and

(2) determine, among the provisions of a regulation made under this Act, those whose violation constitutes an offence, and indicate, for each offence, the fines to which the offender is liable, which may not exceed \$10,000.

“CHAPTER IV

“PRESUMPTIONS, RIGHTS AND IMMUNITY

“83. Any person complying with an order given under section 23 or 57 is deemed to be in a situation of superior force.

“84. A person mobilized under measures established under this Act or whose services have been required or accepted in order to respond to a disaster, to another event that compromises human safety or to the imminence of any of those events is, for the purposes of third-party civil liability, deemed to be a subordinate of the authority under which the person is placed. The same applies to a person participating in a training activity or a civil protection exercise.

Despite the first paragraph,

(1) subordinates of the State or of legal persons established in the public interest do not cease to act in the exercise of their functions solely because they are placed temporarily under the command of another authority;

(2) a person mobilized or whose services have been required or accepted under section 18 or 28 is deemed to be a subordinate of the local municipality that was unable to or failed to act; and

(3) a person who was mobilized or whose services have been required or accepted during the deployment of cooperative measures by Québec authorities or by authorities outside Québec is deemed to be a subordinate of the Government.

“85. Any person referred to in section 84 who participates in the deployment of measures to respond to a disaster, to another event that compromises human safety or to the imminence of any of those events as well as any authority of which the person is a subordinate or that deployed or requested the deployment of those measures are relieved from liability for any damage resulting from an act performed or omitted by the person, unless the damage is caused by the person’s gross or intentional fault.

An authority is not entitled to the exemption provided for in the first paragraph if, in the case of a disaster, the authority did not, in accordance with this Act,

(1) carry out or collaborate in the disaster risk management process;

(2) carry out a plan prescribed by this Act or put in place the measures of such a plan that are under its responsibility; or

(3) deploy the measures under its responsibility to respond to the disaster and that are related to the alleged acts.

“86. The representation or defence of a person referred to in section 84 at a coroner’s inquest or a fire investigation commissioner’s inquiry concerning the event during which the person intervened, or in proceedings before a court or body exercising adjudicative functions concerning an act performed or omitted by the person during such an event is assumed by the authority of which the person is deemed to be a subordinate.

Despite the first paragraph, the authority may make an agreement with the person for reimbursement of any reasonable costs incurred by the person or the person's representative.

The authority is however relieved from that obligation where the authority itself is the plaintiff in the proceeding or where the person specifically consents to it in writing.

The authority may require the person to reimburse the costs the authority incurred or reimbursed where the act performed or omitted constitutes a gross or intentional fault or where the person is found guilty of a criminal offence and had no reasonable grounds to believe that their conduct was in compliance with the law.

“87. No proceedings may be brought against the Minister for an act performed or omitted in good faith in the exercise of the Minister's functions.

Nor may proceedings be brought against the following for an act performed or omitted in good faith:

(1) an inspector, an investigator or a designated person, as applicable, acting in the exercise of their functions under section 18, 34, 36, 51 or 57;

(2) a local municipality, an inspector or a designated person acting in the exercise of their functions under section 13 or 15;

(3) a local municipality, the members of its council or the persons authorized to exercise an extraordinary power provided for in section 23; or

(4) the Government or a minister exercising an extraordinary power provided for in section 57.

“88. No employer or agent of an employer may dismiss, suspend or transfer an employee, practise discrimination or take reprisals against the employee, or impose any other sanction on the employee on the sole ground that the employee had to leave work precipitously or could not report for work because the employee's services have been or were required or accepted for the deployment of measures in response to a disaster, to another event that compromises human safety or to the imminence of any of those events, provided the employee informed the employer that the employee had to leave work precipitously or could not report for work.

In addition, any person who believes they are a victim of a sanction referred to in the first paragraph may exercise a remedy before the Administrative Labour Tribunal. The provisions applicable to a remedy relating to the exercise by an employee of a right under the Labour Code (chapter C-27) apply, with the necessary modifications.

“CHAPTER V**“PENAL PROVISIONS**

“89. The following are liable to a fine of \$1,000 to \$5,000 in the case of a natural person and \$3,000 to \$15,000 in any other case:

(1) anyone who fails to file a risk report in contravention of section 11;

(2) anyone who hinders the Minister, a municipal authority, an investigator, an inspector or a person designated or authorized under section 15, the second paragraph of section 21, section 51 or 55 in the exercise of the powers conferred on them under this Act, who refuses to obey an order they are entitled to give, to communicate the information or documents they are entitled to require or, without valid reason, to provide the assistance they are entitled to require, or who conceals or destroys documents or other things relevant to the exercise of their functions; and

(3) anyone who reports or provides false, incomplete or misleading information or a document that is incomplete or contains false or misleading information in order to deceive the person entitled to require the information or document.

Penal proceedings for an offence under subparagraph 3 of the first paragraph are prescribed one year after the prosecutor becomes aware of the commission of the offence. However, no proceedings may be instituted more than five years after the commission of the offence.

“90. Every employer that contravenes section 88 is liable to a fine of \$500 to \$2,500.

“91. Anyone who, by an act performed or omitted, helps or, by encouragement, advice or consent or by an authorization or order, induces a person to commit an offence under this Act is considered to have committed the same offence.

“92. If a legal person or an agent, mandatary or employee of a legal person, of a partnership or of an association without legal personality commits an offence under this Act or the regulations, the directors or officers of the legal person, partnership or association are presumed to have committed the offence, unless they establish that they exercised due diligence, taking all necessary precautions to prevent the commission of the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership, unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

“93. The amounts of the fines prescribed by this Act or the regulations are doubled for a subsequent offence.

“94. A judge may order an offender to remedy any failure to comply of which the offender has been found guilty.

The prosecutor must give the offender at least 10 days’ prior notice of any application for an order unless the parties are present before the judge. The judge must, before issuing an order and at the offender’s request, grant the offender what the judge considers a reasonable period of time in which to present evidence with regard to the prosecutor’s application.

“95. Penal proceedings for an offence under a provision of this Act or the regulations may be instituted by a local municipality if the offence is committed in its territory.

Such proceedings may be brought before the competent municipal court.

The fines imposed belong to the prosecuting municipality.

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 or imposed on the prosecuting municipality under article 223 of that Code.

“CHAPTER VI

“TRANSITIONAL AND FINAL PROVISIONS

“96. For the purposes of the second paragraph of section 7, the Regulation respecting warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster (chapter S-2.3, r. 3) is deemed to have been made under paragraph 1 of section 10 of this Act.

“97. The Comité de sécurité civile du Québec and the Organisation de la sécurité civile du Québec, formed on 28 May 2024, become, respectively, the Comité de sécurité civile et de résilience aux sinistres du Québec, formed by the Government under section 38 of this Act, and the Organisation de la sécurité civile du Québec, formed by the Government under section 39 of this Act, as of that date and with the same composition and framework of operation.

“98. The Minister of Public Security is responsible for the administration of this Act.”

CHAPTER II

AMENDING PROVISIONS

DIVISION I

AMENDMENTS RELATING TO CIVIL PROTECTION

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

2. Section 12 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing the first, second and third paragraphs by the following paragraphs:

“A person who, as a volunteer, helps the personnel deployed to carry out emergency response or recovery measures during an event that is covered by the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1) after the person’s services have been accepted by the authority responsible for such measures is considered to be a worker employed by that authority, subject to the second paragraph.

A person who helps the personnel deployed after the person’s services have been accepted or required under section 23 or 57 of the Act respecting civil protection to promote disaster resilience is considered to be a worker employed by the local municipality or by the Government, depending on whether it is a local or a national state of emergency, or a worker employed by the local municipality if the Minister of Public Security declared a state of emergency in its place.”

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

3. The Act respecting land use planning and development (chapter A-19.1) is amended by inserting the following section after section 145.43:

“145.44. Despite any other provision, the council of a municipality must suspend the issue of a permit or certificate if it has serious reasons to believe that the planned uses, activities, structures or works must, for reasons of public safety, be governed or prohibited by a regulation made under this Act.

If no regulation to that effect is adopted within 12 months following the application, the permit or certificate is issued, provided that the application complies with the standards in force at the time the application was filed.

The fact that the permit or certificate application was filed before the reasons became known does not preclude the application of the first paragraph.”

CHARTER OF VILLE DE LÉVIS

4. Section 89 of the Charter of Ville de Lévis (chapter C-11.2) is replaced by the following section:

“89. The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

CHARTER OF VILLE DE LONGUEUIL

5. Section 75 of the Charter of Ville de Longueuil (chapter C-11.3) is replaced by the following section:

“75. The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

6. Section 135 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is replaced by the following section:

“135. The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

7. Section 118 of the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is replaced by the following section:

118. The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city's regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan."

HIGHWAY SAFETY CODE

8. Section 470.1 of the Highway Safety Code (chapter C-24.2) is amended by replacing "of paragraph *d* of section 1 of the Act respecting the protection of persons and property in the event of disaster (chapter P-38.1)" in the third paragraph by "of section 2 of the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)".

CORONERS ACT

9. Section 183 of the Coroners Act (chapter C-68.01) is amended by replacing "in a disaster in respect of which a state of emergency within the meaning of the Civil Protection Act (chapter S-2.3) was declared" in the second paragraph by "during an event for which a state of emergency was declared under the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)".

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

10. Section 19 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended, in paragraph 8,

- (1) by striking out "civil protection," in subparagraph *a*;
- (2) by striking out "the civil protection plan and" in subparagraph *c*;
- (3) by adding the following subparagraph after subparagraph *c*:

"(d) the carrying out of the regional disaster risk management process and adoption of the regional disaster resilience plan;"

EDUCATION ACT

11. Section 315 of the Education Act (chapter I-13.3) is amended by replacing “referred to in Division II of Chapter VII of the Civil Protection Act (chapter S-2.3)” in the fourth paragraph by “established under the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”.

ACT RESPECTING LABOUR STANDARDS

12. Section 81.17.1 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “major disaster within the meaning of the Civil Protection Act (chapter S-2.3)” in subparagraph *a* of subparagraph 2 of the first paragraph by “disaster within the meaning of the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”.

ACT RESPECTING PRE-HOSPITAL EMERGENCY SERVICES

13. Section 6 of the Act respecting pre-hospital emergency services (chapter S-6.2) is amended by replacing subparagraph 6 of the first paragraph by the following subparagraph:

“(6) to participate in the carrying out of the Government’s disaster risk management process provided for by the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1);”.

14. Section 7 of the Act is amended by replacing subparagraph 6 of the first paragraph by the following subparagraph:

“(6) participate in the carrying out of the Government’s disaster risk management process provided for by the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1);”.

ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

15. Section 30.0.4 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) is amended by replacing “Civil Protection Act (chapter S-2.3) or an event in respect of which a financial assistance program is implemented pursuant to section 109 of that Act” in the fourth paragraph by “Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1) or an event in respect of which a financial assistance or compensation program is implemented pursuant to section 68 of that Act”.

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

16. Schedule I to the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended by replacing paragraph 21 by the following paragraph:

“(21) the second paragraph of section 88 of the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1);”.

INDIVIDUAL AND FAMILY ASSISTANCE REGULATION

17. Section 109 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended by replacing “by a disaster financial assistance or compensation program established under section 100 or 101 of the Civil Protection Act (chapter S-2.3)” in the second paragraph by “by a financial assistance or compensation program established under the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”.

18. Section 138 of the Regulation is amended by replacing “for extra temporary housing, food and clothing costs under a financial assistance or compensation program established under the Civil Protection Act (chapter S-2.3)” in paragraph 15 by “for basic necessities under a financial assistance or compensation program established under the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”.

19. Section 146 of the Regulation is amended

(1) by replacing “Civil Protection Act (chapter S-2.3)” in paragraph 10 by “Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”;

(2) by replacing “as extra temporary housing, food and clothing costs” in paragraph 11 by “for basic necessities”.

20. Section 177.96 of the Regulation is amended

(1) by replacing “Civil Protection Act (chapter S-2.3)” in paragraph 6 by “Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”;

(2) by replacing “as extra temporary housing, food and clothing costs” in paragraph 7 by “for basic necessities”.

21. Section 177.108 of the Regulation is amended by replacing “for extra temporary housing, food and clothing costs under a financial assistance or compensation program established under the Civil Protection Act (chapter S-2.3)” in paragraph 10 by “for basic necessities under a financial assistance or compensation program established under the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”.

REGULATION RESPECTING THE ACT RESPECTING OWNERS, OPERATORS AND DRIVERS OF HEAVY VEHICLES

22. Section 1 of the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3, r. 1) is amended by replacing “major disaster or a minor disaster within the meaning of section 2 of the Civil Protection Act (chapter S-2.3)” in paragraph 1 by “disaster within the meaning of section 2 of the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1)”.

DAM SAFETY REGULATION

23. Sections 33 and 39 of the Dam Safety Regulation (chapter S-3.1.01, r. 1) are amended by striking out “or to the Minister of Public Security, as provided in section 8 of the Civil Protection Act (chapter S-2.3)” in the first paragraph.

DIVISION II

AMENDMENTS RELATING TO EMERGENCY COMMUNICATION CENTRES

CIVIL PROTECTION ACT

24. The title of the Civil Protection Act (chapter S-2.3) is replaced by the following title:

“Act respecting emergency communication centres”.

25. Chapter I of the Act becomes Division I.

26. Section 1 of the Act is replaced by the following section:

1. The purpose of this Act is to ensure an appropriate, efficient and quality response to communications received by emergency communication centres.

The Act applies to the following emergency communication centres:

(1) a 9-1-1 emergency centre, meaning a centre that receives communications requiring one or more emergency interventions, determines the nature of the emergency for each communication and transmits the communication with any relevant information to the appropriate secondary emergency communication

centre, whether it is a dispatch centre for a fire safety service or a police force or a health communication centre within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2), or, where required, to another 9-1-1 emergency centre; or

(2) a secondary emergency communication centre that is the dispatch centre for a fire safety service or a police force.”

27. Sections 2 to 52 of the Act are repealed.

28. Division II.1 of Chapter IV of the Act becomes Division II and its heading is replaced by the following heading:

“EMERGENCY COMMUNICATION CENTRES”.

29. Section 52.1 of the Act is renumbered 2 and is replaced by the following section:

“**2.** In order to respond to emergency communications in its territory, every local municipality must be served by a 9-1-1 emergency centre that has obtained a certificate of compliance in accordance with this division unless no telecommunication service allowing direct calls to 9-1-1 emergency services is available in its territory.”

30. Section 52.2 of the Act is renumbered 3 and is amended by replacing “call” and “calls” by “communication” and “communications”, respectively.

31. Section 52.3 of the Act is renumbered 4 and is amended by replacing “to the 9-1-1 emergency centres and secondary emergency call centres” by “to any emergency communication centre”.

32. Section 52.4 of the Act is renumbered 5 and is amended by replacing “secondary emergency call centres other than health communication centres” in the second paragraph by “secondary emergency communication centres concerning any matter related to this division” by “secondary emergency communication centres concerning any matter related to this Act”.

33. Section 52.5 of the Act is renumbered 6 and is amended by replacing “secondary emergency call centres other than health communication centres concerning any matter related to this division” by “secondary emergency communication centres concerning any matter related to this Act”.

34. Sections 52.6, 52.7 and 52.8 of the Act are renumbered 7, 8 and 9, respectively.

35. Section 52.10 of the Act is renumbered 10 and is amended by replacing “two” by “five”.

36. Sections 52.11, 52.12 and 52.13 of the Act are renumbered 11, 12 and 13, respectively.

37. Section 52.14 of the Act is renumbered 14 and is amended by replacing “60” by “90”.

38. Section 52.15 of the Act is renumbered 15 and is replaced by the following section:

“**15.** The Minister may authorize a person to act as an inspector to ensure that a 9-1-1 emergency centre meets the conditions prescribed by this division or, where applicable, that a secondary emergency communication centre complies with the standards, specifications, quality criteria and guidelines applicable to it under this division.

For that purpose, inspectors may, in the exercise of their functions,

(1) enter, at any time, a 9-1-1 emergency centre or a secondary emergency communication centre to which standards, specifications, quality criteria and guidelines apply under this division, inspect it and take photographs or make recordings;

(2) require a person who is on the premises to provide reasonable assistance; and

(3) require, within the time they specify, any information relating to the activities of the centres and the production of any related document.

Inspectors must, on request, identify themselves and produce a document attesting their capacity. No proceedings may be brought against them for acts performed or omitted in good faith in the exercise of their functions.”

39. Sections 52.16 and 52.17 of the Act are repealed.

40. Section 52.18 of the Act is renumbered 16 and is replaced by the following section:

“**16.** The Minister may order a 9-1-1 emergency centre that does not meet the conditions prescribed by this division or a secondary emergency communication centre that does not comply with the standards, specifications, quality criteria or guidelines applicable to it under this division to take, within the time specified by the Minister, the corrective measures the Minister considers necessary.”

41. Section 52.19 of the Act is renumbered 17 and is amended

(1) by inserting “an act performed or omitted during” after “result from” in the first paragraph;

(2) by replacing “secondary emergency call centres other than health communication centres” in the second paragraph by “secondary emergency communication centres that comply with the standards, specifications, quality criteria or guidelines applicable to them under this division”.

42. Section 52.20 of the Act is renumbered 18.

43. The Act is amended by inserting the following divisions after section 52.20, renumbered 18 by section 42:

“DIVISION III

“PROHIBITED PRACTICES

“**19.** It is prohibited to communicate with the 9-1-1 emergency service for frivolous or vexatious purposes, or under false pretenses.

“**20.** It is prohibited to automatically connect an alarm system to the 9-1-1 emergency service.

The first paragraph must not be interpreted as prohibiting the programming of the 9-1-1 emergency service number as a speed dial on a communication device.

“DIVISION IV

“PENAL PROVISIONS

“**21.** The following persons are liable to a fine of \$1,000 to \$5,000 in the case of a natural person and \$3,000 to \$15,000 in any other case:

(1) anyone who hinders the Minister or an inspector in the exercise of the powers conferred on them under this Act, refuses to obey an order they are entitled to give, to communicate the information or documents they are entitled to require, or, without valid reason, to provide the help they are entitled to require, or conceals or destroys documents or other things relevant to the exercise of their functions; and

(2) anyone who reports or provides false, incomplete or misleading information or a document that is incomplete or contains false or misleading information in order to deceive the person entitled to require the information or document.

Penal proceedings for an offence under subparagraph 2 of the first paragraph are prescribed one year after the prosecutor becomes aware of the commission of the offence. However, no proceedings may be instituted more than five years after the commission of the offence.

“22. Anyone who contravenes section 19 or the first paragraph of section 20 is liable to a fine of \$500 to \$2,500 in the case of a natural person and \$1,500 to \$7,500 in any other case.

“23. Anyone who, by an act performed or omitted, helps or, by encouragement, advice or consent or by an authorization or order, induces a person to commit an offence under this Act is considered to have committed the same offence.

“24. If a legal person or an agent, mandatary or employee of a legal person, of a partnership or of an association without legal personality commits the offence provided for in section 22, the directors or officers of the legal person, partnership or association are presumed to have committed the offence unless they establish that they exercised due diligence, taking all necessary precautions to prevent the commission of the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

“25. The amounts of the fines prescribed by this Act are doubled for a subsequent offence.

“26. A judge may order an offender to remedy any failure to comply of which the offender has been found guilty.

The prosecutor must give the offender at least 10 days' prior notice of any application for an order, unless the parties are present before the judge. The judge must, before issuing an order and at the offender's request, grant the offender what the judge considers a reasonable period of time in which to present evidence with regard to the prosecutor's application.

“27. Penal proceedings for an offence under a provision of this Act may be instituted by a local municipality if the offence is committed in its territory.

Any such proceedings may be brought before the competent municipal court.

The fines imposed belong to the prosecuting municipality.

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 or imposed on the prosecuting municipality under article 223 of that Code.

“DIVISION V**“FINAL PROVISION**

“28. The Minister of Public Security is responsible for the administration of this Act.”

44. Sections 53 to 195 of the Act are repealed.

ACT RESPECTING MUNICIPAL TAXATION

45. Section 244.74 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “52.7 of the Civil Protection Act” in the third paragraph by “8 of the Act respecting emergency communication centres”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

46. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by replacing paragraph 20.3 by the following paragraph:

“(20.3) section 13 of the Act respecting emergency communication centres (chapter S-2.3);”.

DIVISION III**AMENDMENTS RELATING TO FOREST FIRE PROTECTION****FIRE SAFETY ACT**

47. Section 1 of the Fire Safety Act (chapter S-3.4) is amended

(1) by striking out “, except forest resources which are protected pursuant to the Sustainable Forest Development Act (chapter A-18.1),” in the first paragraph;

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

“This Act applies to forest fire protection only to the extent provided for in Chapter VI.1.”

48. The Act is amended by inserting the following chapter after section 150:

“CHAPTER VI.1**“FOREST FIRE PROTECTION ORGANIZATION**

“150.1. The Minister may, for a territory delimited by the Minister, designate an organization as a forest fire protection organization.

The designated organization is responsible for organizing the protection of communities, strategic infrastructures and forest environments from forest fires or fires threatening a forest in the territory for which it was designated. It performs its duties in accordance with the policy directions and directives set out by the Minister, jointly with the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1).

“150.2. The designated organization’s general by-laws and any modifications to them are submitted for approval to the Minister. The Minister may approve them with or without amendment.

“150.3. The designated organization prepares a forest fire protection framework plan for the territory for which it was designated. The plan must define the intensive protection zone and state, among other things, the number of people, the equipment and the means the organization intends to use to protect communities, strategic infrastructures and forest environments from forest fires.

The plan is submitted to the Minister for approval within the time determined by the Minister, who may approve it with or without amendment, after consultation with the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1). If the organization fails to submit the plan to the Minister within the specified time, the Minister establishes the plan.

The organization must keep the plan up to date until a new plan is required by the Minister. Updates of the plan and any modifications are submitted to the Minister for approval. The Minister may approve them with or without amendment, after consultation with the minister responsible for the administration of the Sustainable Forest Development Act.

“150.4. The Minister assumes the cost of the expenses incurred by the organization designated to fight forest fires or fires threatening a forest in the intensive protection zone. The sums required for that purpose are taken out of the Consolidated Revenue Fund.

Moreover, the Minister may, using the appropriations granted annually for that purpose by Parliament, allocate sums to the designated organization to provide for the financing of the other activities carried out by the organization to perform its duties.

“150.5. The Minister or the organization, with the approval of the Minister, may make agreements for the purposes of protecting the forests situated outside the intensive protection zone from fires, in particular with regard to the expenses associated with preventing and fighting fires.

“150.6. Every person who requires the intervention of the designated organization to fight a fire other than a forest fire or a fire threatening a forest must entirely assume the costs of the intervention.

“150.7. The books and accounts of the designated organization are audited every year by external auditors.

Within four months after the end of each fiscal year, the organization must send the Minister the audit report on its books and accounts, its financial statements and an activity report. The financial statements and activity report must contain all the information required by the Minister.

Before the beginning of each fiscal year, the organization sends its budget estimates for the following fiscal year to the Minister in the manner prescribed by the Minister.

“150.8. The designated organization must communicate to the Minister or the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1) any information the Minister requires on its activities.

“150.9. Where a forest fire or the risk of such a fire requires it, the Minister may order any measure to ensure public safety, such as restricting or prohibiting access to and travel in a forest and prohibiting the making of fires in the territory the Minister determines.

A decision made under the first paragraph is published on the website of the Ministère de la Sécurité publique and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“150.10. Any representative of the designated organization is authorized to enter any premises and take all measures necessary for the purposes of fighting forest fires.

They may also recruit any person and requisition any necessary equipment, regardless of who owns it.

The organization must grant the recruited person and the owner of the requisitioned equipment fair and reasonable compensation as determined by the Minister.”

49. The Act is amended by inserting the following section after section 155:

“155.1. Every person who contravenes a measure ordered by the Minister under section 150.9 is guilty of an offence and is liable to a fine of \$500 to \$50,000.”

SUSTAINABLE FOREST DEVELOPMENT ACT

50. Section 1 of the Sustainable Forest Development Act (chapter A-18.1) is amended by inserting “in complementarity with the provisions of Chapter VI.1 of the Fire Safety Act (chapter S-3.4) on forest fire protection” at the end of paragraph 7.

51. Section 4 of the Act is amended by inserting “, in particular by a forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)” after “protection” in paragraph 1.

52. Section 130 of the Act is amended by striking out the third paragraph.

53. Divisions I and II of Chapter I of Title VI of the Act, comprising sections 181 to 189, are repealed.

54. Section 190 of the Act is amended by replacing “forest protection organization” in the second paragraph by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”.

55. Section 192 of the Act is amended, in the first paragraph,

(1) by replacing “forest protection organization” by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”;

(2) by striking out “If the work is to be carried on outside an intensive protection zone.”.

56. Section 193 of the Act is amended by replacing “forest protection organization” by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”.

57. Section 194 of the Act is amended by replacing “incurred to suppress” by “incurred by the forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4) to fight”.

58. Section 195 of the Act is amended by striking out paragraph 1.

59. Section 239 of the Act is amended

(1) by striking out paragraph 1;

(2) by replacing “forest fire protection organization” in paragraph 2 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”;

(3) by replacing “forest fire protection organization” in paragraph 3 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act”;

(4) by replacing “forest fire protection organization” in paragraph 4 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act”;

(5) by replacing “forest fire protection organization” in paragraph 5 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act”.

LABOUR CODE

60. Section 111.0.16 of the Labour Code (chapter C-27) is amended by replacing paragraph 5.2 by the following paragraph:

“(5.2) a forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4);”.

ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE

61. Section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by replacing subparagraph 16.7 of the first paragraph by the following subparagraph:

“(16.7) ensuring the protection of forests in accordance with the Sustainable Forest Development Act;”.

62. Section 17.12.12 of the Act is amended

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

“The Government may also, on the joint recommendation of the Minister and the Minister of Public Security, order that a part, which it fixes, of a sum referred to in the second paragraph, be credited to the sustainable forest development component and allocated, despite the first paragraph, to the financing of forest fire protection activities provided for in Chapter VI.1 of the Fire Safety Act (chapter S-3.4) other than those referred to in the first paragraph of section 150.4 of the Act.”;

(2) by inserting “or third” after “second” in the third paragraph.

63. Section 17.12.13 of the Act is amended by inserting “or third” after “second” in the introductory clause of the second paragraph.

64. Section 17.12.15 of the Act is amended by inserting “, or against section 155.1 of the Fire Safety Act (chapter S-3.4)” at the end of subparagraph 4 of the first paragraph.

FOREST PROTECTION REGULATION

65. Section 1 of the Forest Protection Regulation (chapter A-18.1, r. 10.1) is revoked.

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

66. Unless the context provides otherwise, in any Act, regulation or other document,

(1) a reference to the Civil Protection Act (chapter S-2.3)

(a) becomes a reference to the Act respecting emergency communication centres (chapter S-2.3) where it relates to a 9-1-1 emergency centre or a secondary emergency call centre; and

(b) becomes a reference to the Act respecting civil protection to promote disaster resilience (2024, chapter 18, section 1) in any other case; and

(2) a reference to a secondary emergency call centre becomes a reference to a secondary emergency communication centre.

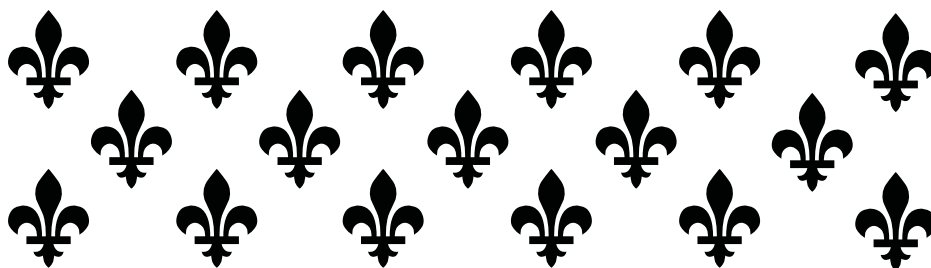
67. A certificate of compliance issued under section 52.10 of the Civil Protection Act and valid on 28 May 2024 is deemed to have been issued for five years.

68. The organization recognized as a forest protection organization under section 181 of the Sustainable Forest Development Act (chapter A-18.1) on 1 January 2025, is designated, as of that date, as a forest fire protection organization under section 150.1 of the Fire Safety Act (chapter S-3.4), enacted by section 48 of this Act.

69. The provisions of this Act come into force on 28 May 2024, except

(1) those of sections 8 and 9 of the Act respecting civil protection to promote disaster resilience, enacted by section 1 of this Act, which come into force on the date of coming into force of the first regulation made under section 10 of the Act respecting civil protection to promote disaster resilience, enacted by section 1 of this Act;

(2) those of Division III of Chapter II, comprising sections 47 to 65, which come into force on 1 January 2025.



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 65
(2024, chapter 23)

**An Act to limit lessors' right of
eviction and to enhance the
protection of senior lessees**

**Introduced 22 May 2024
Passed in principle 29 May 2024
Passed 6 June 2024
Assented to 6 June 2024**

**Québec Official Publisher
2024**

EXPLANATORY NOTES

This Act prohibits, for a period of three years, the lessor of a dwelling from evicting a lessee to subdivide the dwelling, enlarge it substantially or change its destination. It allows the Government to exempt any part of the territory of Québec from the application of that prohibition and provides that the prohibition ends, unless the Government decides otherwise, if the vacancy rate for rental townhomes and apartments published by the Canada Mortgage and Housing Corporation for all of Québec's urban centres with a population of at least 10,000 inhabitants reaches 3%.

In addition, the Act provides that the protection against evictions and repossession of dwellings conferred by article 1959.1 of the Civil Code applies to persons 65 years of age or over whose revenue does not exceed 125% of the revenue qualifying a person for a dwelling in low-rental housing.

The Act amends the minimum content of a notice of modification of the lease of a dwelling, specifying among other things that the notice must contain any particular determined by government regulation.

Lastly, the Act includes transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec;
- Act to amend various legislative provisions with respect to housing (2024, chapter 2).

Bill 65

AN ACT TO LIMIT LESSORS' RIGHT OF EVICTION AND TO ENHANCE THE PROTECTION OF SENIOR LESSEES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PROHIBITION AGAINST EVICTING A LESSEE FROM A DWELLING

- 1.** Despite article 1959 of the Civil Code, no lessee may be evicted from a dwelling before 6 June 2027 for the purposes provided for in that article.
- 2.** The Government may exempt dwellings situated in any part of the territory of Québec from the application of section 1, for a determined or undetermined period.
- 3.** A lessee evicted in contravention of section 1 may apply to the Administrative Housing Tribunal to claim the indemnity provided for in article 1965 of the Civil Code, damages for any injury the lessee has suffered and punitive damages.

DIVISION II

AMENDING PROVISIONS

CIVIL CODE OF QUÉBEC

- 4.** Article 1943 of the Civil Code of Québec is amended

(1) by inserting the following paragraphs before the first paragraph:

“Every notice of modification shall inform the lessee of his rights and remedies set out in articles 1945 and 1947 and shall contain any particular prescribed by regulation.

A notice to modify the term of the lease shall indicate the proposed term.”;

(2) by striking out “of modification” in the first paragraph;

(3) by striking out the second paragraph.

5. Article 1959.1 of the Code is amended

(1) by replacing “the maximum threshold” in the first paragraph by “125% of the maximum income”;

(2) by replacing all occurrences of “70” by “65”.

ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS WITH RESPECT TO HOUSING

6. Section 5 of the Act to amend various legislative provisions with respect to housing (2024, chapter 2) is repealed.

7. Section 97 of the Act is amended by striking out paragraph 1.

DIVISION III

TRANSITIONAL AND FINAL PROVISIONS

8. Section 1 applies to eviction processes under way on 6 June 2024.

Article 1959.1 of the Civil Code, as amended by section 5, applies to processes of eviction and of repossession of a dwelling that are under way on 6 June 2024.

Section 1 of this Act and article 1959.1 of the Civil Code, as amended by section 5, do not apply to processes of eviction or of repossession of a dwelling in the following situations:

(1) the notice of eviction or of repossession of a dwelling was sent before 22 May 2024; or

(2) the notice of eviction or of repossession of a dwelling was sent after 21 May 2024 and, as the case may be,

(a) the lessee notified the lessor before 6 June 2024 of their intention to comply with the notice; or

(b) the lessor applied to the Administrative Housing Tribunal before 6 June 2024 for authorization to evict the lessee or to repossess the dwelling.

9. Section 1 does not apply to the following evictions:

(1) an eviction that concerns a dwelling situated in a part of the territory that has been exempted from the application of section 1, in accordance with section 2, insofar as the notice of eviction was sent while that part of the territory was thus exempted; or

(2) an eviction to change the destination of a dwelling situated in a private seniors' residence in the following situations:

(a) the lessor is the holder of an authorization to operate such a residence referred to in section 557 of the Act to make the health and social services system more effective (2023, chapter 34) and

i. Santé Québec has granted the lessor's application to revoke the authorization, in accordance with section 637 of that Act; and

ii. the dwelling is situated in the places to which the revocation applies, in the case of a partial revocation; or

(b) the lessor is the holder of a temporary certificate of compliance referred to in section 346.0.2 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) or a certificate of compliance referred to in section 346.0.4 of that Act and

i. the lessor's cessation-of-activities plan has been approved in accordance with the fourth paragraph of section 346.0.17.1 of that Act; and

ii. the dwelling is situated in the part of the residence covered by the plan, in cases where the lessor ceases activities with respect to that part only.

10. Until the date of coming into force of section 1293 of the Act to make the health and social services system more effective, subparagraph *b* of paragraph 2 of section 9 of this Act is to be read as if "for the Inuit and Naskapi" in the introductory clause were struck out.

11. The Minister must publish a notice in the *Gazette officielle du Québec* when the vacancy rate for rental townhomes and apartments published by the Canada Mortgage and Housing Corporation with regard to all of Québec's urban centres with a population of at least 10,000 inhabitants reaches 3%.

The first paragraph ceases to have effect on the date of publication of the notice and Division I ceases to have effect, with regard to any part of the territory of Québec, on the sixtieth day after the date of publication of the notice unless the Government decides otherwise before that last day with regard to any part of the territory of Québec the Government determines.

12. The Minister must, not later than 6 February 2027, report to the Government on the implementation of sections 1, 2 and 11.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

13. The minister responsible for housing is responsible for the administration of this Act.

14. This Act comes into force on 6 June 2024, except

(1) section 4, which comes into force on the date of coming into force of the first regulation made under article 1943 of the Civil Code, as amended by section 4; and

(2) subparagraph *a* of paragraph 2 of section 9, which comes into force on the date of coming into force of section 1293 of the Act to make the health and social services system more effective.

Regulations and other Acts

Gouvernement du Québec

O.C. 1020-2024, 26 June 2024

Act respecting end-of-life care
(chapter S-32.0001)

Procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose
— Amendment

Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose

WHEREAS, under the first paragraph of section 46 of the Act respecting end-of-life care (chapter S-32.0001), a competent professional who administers medical aid in dying must give notice to the Commission sur les soins de fin de vie within the next 10 days and send the Commission, in the manner determined by government regulation, the information prescribed by regulation;

WHEREAS, under the first paragraph of section 47 of the Act, on receiving the notice from the competent professional, the Commission assesses compliance with section 29 of the Act in accordance with the procedure prescribed by government regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose was published in Part 2 of the *Gazette officielle du Québec* of 14 February 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Seniors and Minister for Health and the Minister of Health:

THAT the Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose

Act respecting end-of-life care
(chapter S-32.0001, s. 46, 1st par., and s. 47, 1st par.)

1. The Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose (chapter S-32.0001, r. 1) is amended in the heading of Division I of Chapter I by replacing “physician” by “competent professional”.

2. Sections 1 and 2 are amended by replacing “physician” wherever it appears by “competent professional”.

3. Section 3 is amended

(1) in the first paragraph

(a) by replacing subparagraph *c* of subparagraph 1 by the following:

“(c) an indication that the competent professional verified that the person was insured within the meaning of the Health Insurance Act (chapter A-29) and that there is proof in the record, as well as the date of expiry of the person’s health insurance card or, failing that, an indication that the competent professional verified that the person is considered an insured person within the meaning of the second paragraph of section 26 of the Act respecting end-of-life care (chapter S-32.0001), and that there is proof in the record;”;

(b) by replacing “constant” in subparagraph *f* of subparagraph 1 by “persistent”;

(c) by replacing “physician” in subparagraphs *h* and *i* of subparagraph 1 by “competent professional”;

(d) in subparagraph *j* of subparagraph 1

i. by replacing “physician” by “competent professional”;

ii. by inserting “or any other person the person has identified” after “relations”;

(e) by replacing “physician” and “second” in subparagraph *b* of subparagraph 2 by “competent professional” and “fourth”, respectively;

(f) by replacing “physician” wherever it appears in subparagraphs *c* to *h* and *j* of subparagraph 2 and in subparagraph 3 by “competent professional”;

(2) by replacing “physician” in the second paragraph by “competent professional”.

4. Sections 4 to 6 are amended by replacing “physician” wherever it appears by “competent professional”.

5. Section 7 is amended by replacing “the physicians” and “and the Collège des médecins du Québec” in the second paragraph by “the competent professionals” and “, the Collège des médecins du Québec and the Ordre des infirmières et infirmiers du Québec”, respectively.

6. Section 9 is amended by replacing “the physician” and “the second physician” in the second paragraph by “the competent professional” and “the second competent professional”, respectively.

7. Section 13 is amended

(1) by replacing “physician” in the first paragraph by “competent professional”;

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

“Where this is the case, the Commission must inform the Collège des médecins du Québec or, as the case may be, the Ordre des infirmières et infirmiers du Québec and, when the competent professional provided the medical aid in dying as a physician or specialized nurse practitioner practising in a centre operated by an institution, the institution concerned so that they can take appropriate measures. The Commission sends a summary of its conclusions to the Collège or, as the case may be, to the Ordre and the institution, if applicable. The summary describes

the irregularities identified by the Commission and, if applicable, the steps taken to obtain additional information or particulars as well as the result of the steps.”.

8. Section 15 is amended by replacing “physician” by “competent professional”.

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

106939

Gouvernement du Québec

O.C. 1063-2024, 3 July 2024

Charter of the French language
(chapter C-11)

Application of the second paragraph of section 88.0.2 of the Charter of the French language

Regulation to facilitate the application of the second paragraph of section 88.0.2 of the Charter of the French language

WHEREAS, under section 93 of the Charter of the French language (chapter C-11), in addition to its other regulation-making powers under the Act, the Government may make regulations to facilitate the administration of the Act, including regulations defining the terms and expressions used in the Act or defining their scope;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to facilitate the application of the second paragraph of section 88.0.2 of the Charter of the French language was published in Part 2 of the *Gazette officielle du Québec* of 10 April 2024 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 the French Language:

THAT the Regulation to facilitate the application of the second paragraph of section 88.0.2 of the Charter of the French language, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation to facilitate the application of the second paragraph of section 88.0.2 of the Charter of the French language

Charter of the French language
(chapter C-11, s. 93)

1. For the purposes of the second paragraph of section 88.0.2 of the Charter of the French language (chapter C-11), a student who meets the following conditions is deemed to be a student declared eligible to receive instruction in English in accordance with Division I of Chapter VIII of Title I of the Charter:

(1) the student resides or has resided on a reserve, a settlement in which a native community lives or on Category I and Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);

(2) the student has received, for at least one year, elementary or secondary instruction in English, in an Aboriginal language or in both English and an Aboriginal language, as shown by an attestation of school attendance issued by the school that provided the instruction.

The attestation of school attendance referred to in paragraph 2 of the first paragraph must indicate the period during which the student received instruction and specify the language of instruction.

2. A student wishing to be considered as a student declared eligible to receive instruction in English in accordance with Division I of Chapter VIII of Title I of the Charter of the French language (chapter C-11) for the purposes of the application of the second paragraph of section 88.0.2 of the Charter must

(1) have filed an application for a program of studies leading to a Diploma of College Studies in an institution that gives college instruction in English;

(2) file an application accompanied by the supporting documents with the Minister of Higher Education, Research, Science and Technology or with one of the persons the Minister has designated before 1 July 2027.

3. The student is notified if the application is incomplete because required information or documents were not provided. The missing information or documents to remedy the lack are specified.

4. The decision of the Minister or the person designated by the Minister regarding the admissibility of the student's application is communicated to the student and made available to the college educational institution in which the student is enrolled.

5. The student whose application has been deemed admissible is not by virtue thereof deemed eligible to receive instruction in English in accordance with Division I of Chapter VIII of Title I of the Charter of the French language (chapter C-11).

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

106945

Gouvernement du Québec

O.C. 1071-2024, 3 July 2024

Corrections to the French and English texts of the Regulation to amend the Construction Code

WHEREAS, by Order in Council 983-2024 dated 12 June 2024, the Government approved the Regulation to amend the Construction Code;

WHEREAS some errors have slipped into the French and English texts of the Regulation and it is expedient to correct them;

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

THAT the French text of the Regulation to amend the Construction Code, approved by Order in Council 983-2024 dated 12 June 2024, be amended by replacing "10 août 2024" in paragraph 3 of section 1 by "11 juillet 2024";

THAT the French text of the Regulation be amended by replacing "10 août 2024" and "10 février 2025" in section 6 by "11 juillet 2024" and "11 janvier 2025" respectively;

THAT the English text of the Regulation to amend the Construction Code, approved by Order in Council 983-2024 dated 12 June 2024, be amended by replacing "10 August 2024" in paragraph 3 of section 1 by "11 July 2024";

THAT the English text of the Regulation be amended by replacing "10 August 2024" and "10 February 2025" in section 6 by "11 July 2024" and "11 January 2025" respectively.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

106946

M.O., 2024**Order 2024-013 of the Minister of Health dated
20 June 2024**

Act to make the health and social services system more effective
(2023, chapitre 34)

Regulation respecting certain conditions of employment of certain executive officers and other management officers of Santé Québec

MINISTER OF HEALTH,

CONSIDERING the first paragraph of section 59 of the Act to make the health and social services system more effective (2023, chapter 34), which provides that the Minister may, by regulation, determine the standards and scales to be used by Santé Québec for the selection, appointment and hiring of, and the remuneration and other conditions of employment applicable to, personnel members, subject to the provisions of a collective agreement;

CONSIDERING the second paragraph of section 59 of the Act, which provides that the Minister may, in particular, by regulation, establish a procedure of appeal for cases of dismissal, termination of employment or non-renewal of employment, except when arising from forfeiture of office, and for cases of suspension without pay or of demotion, prescribe a procedure for the settlement of disagreements over the interpretation and application of the conditions of employment the Minister establishes and prescribe a method for the designation of an arbitrator and the measures the arbitrator may take after having heard the parties;

CONSIDERING THAT it is expedient to make the Regulation respecting certain conditions of employment of certain executive officers and other management officers of Santé Québec;

ORDERS AS FOLLOWS:

The Regulation respecting certain conditions of employment of certain executive officers and other management officers of Santé Québec, attached to this Order, is hereby made.

CHRISTIAN DUBÉ
Minister of Health

**Regulation respecting certain conditions
of employment of certain executive officers
and other management officers of Santé
Québec**

Act to make the health and social services system more effective
(2023, chapter 34, s. 59)

**CHAPTER I
TRANSFERRED MANAGEMENT OFFICERS**

1. The standards and scales to be used by Santé Québec for remuneration and other conditions of employment, except selection, appointment and hiring, and that apply to transferred management officers are those set out in the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S 4.2, r. 5.1), with the adaptations provided for in this Regulation and the other necessary adaptations.

2. For the purposes of this Regulation, a transferred management officer is a person who

(1) before being transferred pursuant to section 1474 of the Act to make the health and social services system more effective, was part of the management personnel; or

(2) before being transferred pursuant to that section, was not governed by a collective agreement, was not part of the management personnel and

(a) performed a coordination role representing the employer;

(b) supervised personnel members;

(c) was responsible for issues of national scope;

(d) made decisions having an impact on health and social services institutions;

(e) had unique and critical expertise in the updating of processes.

3. A transferred management officer is, for the purposes of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, a senior officer if, before being transferred, the transferred management officer held one of the positions listed in Schedule I.

In other cases, the transferred management officer is an intermediate officer.

4. The probation period provided for in section 8 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions applies only to a transferred management officer who, at the time of the transfer, had not been part of the management personnel for at least twelve months.

In such a case, the duration of the probation period is the difference between 12 months and the duration of the period prior to transfer when the transferred management officer was part of the management personnel.

5. A transferred management officer referred to in the first paragraph of section 3 is, at the time of the transfer to Santé Québec, placed in a salary class in accordance with the provisions of section 15.1 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions. Other transferred management officers are, at the same time, placed in a salary class in accordance with the provisions of section 15 of that Regulation.

If, following a transfer, the remuneration the transferred management officer would have received, had the officer not been transferred, is retroactively increased starting on a date prior to the date of transfer, the placement in a salary class provided for in the first paragraph must be revised to replace the salary received by the transferred management officer prior to transfer by the retroactively increased salary.

The transferred management officer is entitled to receive, from the time of the revision, any amount missing from the salary paid between the time of the transfer and the time of the revision, to ensure that the salary paid reflects the revision.

6. The second paragraph of section 6.0.1 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, introduced by section 6 of the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, enacted by Order 2024-007 of the Minister of Health dated 19 March 2024, does not apply to days of vacation accumulated by a transferred management officer prior to the transfer to Santé Québec.

7. For the purposes of section 6.0.2 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, introduced by section 6 of the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social

services institutions, enacted by Order 2024 007 of the Minister of Health dated 19 March 2024, the number of years of continuous service acquired by a transferred management officer at the Ministère de la Santé et des Services sociaux prior to transfer is counted.

CHAPTER II EXECUTIVE OFFICERS AND OTHER MANAGEMENT OFFICERS APPOINTED BY SANTÉ QUÉBEC

8. The standards and scales to be used by Santé Québec for the remuneration and other conditions of employment of a personnel member given hierarchical, functional or advisory responsibilities in connection with planning, organization, management coordination or monitoring functions, and who holds a position which, if the personnel member was at a health and social services institution, would be a position within the meaning of a regulation referred to in one of the following subparagraphs, are the standards and scale provided for in that Regulation, with the adaptations provided for in this Regulation and the other necessary adaptations:

(1) the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions;

(2) the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2).

Santé Québec may only give a personnel member responsibilities referred to in the first paragraph if the personnel member was appointed to a position that corresponds to a position with a similar set of tasks at a health and social services institution.

9. Section 8 does not apply to

- (1) the president and chief executive officer;
- (2) a president and executive director;
- (3) a vice-president;
- (4) an assistant president and executive director;
- (5) an assistant vice-president.

10. The maximum amount that Santé Québec may pay as an annual salary to a person referred to in paragraph 3 or 5 of section 9 may not be equal to or in excess of the salary paid to the president and chief executive officer.

Similarly, Santé Québec may not grant such a person conditions of employment that are more advantageous than those of the president and chief executive officer.

CHAPTER III
PROVISIONS APPLYING TO BOTH
TRANSFERRED MANAGEMENT OFFICERS AND
CERTAIN APPOINTED MANAGEMENT OFFICERS,
AND ADAPTATION OF CERTAIN PROVISIONS

11. The provisions of Chapter 6 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions apply to transferred management officers and to the personnel members of Santé Québec referred to in section 8 when, pursuant to that section, that Regulation applies to their conditions of employment.

Similarly, the provisions of Chapter 7 of the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions apply to the personnel members of Santé Québec referred to in section 8 when, pursuant to that section, that Regulation applies to their conditions of employment.

12. For the application of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions and the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions to a transferred management officer or a member of the personnel of Santé Québec referred to in section 8, in addition to the other adaptations provided for by this Regulation, the following adaptations must be made:

(1) the definition of “employer” in those Regulations includes Santé Québec;

(2) the definition of “continuous service” includes the employment relationship with Santé Québec;

(3) a reference to the employer’s organization plan is a reference to any document drawn up by Santé Québec that shows at least the organization chart and the tasks given to a management officer;

(4) a reference to the board of directors is a reference to the board of directors of Santé Québec.

In addition, for the application of the provisions of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions to a transferred management officer, the following adaptations must be made:

(1) a reference to the date of taking over duties is a reference to the time of transfer;

(2) a reference to an appointment is a reference to a transfer.

CHAPTER IV
FINAL PROVISION

13. This Regulation comes into force on 21 June 2024.

SCHEDULE I
(Section 3)

MANAGEMENT OFFICERS TRANSFERRED TO
SENIOR OFFICER POSITIONS

- Director of support for community activities;
- Director of performance for emergency pre-hospital services;
- Director of surgical services;
- Director of conditions of employment for senior personnel and classification;
- Assistant director of employee experience;
- Director of funding policies and resource allocation;
- Director of financial monitoring – network;
- Director of building projects;
- Director of biomedical engineering, logistics and supplies;
- Director of investment coordination and financing;
- Director of institutional relations;
- Director of investigations, assessments and inspections;
- Assistant director of investigations and inspections – commercial and institutional sector;
- Assistant director of assessments and inspections, Western Québec living environments;
- Assistant director of assessments and inspections, Eastern Québec living environments;
- Assistant executive director, operational management and improved access;
- Director of operations, vaccination and tracing;
- Director of strategic development and client support;
- Principal director of information technology management;

—Assistant executive director, information technology project bureau;

—Assistant executive director, licences and information systems.

106937

Draft Regulations

Draft Regulation

Environment Quality Act
(chapter Q-2)

Certain prohibitions as regards motor vehicles and internal combustion engines

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation prescribing certain prohibitions as regards motor vehicles and internal combustion engines, 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 prohibit, beginning on 1 January 2035 for some vehicles and from the date on which they are marketed for other vehicles, the offering for sale or lease, the exhibition for sale or lease, or the selling and leasing, in Québec, of certain motor vehicles whose gross vehicle weight rating is less than 4,536 kg that are not propelled solely by an electric motor or another means of propulsion that emits no pollutant.

Another object of the draft Regulation is to prohibit, beginning on 1 January 2035, the offering for sale or lease, the exhibition for sale or lease, or the selling and leasing, in Québec, of an internal combustion engine to propel a new or used motor vehicle, irrespective of the model year of the engine, except where the engine is purchased or leased to replace the original engine of a motor vehicle of model year 2034 or a previous model year that was acquired in Québec, or of a motor vehicle acquired outside Québec that is authorized for operation in Québec.

The draft Regulation specifies the monetary administrative penalties that apply for failures to comply and the penal sanctions that apply to offences under the draft Regulation.

According to the assumptions made, the draft Regulation will prohibit, annually, the marketing of approximately 700 motor vehicles that are not propelled solely by an electric motor or another means of propulsion that emits no pollutant. The replacement of those motor vehicles with motor vehicles propelled solely by an electric motor or another means of propulsion that emits no pollutant will have benefits for consumers, that is, approximately \$2,144,000 in energy savings per year, as well as benefits relating to greenhouse gas and atmospheric pollutant emission reductions estimated at \$319,000 per year. The draft Regulation will however have

an impact of approximately \$494,300 per year for businesses in the petroleum sector, due to a reduction in fuel sales. The draft Regulation will increase restrictions for motor vehicle manufacturers subject to the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02), who, as of 2035, will no longer be allowed to sell vehicles that are not propelled solely by an electric motor or another means of propulsion that emits no pollutant.

Further information on the draft Regulation may be obtained by contacting Carl Dufour, Director, Direction de l'expertise en décarbonation et efficacité énergétique, Bureau de la transition climatique et énergétique, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, édifice Marie-Guyart, 6^e étage, boîte 31, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; email: norme.vze@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 Carl Dufour at the above contact information.

BENOIT CHARETTE

Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

Regulation prescribing certain prohibitions as regards motor vehicles and internal combustion engines

Environment Quality Act
(chapter Q-2, s. 53, par. b)

1. In this Regulation,

“gross vehicle weight rating” means the value specified by the motor vehicle manufacturer as the weight of a single loaded vehicle;

“model year” means the year used by a motor vehicle manufacturer to designate a particular vehicle model irrespective of the year in which the vehicle was produced;

“motor vehicle” means a motor vehicle within the meaning of section 1 of the Environment Quality Act (chapter Q-2) with a gross vehicle weight rating of less than 4,536 kg;

Mopeds and motorcycles as defined in section 4 of the Highway Safety Code (chapter C-24.2) are not motor vehicles within the meaning of the first paragraph.

2. Subject to the second paragraph, no person may offer for sale or lease, exhibit for sale or lease, or sell or lease, in Québec, motor vehicles that are not propelled solely by an electric motor, including a motor vehicle whose motor is supplied by a hydrogen fuel cell or another means of propulsion that emits no pollutant, and whose sole element emitting pollutants is the vehicle's air conditioner,

(1) for new motor vehicles of model year 2034 or a previous model year;

(2) for motor vehicles of model year 2035 or a subsequent model year, as soon as they are marketed by a motor vehicle manufacturer.

The prohibition under the first paragraph does not apply to the offering for lease, the exhibition for lease or the leasing of a motor vehicle referred to in that paragraph that does not exceed 120 consecutive days, including any renewal of the lease.

3. Subject to the second paragraph, no person may offer for sale or lease, exhibit for sale or lease, or sell or lease, in Québec, an internal combustion engine to propel a new or used motor vehicle, irrespective of the model year of the engine.

The prohibition under the first paragraph does not apply to the sale or lease of an engine referred to in that paragraph when the engine is purchased or leased to replace the original engine of a motor vehicle of model year 2034 or a previous model year that was acquired in Québec or of a motor vehicle acquired outside Québec that is authorized for operation in Québec. The engine sold or leased must be of the same model year as the original engine, or of a subsequent model year, and must not have a higher fuel consumption than the original engine.

4. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who contravenes the provisions of section 3.

5. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who contravenes the provisions of section 2.

6. Any person who contravenes the provisions of section 3 is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 and, in other cases, to a fine of \$15,000 to \$3,000,000.

7. Any person who contravenes the provisions of section 2 is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 and, in other cases, to a fine of \$30,000 to \$6,000,000.

8. This Regulation comes into force 1 January 2034, except subparagraph 1 of the first paragraph of section 2 and sections 3, 4 and 6, which come into force on 1 January 2035.

106940

Draft Regulation

Act respecting collective agreement decrees
(chapter D-2)

Comité paritaire de l'industrie des services automobiles de la région de Montréal respecting the keeping of a register, the monthly report and the levy

Notice is hereby given, in accordance with subparagraphs *g*, *h* and *i* of the second paragraph of section 22 of the Act respecting collective agreement decrees (chapter D-2), that the Comité paritaire de l'industrie des services automobiles de la région de Montréal has transmitted to the Minister the draft Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Montréal respecting the keeping of a register, the monthly report and the levy and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that Regulation, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

In order to give effect to the General Regulation to govern the regulations of a parity committee (chapter D-2, r. 17), the draft Regulation replaces the parity committee by-laws to make the keeping of a register and monthly reporting mandatory for professional employers, to establish the rate of the levy for professional employers and for employees, and to require professional employers to collect the levy by making deductions from their employees' wages.

The regulatory impact analysis conducted as part of the General Regulation has shown that the amendments will have no impact on the enterprises subject thereto.

Further information on the draft Regulation may be obtained by contacting Karine Lajeunesse, policy development advisor, Direction des politiques du travail, Ministère du Travail, 425, rue Jacques-Parizeau, 5^e étage, Québec (Québec) G1R 4Z1; telephone: 581 628-8934, extension 80211 or 1 888-628-8934, extension 80211 (toll free); email: karine.lajeunesse@travail.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 Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1; email: ministre@travail.gouv.qc.ca.

JEAN BOULET
Minister of Labour

Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Montréal respecting the keeping of a register, the monthly report and the levy

Act respecting collective agreement decrees
(chapter D-2, s. 22, 2nd par., subpars. *g*, *h* and *i*)

DIVISION I GENERAL

1. This Regulation applies to professional employers and employees subject to the Decree respecting the automotive services industry in the Montréal region (chapter D-2, r. 10).

2. This Regulation supplements the General Regulation to govern the regulations of a parity committee (chapter D-2, r. 17). Where this Regulation is in conflict with or its meaning is unclear in relation to the provisions of the General Regulation, the General Regulation takes precedence.

3. In this Regulation, “parity committee” means the Comité paritaire de l'industrie des services automobiles de la région de Montréal.

DIVISION II KEEPING OF A REGISTER

4. The professional employer must keep a register in which are shown for each employee the name and given name, date of birth, address, social insurance number, competency or classification, the date of the first day of employment, as well as, where applicable, the following information for each pay period:

(1) the number of hours of work per day, including the hour at which the work was begun, interrupted, resumed and ceased each day, as well as the nature of the work;

(2) the total number of regular and overtime hours of work per week;

(3) the number of overtime hours paid or replaced by a leave with the applicable premium;

(4) the number of days of work per week;

(5) the wage rate;

(6) the nature and amount of premiums, indemnities, allowances or commissions paid;

(7) the amount of gross wages;

(8) the nature and amount of deductions made;

(9) the amount of net wages paid to the employee;

(10) the work period corresponding to payment;

(11) the date and mode of payment of wages;

(12) the reference year;

(13) the start date of the employee's annual leave with pay and the duration of that leave;

(14) the date on which the employee was entitled to a statutory general holiday with pay or to another day of holiday, including the compensatory holidays for statutory general holidays with pay.

The registration system must also contain an up-to-date register of all the places where work subject to the Decree is carried out.

5. The registration system, including the up-to-date register of all the places where work subject to the Decree is carried out, as well as the time sheets, must be kept for 3 years at the principal establishment of the professional employer.

DIVISION III MONTHLY REPORT

6. The professional employer must send the parity committee a written monthly report indicating the following information:

(1) the name and given name, address and social insurance number of each employee in the employer's employ, the employee's competency, the nature of their work, the regular and overtime hours of work done each week by the employee, the total number of such hours, the employee's hourly wage rate and total earnings;

(2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

7. The monthly report must be signed by the professional employer or an authorized representative and sent to the head office of the parity committee not later than the 15th day of the following month.

The professional employer must send a report for every monthly work period even if no work was carried out by the employer or the employer's employees.

8. The monthly report may be sent by mail or by any means based on information technology.

The means based on information technology used by the professional employer must first be authorized by the parity committee so that the method is compatible with the technological equipment owned by the committee.

DIVISION IV LEVY

9. The rate of levy fixed by the parity committee is

(1) for professional employers, 0.35% of the gross wages the employer pays to employees subject to the Decree;

(2) for employees, 0.35% of the employee's gross wages.

10. Notwithstanding paragraph 2 of section 9, the amount of the levy payable by an artisan or workman is \$1.00 per week.

11. The professional employer must collect, for each pay period, the levy imposed pursuant to paragraph 2 of section 9, by deducting it from the employees' wages.

12. The professional employer must remit to the parity committee the levy payable by the employer and by the employees for a monthly period not later than the 15th day of the following month.

13. An artisan or workman who is not serving a professional employer must remit to the parity committee the levy payable by the artisan or workman for a monthly period not later than the 15th day of the following month.

DIVISION V FINAL

14. This Regulation replaces the special by-laws respecting the keeping of the register and the monthly report contained in Chapter 10 of Part A of the general by-laws of the Parity Committee of the Automobile

Industry of Montréal and District, approved by Order in Council 224 dated 22 February 1950 (Part "A") and amended by Order in Council 257 dated 2 March 1950 (Part "A") (1950, G.O. 2, 844). It also replaces the Levy Regulation of the Parity Committee of the Automobile Industry of Montréal and District, approved by Order in Council 1222-87 dated 5 August 1987 (1987, G.O. 2, 3175).

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

106936

Draft Regulation

Act respecting municipal taxation
(chapter F-2.1)

Compensations in lieu of taxes —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 the Regulation respecting compensations in lieu of taxes, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation maintains the method used for the fiscal years 2022 to 2024 to compute the amount to stand in lieu of any tax or compensation that the Government must pay in respect of an immovable or business establishment referred to in the first paragraph of section 255 of the Act respecting municipal taxation (chapter F-2.1) whose owner or occupant is the State.

Further information on the draft Regulation may be obtained by contacting Véronique Brisson Duchesne, Director, Direction de la politique fiscale et des revenus municipaux, Ministère des Affaires municipales et de l'Habitation, 10, rue Pierre-Olivier-Chauveau, aile Chauveau, 2^e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 83834; email: veronique.brissonduchesne@mamh.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronique Brisson Duchesne at the above contact information.

ANDRÉE LAFOREST
Minister of Municipal Affairs

Regulation to amend the Regulation respecting compensations in lieu of taxes

Act respecting municipal taxation
(chapter F-2.1, s. 262, 1st par., subpar. 2, subpar. a.1)

1. The Regulation respecting compensations in lieu of taxes (chapter F-2.1, r. 2) is amended by adding the following after section 27:

“DIVISION 6 APPLICATION OF SECTION 255 OF THE ACT

28. The amount to stand in lieu of any tax or compensation that the Government must pay to any local municipality in respect of an immovable or business establishment referred to in the first paragraph of section 255 of the Act whose owner or occupant is the State is equal to the product obtained by multiplying the non-taxable value of the immovable for the preceding fiscal year by 135% of the aggregate taxation rate of the local municipality established under section 2.”

2. This Regulation comes into force on 1 January 2025.

106941

Draft Regulation

Act respecting municipal courts
(chapter C-72.01)

Courts of Justice Act
(chapter T-16)

Act mainly to reform municipal courts and to improve the justice system’s efficiency, accessibility and performance
(2023, chapter 31)

Financing of municipal justice services

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the financing of municipal justice services, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides for the amounts required to ensure the assignment and management of municipal judges in municipal courts as well as the exercise of their functions. Such amounts are assumed by the municipalities that have established a municipal court. The draft Regulation also provides for the terms and conditions of the payment of those amounts.

Further information on the draft Regulation may be obtained by contacting Serge Gagné, advisor, cost price and fees for public services, Service de la gestion financière, Ministère de la Justice, 1200, route de l’Église, 3^e étage, Québec (Québec) G1V 4M1; email: facturation.cours.municipales@justice.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 Justice, 1200, route de l’Église, 9^e étage, Québec (Québec) G1V 4M1; email: ministre@justice.gouv.qc.ca.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation respecting the financing of municipal justice services

Act respecting municipal courts
(chapter C-72.01, s. 86.1, 1st par.)

Courts of Justice Act
(chapter T-16, s. 122.3, 2nd par. and s. 246.26.1, 2nd par.)

Act mainly to reform municipal courts and to improve the justice system’s efficiency, accessibility and performance
(2023, chapter 31, ss. 8, 19 and 45)

1. The amounts required to ensure the assignment and management of municipal judges in municipal courts as well as the exercise of their functions are assumed by the municipalities that have established a municipal court.

Those amounts include

- (1) the salaries of the municipal judges;
- (2) the additional remuneration attached to the office of chief municipal judge, coordinating judge and associate coordinating judge, where applicable;
- (3) the expenses related to the pension plans of municipal judges;
- (4) the expenses related to the group insurance plan and other social benefits of municipal judges;
- (5) the expenses related to the costs of exercising the function of municipal judge;
- (6) the expenses related to the office of the chief municipal judge and the coordinating judges or associate coordinating judges; and

(7) the expenses of the Minister of Justice related to the application of this Regulation and the administration of the salary, allowances and social benefits of municipal judges.

2. The cost of a sitting is established by dividing the total of the amounts provided for in section 1 for a given year by the number of sittings held in all the municipal courts during that period.

For the purposes of this Regulation, a sitting is the period during which a municipal judge sits on the bench in the morning, in the afternoon or after 6 p.m., regardless of the duration of that period.

3. Each municipality that has established a municipal court reimburses to the Minister of Justice, for each sitting held in that court, the cost of a sitting established under the first paragraph of section 2.

In the case of a common municipal court, the cost of each sitting is charged to the group of municipalities that established the court, which municipalities are solidary debtors.

4. Not later than 3 October, the Minister of Justice transmits to each municipality having established a municipal court a notice that details the estimated annual amount for the following year.

Not later than 31 March, 30 June, 30 September and 31 December, the municipality transmits to the Minister of Justice a payment that corresponds to a quarter of the amount provided for in the first paragraph.

The Minister of Justice confirms the annual amount that each municipality must pay for the preceding calendar year in a notice that is sent to the municipality not later than 1 February. The notice specifies the balance owed by the municipality or the reimbursement to be made to the municipality by the Minister of Justice. Where applicable, the municipality must make the payment not later than 20 February.

In the case of a common municipal court, the notices provided for in this section are transmitted to the municipality in the territory of which the chief-place is situated.

5. Not later than 1 March, the Minister of Justice informs Retraite Québec of the share of the payment of municipalities for the preceding year that corresponds to their contributions to the pension plans and the supplementary benefits plan of municipal judges.

Retraite Québec then confirms to the Minister of Justice whether the contributions of municipalities are sufficient. Where contributions are insufficient, the Minister of Justice transmits to each municipality a notice to pay the amount corresponding to its share of the amount owed and the municipality must make its payment not later than on the 30th day following receipt of the notice. In the event of an overpayment, the Minister of Justice reimburses the municipalities.

The Minister of Justice informs Retraite Québec of any collection or reimbursement made under the second paragraph.

6. Any amount owed by a municipality that is not paid by the date provided for in section 4 or section 5 bears interest as of that date at the rate fixed under section 28 of the Tax Administration Act (chapter A-6.002). Interest is capitalized monthly.

7. Not later than on the 20th day that follows 30 June, 30 September and 31 December of each year, each municipality having established a municipal court transmits to the Minister of Justice the number of sittings presided over by a municipal judge and held by the municipal court in the period of year that precedes each of those dates.

In the case of a common municipal court, the municipality designated by the group of municipalities party to the agreement regarding the establishment of that court provides the information requested under this section.

8. Sections 17 and 18 of the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16, r. 6) are revoked.

9. The Regulation respecting the rules, terms and conditions of payment of the contribution of a municipality to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act (chapter T-16, r. 8) is revoked.

10. Notwithstanding section 6, no interest is applied on an amount owed by a municipality for the year 2024.

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

106944

Draft Regulation

Act respecting municipal taxation
(chapter F-2.1)

Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies — 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 the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation maintains the method used for the fiscal years 2022 to 2024 to compute the amount to stand in lieu of any tax or compensation that the Government must pay to local municipalities under the Regulation.

Further information on the draft Regulation may be obtained by contacting Véronique Brisson Duchesne, Directeur, Direction de la politique fiscale et des revenus municipaux, Ministère des Affaires municipales et de l'Habitation, 10, rue Pierre-Olivier-Chauveau, aile Chauveau, 2^e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 83834; email: veronique.brissonduchesne@mamh.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronique Brisson Duchesne at the above contact information.

ANDRÉE LAFOREST
Minister of Municipal Affairs

Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

Act respecting municipal taxation
(chapter F-2.1, s. 210, 2nd par.)

1. The Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12) is amended by replacing section 6 by the following:

“6. For every recognized immovable under section 5 of which a foreign government, only for the residence of the head of its permanent representation established at the International Civil Aviation Organization, a government of a Canadian province, a political division of a foreign State or a non-governmental international organization is the owner, lessee or occupant, the Government pays

(1) to any school service centre or school board a sum equal to the amount of any tax or compensation of which it is deprived by reason of an exemption covered by Division I;

(2) to any local municipality a sum equal to the amount of the product obtained by multiplying an immovable's non-taxable value for the preceding fiscal year by 370% of a local municipality's aggregate taxation rate established under Division 2 of the Regulation respecting compensations in lieu of taxes (chapter F-2.1, r. 2).”

2. This Regulation comes into force on 1 January 2025.

106938

Treasury Board

Gouvernement du Québec

T.B. 230833, 25 June 2024

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10)

Amendment to Schedule II.1

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under paragraph 3 of section 2 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the retirement plan applies to an employee who is released without pay by their employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.1.1 and II.2, and where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the consultation has taken place;

WHEREAS the Syndicat des professionnelles et professionnels de l'éducation de Laurentides-Lanaudière (SPPELL) satisfies the conditions prescribed by section 53.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10, s. 220)

1. The Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended in Schedule II.1 by inserting “Syndicat des professionnelles et professionnels de l'éducation de Laurentides-Lanaudière (SPPELL)” in alphabetical order.

2. This amendment has effect from 1 July 2023.

106943