



Part 2

LAWS AND REGULATIONS

18 September 2024 / Volume 156

Summary

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Draft Regulations

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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;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
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Gouvernement du Québec

O.C. 1376-2024, 3 September 2024

Act respecting the Régie de l'énergie
(chapter R-6.01)

300-megawatt block of photovoltaic solar energy

Regulation respecting a 300-megawatt block of photovoltaic solar energy

WHEREAS, under subparagraph 2.1 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Government may make regulations determining, for a particular source of electric power supply, the corresponding energy block and maximum price established for the purpose of fixing the cost of electric power referred to in section 52.2 or for the purposes of the supply plan provided for in section 72, or for the purposes of a tender solicitation by the electric power distributor under section 74.1 of the Act;

WHEREAS, under subparagraph 2.2 of the first paragraph of section 112 of the Act, the Government may make regulations determining the timeframe applicable to a public tender solicitation by the electric power distributor under section 74.1 of the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting a 300-megawatt block of photovoltaic solar energy was published in Part 2 of the *Gazette officielle du Québec* of 27 March 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 with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Economy, Innovation and Energy:

THAT the Regulation respecting a 300-megawatt block of photovoltaic solar energy, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting a 300-megawatt block of photovoltaic solar energy

Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st par., subpars. 2.1 and 2.2).

1. For the purposes of the establishment of the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (chapter R-6.01), the supply plan provided for in section 72 of the Act and the tender solicitation by the electric power distributor provided for in section 74.1 of the Act, a block of solar energy of a target capacity of 300 megawatts must be connected to Hydro-Québec's main network not later than 31 December 2029.

The portion of variable production of the block referred to in the first paragraph is accompanied by a balancing and complementary power service in the form of a variable production energy integration agreement entered into by the electric power distributor with Hydro-Québec in its power production activities or with another Québec electric power supplier.

2. The electric power distributor must issue a tender solicitation for at least half the capacity of the block referred to in the first paragraph of section 1 not later than 31 December 2024. In addition, the electric power distributor must issue a tender solicitation for the balance of the capacity of the block referred to in the first paragraph of section 1 not later than 31 December 2026.

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

107031



Gouvernement du Québec

O.C. 1393-2024, 3 September 2024

Act respecting occupational health and safety
(chapter S-2.1)

Safety Code for the construction industry — Occupational health and safety — Occupational health and safety in mines — Amendment

Regulation to amend the Safety Code for the construction industry, the Regulation respecting occupational health and safety and the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7, 9, 19, 35 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations.

—prescribing measures for the supervision of the quality of the work environment and standards applicable to every workplace so as to ensure the health, safety and physical and mental well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where he makes premises available to workers for lodging, meal service or leisure activities;

—determining, by category of establishments or construction sites, the individual and common protective means and equipment that the employer must put at the disposal of the workers, free of charge;

—prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

—determining the cases where a measuring device may be installed at a workplace or caused to be worn by a worker with his written consent;

—generally prescribing any other measure to facilitate the application of the Act;

WHEREAS, under the third paragraph of section 223 of the Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Safety Code for the construction industry, the Regulation respecting occupational health and safety and the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 13 December 2023 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 19 June 2024;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Safety Code for the construction industry, the Regulation respecting occupational health and safety and the Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry, the Regulation respecting occupational health and safety and the Regulation respecting occupational health and safety in mines

Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 7, 9, 19, 35
and 42, and 3rd par.).

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 1.1

(1) by replacing paragraph 2 by the following:

“(2) “material hoisting apparatus” means an apparatus designed to hoist materials, such as a crane, an overhead travelling crane, a platform lift truck or a fork lift truck;”;

(2) by inserting the following definitions in numerical order:

“(2.1) “personnel hoisting apparatus” means an apparatus designed to hoist people, such as a vehicle-mounted aerial device, an articulated or telescopic self-propelled platform lift or a self-propelled scissor platform lift;

(29.01) “mobile elevating work platform” means an apparatus intended for moving persons, tools and materials to a working position and consisting of at least an extensible structure, a chassis and a work platform equipped with controls;

(36.1) “self-propelled vehicle” means any motor vehicle mounted on wheels, tracks or rails used to transport persons, objects or materials, or to pull or push trailers or materials, except an all-terrain vehicle or a hoisting apparatus;”.

2. Section 2.4.1. is amended by replacing subsection 3 by the following:

“(3) Before installing or putting up a tower crane, a material hoist, a job-site elevator or a mast-climbing transport platform, the employer must send to the Commission the installation plans signed and sealed by an engineer. These plans must also include the disassembling procedure.”.

3. The following section is inserted before section 2.15.1:

“2.15.0.1. Definitions:

In this subdivision,

“experienced person” means a person who has acquired knowledge of things through practice and experience;

“qualified person” means a person who has acquired knowledge of things through recognized instruction that has been attested by a diploma;

“competent person” means a qualified and experienced person who has the required skills to properly judge a thing or perform a duty.”.

4. Section 2.15.1 is replaced by the following:

“2.15.1. General conditions:

(1) A hoisting apparatus and its accessories must

(a) be of safe construction and offer the required strength;

(b) be maintained in good working order so that using them does not endanger the safety of workers;

(c) be inspected, repaired and adjusted by a competent person before their first use after being purchased, leased or rented, or loaned;

(d) be inspected periodically according to the manufacturer’s instructions;

(e) be subjected by the operator, each day they are used, to a visual inspection and an operational test according to the manufacturer’s instructions;

(f) be easily and safely accessible, particularly by means of a ladder or steps with handrails;

(g) be equipped with hoisting brakes or restraining devices so designed and installed as to stop a load at least 1.5 times its rated load, unless the hoisting apparatus is specifically covered by a standard referenced in this Code, in which case that standard applies;

(h) provide the same degree of safety following any repair or changing of parts as it did when new;

(i) be used in accordance with the manufacturer’s instructions to the extent that they do not contradict this Code.

(2) It is prohibited to use a hoisting apparatus or its accessories

(a) if atmospheric conditions such as a storm could make it dangerous to use them;

(b) while they are undergoing repairs or maintenance;

(c) as an anchor point to protect a person situated outside of the equipment from falling from a height, subject to subsection 10 of section 2.15.12 for a personnel platform lift; and

(d) where the wind speed exceeds the limit specified by the manufacturer.

Despite the wind speed specified by the manufacturer, the operator of the hoisting apparatus must, while using it, take into account factors that could affect the stability of the equipment such as environmental conditions and the wind surface area of the items being handled.

An anemometer must be used to measure wind speed on the construction site at the height of the working level of the hoisting apparatus.

(3) It is prohibited to

(a) use a material hoisting apparatus to hoist persons, unless such use is provided for by the equipment’s manufacturer or complies with section 3.10.7;

(b) modify a hoisting apparatus unless it is confirmed by an attestation signed and sealed by an engineer that the apparatus provides the same degree of safety after the modification as it did when it was new; and

(c) refuel a hoisting apparatus while any of its engines is running.”.

5. Section 2.15.7.1 is revoked.

6. Section 2.15.7.7 is revoked.

7. The following section is added after section 2.15.10:

“2.15.11. Material hoist:

(1) A material hoist manufactured before 1987 must comply with CSA Standard Z256-72, Safety Code for Material Hoists, including all updates.

(2) A material hoist manufactured in or after 1987 must comply with CAN/CSA Standard Z256, Safety Code for Material Hoists, applicable at the time it was manufactured.

2.15.12. Personnel hoisting apparatus:

(1) A personnel hoisting apparatus must be equipped with “deadman” type control levers, an emergency stop button within reach of the workers being transported and a device that prevents the cabin from falling in case of a defect in the electric or hydraulic supply.

(2) A personnel hoisting apparatus must be driven and operated according to the manufacturer’s instructions.

(3) A personnel hoisting apparatus must be used solely to move persons, tools and the materials necessary to carry out their work, without exceeding its rated load and in accordance with the manufacturer’s specifications.

(4) The work platform of the personnel hoisting apparatus must be enclosed by a guardrail.

(5) It is prohibited for workers situated on the work platform of a personnel hoisting apparatus to use a guardrail, planking, ladder or any other object on or inside the platform to extend their reach or the height to which they are able to reach.

(6) When using an apparatus with multidirectional elevation whose work platform can be horizontally extended from the carrier chassis, a worker must wear a safety harness secured by means of a fall arrest connecting device to an anchorage system provided for by the hoisting apparatus’s manufacturer or, failing that, to an anchor, in accordance with subsection 1 of the first paragraph of section 2.10.15.

(7) The operator of a personnel hoisting apparatus that is moving must

(a) limit the travelling speed based on conditions such as the type of ground, visibility, the grade of the terrain, the presence of people and any other factor that could result in collision, injury or overturning;

(b) remain at a safe distance from obstacles, downhill grades, drop off or holes, ramps or any other danger;

(c) make sure to have a good view of the ground and the path to be travelled;

(d) make sure that every person in the concerned work area is informed of the movement of the equipment and there is no one in its path; and

(e) visually inspect the forward range of movement of the platform.

During the visual inspection carried out in accordance with subparagraph *e* of paragraph 7, if the operator notes that nearby overhead structures or obstacles present a risk to persons situated on the platform of being wedged in or crushed, the operator must take the necessary measures to eliminate that risk. Where it is impossible for persons to remain standing on the platform, for example because the equipment is moving under a doorway, the operator must operate the equipment from the ground.

(8) A register of inspections and repairs must be kept by the owner of the personnel hoisting apparatus.

(9) The manufacturer’s operating manual for the personnel hoisting apparatus must be stored in the apparatus in the weather-proof compartment.

(10) It is prohibited to use a personnel hoisting apparatus, other than a job-site elevator or a mast-climbing work platform, to transfer persons from one level to another in order to access a work site situated outside of that work site, except where the following conditions are met:

(a) after analyzing the risks related to access to the work site, a competent person has determined that access to the work site is impossible by means of a ladder, a stairway, scaffolding, an elevator or a mast-climbing work platform;

(b) an engineer has confirmed in writing that a personnel hoisting apparatus can be used safely for that purpose; and

(c) the hoisting apparatus is used in accordance with a work procedure signed by an engineer that takes into account the manufacturer’s recommendations as well as CSA B354.7, Mobile Elevating Work Platforms - Safety Principles, Inspection, Maintenance and Operation. The procedure must be specific to the work site.

Despite the foregoing, a personnel hoisting apparatus may be used to rescue persons as part of a rescue plan.

(11) In the absence of any manufacturer’s specifications, a personnel hoisting apparatus must not be used where wind speed exceeds 45 km/h.

(12) A personnel hoisting apparatus must be equipped with an audible warning device that is activated whenever the apparatus is engaged in motorized movement on the ground.

2.15.13. Vehicle-mounted aerial device:

(1) A vehicle-mounted aerial device must meet one of the following requirements:

(a) it must be designed and manufactured in accordance with CSA Standard C225, Vehicle-Mounted Aerial Devices, applicable at the time it was manufactured; or

(b) it must be designed and manufactured in accordance with ANSI/SAIA Standard A92.2, Vehicle-Mounted Elevating and Rotating Aerial Devices, applicable at the time it was manufactured.

(2) It is prohibited to use a vehicle-mounted aerial device for purposes other than those for which it was specifically designed.

2.15.14. Job-site elevator: Every job-site elevator must be designed and manufactured in accordance with CSA Standard Z185, Safety Code for Personnel Hoists.

2.15.15. Digger derrick:

(1) A digger derrick manufactured after 1 January 1987 must be designed and manufactured in accordance with ANSI/ASSP Standard A10.31, Safety Requirements, Definitions and Specifications for Digger Derrick, applicable at the time it was manufactured.

A “digger derrick” means an apparatus equipped with a hydraulic boom, mounted on a carrier vehicle and designed specifically to drill holes and install posts in the ground and, by means of an aerial device, install the material to be supported by the posts.

(2) It is prohibited to use a digger derrick to hoist loads other than those for which it was specifically designed.

2.15.16. Mobile elevating work platform:

(1) A mobile elevating work platform must be manufactured in accordance with CSA Standard B354.6, Mobile Elevating Work Platforms - Design, Calculations, Safety Requirements, and Test Methods, applicable at the time it was manufactured.

(2) A mobile elevating work platform must undergo a structural inspection in accordance with CSA Standard B354.7, Mobile Elevating Work Platforms - Safety Principles, Inspection, Maintenance and Operation, to ensure that the integrity of its critical components and its stability remain as they were when it was new:

(a) 10 years after the date of manufacture and every 5 years thereafter;

(b) after any suspected, potential or real damage sustained in an incident and liable to affect its structural integrity and its stability; and

(c) after a change of owner.

2.15.17. Mobile elevating work platform operator training: A mobile elevating work platform may be used, at the construction site, only by an operator who is adequately trained and familiarized with the type and group of equipment, as defined by CSA Standard B354.6, Mobile Elevating Work Platforms - Design, Calculations, Safety Requirements, and Test Methods. A mobile elevating work platform operator is adequately trained if

(1) the operator has received an initial training, for each type of equipment, whose content is equivalent to CSA Standard B354.8, Mobile Elevating Work Platforms - Operator (Driver) Training. In addition,

(a) the training must comprise a theoretical portion, a practical portion and an evaluation for each type and group of equipment covered by the training. The training must also address work methods for traveling safely under structures to prevent any person situated on the platform from being wedged in or crushed;

(b) the practical portion must include, at a minimum, one hour at the controls of the equipment for each worker;

(c) the evaluation must comprise a theoretical portion and a practical portion at the controls of the equipment which must show that the worker has acquired the necessary skills to safely operate the equipment;

(d) the training must be provided by

i. an accredited instructor in accordance with the Regulation respecting the accreditation and ethics of training bodies, training instructors and training services (chapter D-8.3, r. 0.1); or

ii. an instructor qualified by a training body recognized by the Commission; and

(e) an attestation of training indicating the type and group of equipment covered by the training must be issued to the worker by the training body or the instructor that provided the training;

(2) the operator receives, every five years following the initial training, refresher training including, at a minimum, a practical examination;

(3) the operator is familiarized, at the construction site by a qualified or experienced person, with the following elements:

(a) the location of the manufacturer’s operating manuals;

(b) the manufacturer's specific warnings and instructions;

(c) the functions of specific controls;

(d) the function of each specific safety device; and

(e) the specific operating features.

2.15.18. Mast-climbing transport platform:

A mast-climbing transport platform must be designed and manufactured in accordance with CSA Standard B354.12, Design, Calculations, Safety Requirements, and Test Methods for Mast Climbing Transport Platforms. In addition,

(1) the mast-climbing transport platform must

(a) be covered with a roof in accordance with section 4.4.3.2 of that standard; and

(b) be enclosed by a fixed guardrail at least 1.06 m high consisting of full-length wire mesh that can block a 25 mm ball;

(2) the hoistway doors must

(a) be at least 2 m high;

(b) be equipped with a side protector at least 0.6 m wide on both sides of the door; and

(c) be equipped with a mechanical interlock system that prevents the platform from moving when the hoistway door is open;

(3) where the floor of the loading dock is less than 2 m from the ground, the hoistway door providing access to the platform at that level may

(a) be at least 1.06 m high consisting of full-length wire mesh that can block a 25 mm ball;

(b) be equipped with a side protector at least 0.6 m wide on both sides of the door consisting of full-length wire mesh that can block a 25 mm ball; and

(c) be kept closed by means of a latch;

(4) The loading dock must be enclosed by a guardrail that complies with section 3.8.3 of this Code;

(5) A mast-climbing transport platform may not be used at a height of more than 55 m measured from the ground;

(6) A fence at least 1.8 m high must enclose the work area around the mast-climbing transport platform installations.

2.15.19. Mast-climbing transport platform maintenance and use: A mast-climbing transport platform must be used and maintained in accordance with CSA Standard B354.13, Safe Use and Best Practices for Mast Climbing Transport Platforms (MCTPs).

2.15.20. Mast-climbing transport platform operator training: A mast-climbing transport platform may be used only by an operator trained and familiarized with the type of equipment used on the construction site, in accordance with CSA Standard B354.14, Training for Mast Climbing Transport Platforms (MCTPs)."

8. Section 3.2.5 is amended by replacing paragraph *b* by the following:

"(b) at any place where a material hoisting apparatus, a personnel hoisting apparatus with an extensible mast or a concrete pump is used."

9. Section 3.5.1 is amended by replacing "or mechanical equipment designed for the hoisting of persons" by "scaffolding, elevators or mast-climbing transport platforms".

10. Section 3.10.1 is amended

(1) by replacing "vehicle, crane, or apparatus" in the portion before paragraph *a* by "self-propelled vehicle or equipment";

(2) by replacing "a competent" in paragraph *b* by "an experienced";

(3) by striking out "or when refuelling" in paragraph *e*.

11. Section 3.10.2 is amended

(1) by replacing "to skidders or to all-terrain vehicles" in paragraph *b* of subsection 1 by "or to skidders";

(2) by striking out the last sentence of subsection 2.

12. Section 3.10.4 is amended

(1) by replacing subsection 1 by the following:

"(1) All construction equipment must be used by an experienced person or under their supervision.;"

(2) by replacing paragraphs *a* and *b* of subsection 3 by the following:

"(a) in training; and

(b) accompanied by a person who meets the requirements provided for in subsection 2."

13. Section 3.10.5 is amended by replacing "engin" in subsection 2 by "équipement".

14. Section 3.10.7 is amended by striking out subsection 1.

15. Section 3.10.8 is revoked.

16. Section 3.10.9 is amended by replacing subsection 1 by the following:

“(1) Any material hoisting apparatus used at a construction site must have an outrigger beam capable of supporting 4 times the apparatus’ rated load. The beam must comply with section 3.9.15.”

17. Section 3.10.9.1 is revoked.

18. Section 3.10.10 is amended by replacing “motorized equipment” in subsection 1 by “a self-propelled vehicle”.

19. The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in section 312.40 by replacing “3.10.7” in subparagraph *a* of subparagraph 2 of the first paragraph by “2.15.12”.

20. The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 401 by replacing paragraph 4 by the following:

“(4) an aerial basket that complies with section 2.15.13 of the Safety Code for the construction industry (chapter S-2.1, r. 4). A worker situated in an aerial basket must wear a safety harness secured by a fall arrest connecting device in the circumstances and on the conditions set out in subparagraph 6 of section 2.15.12 of the Code;”.

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

107033



M.D., 2024-12

Order number I-14.01-2024-10 of the Minister of Finance, 6 September 2024

Derivatives Act
(chapter I-14.01, s. 175, par. 1, subpars. 2, 3, 12, 13, 14, 16, 20, 20.1, 20.2, 25, 26 and 27)

CONCERNING the Regulation to amend the Derivatives Regulation

WHEREAS subparagraphs 2, 3, 12, 13, 14, 16, 20, 20.1, 20.2, 25, 26 and 27 of the first paragraph of section 175 of the Derivatives Act (chapter I-14.01) stipulates that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the fourth and fifth paragraphs of section 175 of the said Act stipulate that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the second and sixth paragraphs of the said section stipulate that every regulation made under section 175 must be submitted to the Minister of Finance for approval with or without amendment and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the Derivatives Regulation has been approved by ministerial order no. 2009-01 dated January 15, 2009 (2009, G.O. 2, 33A);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation to amend the Derivatives Regulation was published in the *Bulletin de l'Autorité des marchés financiers*, volume 21, no. 20 of May 23, 2024;

WHEREAS the Authority made, on August 26, 2024, by the decision no. 2024-PDG-0039, Regulation to amend the Derivatives Regulation;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation to amend the Derivatives Regulation appended hereto.

September 6, 2024

ERIC GIRARD
Minister of Finance

Regulation to amend the Derivatives Regulation

Derivatives Act
(chapter I-14.01, s. 175, 1st par., pars. (2), (3), (12), (13), (14), (16), (20), (20.1), (20.2), (25), (26) and (27)).

1. Section 11.1 of the Derivatives Regulation (chapter I-14.01, r. 1) is amended:

(a) by deleting “3.11 to 3.13,”;

(b) by replacing “Part 11, sections 12.1” by “sections 11.1, 11.4”;

(c) by replacing “Part 13 and sections” by “sections 13.2 to 13.19,”; and

(d) by adding “in respect of their derivatives activities to which Regulation 93-101 respecting Derivatives: Business Conduct, approved by Order number I-14.01-2023-21 of the Minister of Finance dated December 5, 2023, (2023), 51 G.O. II, does not apply” at the end.

2. The Regulation is amended by inserting the following after section 11.1:

“**11.1.1** Regulation 31-102 respecting National Registration Database (chapter V-1.1, r. 9), sections 1.1, 1.3, 2.2, 3.1 to 3.3, 3.15(1), 4.1, 4.2, 8.23 to 8.25, 8.30, 9.1, 9.3(1), 11.4, 11.9, 11.10, 12.1 to 12.4, 12.6 to 12.13, 13.2.01, 13.2.1, 13.12, 13.18, 13.19, 14.4 and 14.11 of Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations (chapter V-1.1, r. 10), and Regulation 33-109 respecting Registration Information (chapter V-1.1, r. 12), apply, with the necessary modifications, to the persons contemplated in subdivision 1 in respect of their derivatives activities to which Regulation 93-101 respecting Derivatives: Business Conduct, approved by Order number I-14.01-2023-21 of the Minister of Finance dated December 5, 2023, (2023), 51 G.O. II, applies.”

3. This Regulation comes into force on 28 September 2024.

107036

M.O., 2024**Order 2024-0010 of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks dated 4 September 2024**

Act respecting the conservation and development of wildlife
(chapter C-61.1)

Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity

THE MINISTER OF THE ENVIRONMENT, THE FIGHT AGAINST CLIMATE CHANGE, WILDLIFE AND PARKS,

CONSIDERING section 61.1 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may, by regulation, determine, according to areas, zones, territories, places, periods and categories of persons, the conditions under which a person is authorized to kill an animal that is fatally injured as a result of a hunting or trapping activity and which type of arm the person may use to do so;

CONSIDERING section 61.2 of the Act, which provides that a person may, on the conditions determined by regulation of the Minister, help search for an animal referred to in section 61.1 of the Act with the help of a dog;

CONSIDERING section 61.3 of the Act, which provides that the Minister may, by regulation, prescribe the cases in which and the conditions under which a person referred to in sections 61.1 and 61.2 may derogate from sections 30.2 and 30.3 of the Act;

CONSIDERING subparagraph 1 of the first paragraph of section 163 of the Act, which provides that, in addition to the other powers conferred upon the Minister by the Act respecting the conservation and development of wildlife, the Minister may make regulations determining classes of licences, certificates, authorizations and leases, as well as their content and duration and the conditions for their issue, replacement, renewal or transfer;

CONSIDERING subparagraph 3 of the first paragraph of section 163 of the Act, which provides that, in addition to the other powers conferred upon the Minister by the Act, the Minister may make regulations establishing the requirements that a holder of a licence, certificate, authorization or lease must satisfy;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 26 June 2024, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity without amendment;

ORDERS AS FOLLOWS:

The Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity, attached to this Order, is made.

Québec, 4 September 2024

BENOIT CHARETTE

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

Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity

Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 61.1, 61.2, 61.3, s. 163, 1st par., subpars. 1 and 3).

CHAPTER I**TRACKING DOG HANDLER CERTIFICATE**

1. The tracking dog handler certificate is a document establishing that the holder is authorized, on the conditions set out in this Regulation, to help search, with the help of a dog and in possession of a firearm, for an animal that is fatally injured as a result of a hunting activity and, if applicable, to kill the animal.

2. To obtain a tracking dog handler certificate, a person must apply to the Minister and must

(1) be a resident within the meaning of section 1.2 of the Act respecting the conservation and development of wildlife (chapter C-61.1);

(2) provide his or her name, address and date of birth; and

(3) hold an attestation confirming the successful completion of training on the search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity, that is recognized by the Minister and comprises

(a) a theoretical component and a practical component including the conduct, methods and good practices of such a search;

(b) a theoretical component on the applicable standards and the safe and efficient use of a firearm during such a search and, if applicable, during the killing of the animal; and

(c) following the successful completion of the components referred to in subparagraph *a*, the acquisition of at least 3 years of experience during which the person has been called upon a minimum of 45 times to help search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity.

3. The tracking dog handler certificate is valid for as long as the holder is a resident.

It indicates the holder's name and bears a number.

CHAPTER II DEROGATIONS

4. Despite section 30.2 of the Act respecting the conservation and development of wildlife (chapter C-61.1), a person who helps search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity may use a lighting at night to detect the presence of big game in a place frequented by it.

5. Despite section 30.3 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the holder of a tracking dog handler certificate may be in possession of a loaded firearm at night in a place frequented by wildlife.

CHAPTER III CONDITIONS

6. The owner of a dog or the person using a dog to help search for an animal that is fatally injured as a result of a hunting activity must make sure that the dog is kept leashed at all times.

7. A person who helps search, with the help of a dog and in possession of a firearm, for an animal that is fatally injured as a result of a hunting activity must

(1) hold a tracking dog handler certificate, have it in his or her possession and, at the request of a wildlife protection officer or a wildlife protection assistant, identify himself or herself and produce the certificate of his or her capacity issued by the Minister;

(2) help search for an animal that is fatally injured, namely, a moose, a white-tailed deer, a black bear or a wild turkey;

(3) wear a fluorescent orange garment that covers at least 2,580 cm² of the wearer's back, shoulders and chest and is visible at all times from all angles, and that, at night, has reflective strips;

(4) use a lighting device for a night search; and

(5) the firearm in his or her possession

(a) is a rifle of a caliber permitted for hunting the animal tracked, regardless of the hunting period and zone;

(b) is used with cartridges permitted for hunting the animal tracked, regardless of the hunting period and zone;

(c) is loaded only at the time the animal is within 100 metres from the person; and

(d) does not have a magnifying instrument.

8. A person accompanying a person referred to in section 7 and who helps search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity must comply with the conditions set out in paragraphs 3 and 4 of that section.

9. A person referred to in section 7 is authorized to kill, using a firearm in his or her possession, an animal that is fatally injured as a result of a hunting activity on the following conditions:

(1) it is before midnight the day after the last day of the hunting period during which the animal was fatally injured;

(2) after killing an animal, the person must

(a) inform without delay the hunter who requested his or her services in order to allow the hunter to comply with the transportation and registration obligations; and

(b) when the person discharges a firearm before midnight the day after the last day of the hunting period or at night, inform as soon as possible SOS Braconnage – Urgence faune sauvage, by telephone or using the platform or the form provided for that purpose, and provide

i. his or her name and telephone number;

ii. the number of the tracking dog handler certificate;

iii. the geographical coordinates of the location where the search for the animal began;

iv. the date and time at which the firearm was discharged; and

v. the name and telephone number, or the certificate number of the hunter requiring his or her services to help search for the animal that is fatally injured.

CHAPTER IV FINAL

10. The Tracking Dog Handler Pilot Project (chapter C-61.1, r. 25.1) is revoked.

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

107034



Draft Regulation

Act respecting the sharing of certain health information (chapter P-9.0001)

Access authorizations and duration of use of information held in a health information bank in a clinical domain — 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 access authorizations and the duration of use of information held in a health information bank in a clinical domain, appearing below, may be made by the Minister of Health on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine the access authorizations for a health information bank in a clinical domain or the electronic prescription management system for medication that may be assigned to providers referred to in section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1). In addition, the draft Regulation identifies persons that may be access authorization managers.

Further information on the draft Regulation may be obtained by contacting Josiane Perreault, Director, Direction des affaires autochtones, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 3^e étage, Québec (Québec) G1S 2M1; email: josiane.perreault@msss.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 Health, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1; email: ministre@msss.gouv.qc.ca.

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain

Act respecting the sharing of certain health information (chapter P-9.0001, s. 65, par. 7, s. 70 and s. 121, par. 2).

1. The Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain (chapter P-9.0001, r. 1) is amended in section 0.1 by adding the following subparagraphs at the end of the first paragraph:

“(6) a person designated by the officer exercising the highest authority within an Indigenous health and social services centre or residential centre referred to in subparagraph 8 of the third paragraph of section 559 of the Act respecting the governance of the health and social services system (chapter G-1.021);

(7) a person designated by the officer exercising the highest authority within an Indigenous addiction lodging centre referred to in subparagraph 2 of the second paragraph of section 1 of the Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1), amended by section 1 of the Regulation to amend the Regulation respecting the certification of community or private resources offering addiction lodging, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024.”

2. Section 1 is amended by inserting “or in paragraph 12.3 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information, amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024” at the end of subparagraph 3 of the third paragraph.

3. Section 3 is amended by replacing the third paragraph by the following:

“The same access authorizations may be assigned to a nurse practising in

(1) a private health facility referred to in section 2 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1);

- (2) a community pharmacy;
- (3) a private seniors' residence;
- (4) a palliative care hospice;
- (5) an Indigenous health and social services centre, Indigenous residential and long-term care centre or Indigenous addiction lodging centre.”

4. Section 5 is amended by inserting “or in paragraph 22 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1), amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024,” in the portion before subparagraph 1 of the first paragraph and after “section 69 of the Act”.

5. Section 7 is amended by inserting “or in paragraph 23 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1), amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024,” in the portion before paragraph 1 and after “section 69 of the Act”.

6. Section 9 is amended by inserting “or in paragraph 24 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1), amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024,” in the portion before paragraph 1 and after “section 69 of the Act”.

7. This Regulation comes into force on 1 December 2024.

107037



Draft Regulation

Archives Act
(chapter A-21.1)

Accreditation of private archival agencies — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 38 of the Archives Act (chapter A-21.1), that the Regulation to amend the Regulation respecting accreditation of private archival agencies, appearing below, may be made by the Government, with or without amendment, on the expiry of 60 days following this publication.

The draft Regulation increases the duration of accreditation beginning on the date of issue of the certificate from 2 years to 5 years. The draft Regulation also provides for the replacement of references to the Minister of Culture, Communications and the Status of Women by a reference to Bibliothèque et Archives nationales du Québec.

The draft Regulation could bring about marginal savings for accredited private archival agencies. In accordance with the Politique gouvernementale sur l'allègement réglementaire et administratif – pour une réglementation intelligente, the draft Regulation underwent a regulatory impact analysis relating to the above impact on enterprises. The analysis is available for consultation on the website of the Ministère.

Further information on the draft Regulation may be obtained by contacting Valérie D'Amour, Director for Regions, Direction générale des Archives nationales, Bibliothèque et Archives nationales du Québec, 535, Avenue Viger Est, Montréal (Québec) H2L 2P3; telephone: 514 873-1101, extension 6281; email: valerie.damour@banq.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Mathieu Lacombe, Minister of Culture and Communications, 225, Grande Allée Est, bloc A, 1^{er} étage, Québec (Québec) G1R 5G5; email: ministre@mcc.gouv.qc.ca.

MATHIEU LACOMBE
Minister of Culture and Communications

Regulation to amend the Regulation respecting accreditation of private archival agencies

Archives Act
(chapter A-21.1, s. 37, 1st par., subpar. 4).

1. The Regulation respecting accreditation of private archival agencies (chapter A-21.1, r. 1) is amended in section 5 by replacing “2” by “5”.
2. The Regulation is amended by replacing “Minister of Culture, Communications and the Status of Women” and “Minister” wherever they appear by “Bibliothèque et Archives nationales”, with the necessary modifications.
3. The validity period of a certificate of accreditation issued before (*insert the date of coming into force of this Regulation*) and that is still valid on that date is increased to 5 years.
4. This Regulation comes into force on (*insert the date occurring 15 days after the date of publication of the Regulation in the Gazette officielle du Québec*).

107030



Draft Regulation

Money-Services Businesses Act
(chapter E-12.000001)

Fees and tariffs payable under the Money-Services Businesses Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting fees and tariffs payable under the Money-Services Businesses Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The Regulation respecting fees and tariffs payable under the Money-Services Businesses Act (chapter E-12.000001, r. 2) sets the fees payable by a money-services business for a licence application. The draft Regulation adds fees payable for the operation of a cryptoasset automated teller machine to take into account the amendments made to the Money-Services Businesses Act (chapter E-12.000001) by the Act respecting the implementation of certain provisions of the Budget Speech of 21 March 2023 and amending other provisions (2023, chapter 30).

The amount per teller machine for determining the fees payable for the operation of cryptoasset automated teller machines would be the same as the amount set for determining the fees payable for the operation of other automated teller machines, which is currently \$262 and is to be indexed on 1 January 2025.

The fees applicable per cryptoasset automated teller machine would thereafter be adjusted on 1 January each year, in accordance with section 8 of the Regulation.

Further information on the draft Regulation may be obtained by contacting Sylvain Lacombe, Director, Rédaction des lois, Secteurs de l'administration fiscale et du droit civil, Agence du revenu du Québec, 3800, rue de Marly, Québec (Québec) G1X 4A5; telephone: 418 652-6493; email: sylvain.lacombe@revenuquebec.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Christyne Tremblay, President and Chief Executive Officer, Agence du revenu du Québec, 3800, rue

de Marly, Québec (Québec) G1X 4A5. The comments will be forwarded by the Agence du revenu du Québec to the Minister of Finance.

ERIC GIRARD
Minister of Finance

Regulation to amend the Regulation respecting fees and tariffs payable under the Money-Services Businesses Act

Money-Services Businesses Act
(chapter E-12.000001, ss. 60.1 and 62).

1. The Regulation respecting fees and tariffs payable under the Money-Services Businesses Act (chapter E-12.000001, r. 2) is amended in section 1 by inserting “or cryptoasset automated teller machine” at the end of paragraph 5.

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

107032



Draft Regulation

Code of Penal Procedure
(chapter C-25.1)

Form of statements of offence — Amendment

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

The draft Regulation amends a provision of Schedules I to IV to the Regulation respecting the form of statements of offence (chapter C-25.1, r. 1) to ensure consistency with section 8.1 of the Code of Penal Procedure (chapter C-25.1), which provides that a penal contribution is to be added to the total amount of the fine and costs imposed on the issue of a statement of offence, as amended by section 1 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, chapter 7). Section 1 of that Act, which increases the penal contribution and the share of that contribution to be credited to the Crime Victims Assistance Fund established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1) and the Access to Justice Fund established under the Act respecting the Ministère de la Justice (chapter M-19), is to come into force on the date set by the Government. The coming into force of that section will contribute to the adequate financing of those 2 funds.

Further information on the draft Regulation may be obtained by contacting Patrick Naud-Cavion, advocate, Direction du soutien juridique aux services de justice, Ministère de la Justice, 1200, route de l'Église, 7^e étage, Québec (Québec) G1V 4M1; email: patrick.naud-cavion@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: patrick.naud-cavion@justice.gouv.qc.ca.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Regulation respecting the form of statements of offence

Code of Penal Procedure
(chapter C-25.1, a. 367, par. 1).

1. The Regulation respecting the form of statements of offence (chapter C-25.1, r. 1) is amended in Schedules I to IV by replacing “the first \$10 shall be credited to the fund dedicated to assistance for persons who are victims of criminal offences established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1), and the following \$8 shall be credited” wherever it appears by “an amount will be credited to the fund dedicated to assistance for persons who are victims of criminal offences established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1) and another amount will be credited”.

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

107035

