



Part 2

LAWS AND REGULATIONS

2 January 2025 / Volume 157

Summary

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Part 2 – LAWS AND REGULATIONS

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- (1) Acts assented to;
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PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

QUÉBEC, 26 NOVEMBER 2024

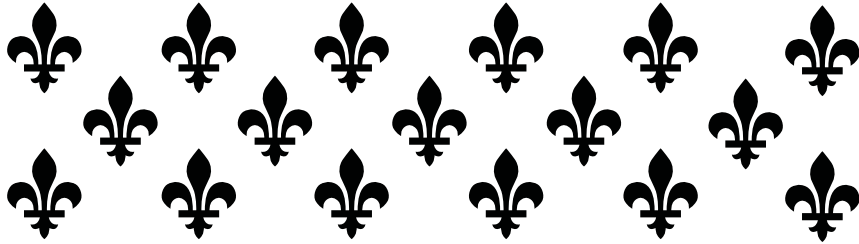
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 26 November 2024

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

71 An Act to improve support for persons and to
simplify the social assistance regime

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 71
(2024, chapter 34)

**An Act to improve support for
persons and to simplify the social
assistance regime**

**Introduced 11 September 2024
Passed in principle 24 October 2024
Passed 21 November 2024
Assented to 26 November 2024**

**Québec Official Publisher
2024**

EXPLANATORY NOTES

This Act implements certain actions set out in the Plan d'action gouvernemental en matière de lutte contre la pauvreté et l'exclusion sociale 2024-2029 by amending the Individual and Family Assistance Act mainly to improve support for persons, to promote their entry on the labour market and their social integration or social participation, and to simplify the social assistance regime.

The Act establishes a new social assistance program, called the Last Resort Financial Assistance Program, which groups together the recipients under two existing programs, the Social Assistance Program and the Social Solidarity Program. Under the new program, it will be possible to recognize health constraints lasting at least one month and severe health constraints lasting one year or more. For instance, the Act recognizes pregnancy, from the 20th week of the pregnancy to the 18th week following delivery, as a health constraint. The Act grants the Government regulatory powers allowing the latter to designate the health and social services professionals who are authorized to fill out a medical or psychosocial assessment for the recognition of a constraint or of the right to a special benefit, as well as those who are authorized to review a decision made with respect to a constraint.

The Act broadens access to the Aim for Employment Program for certain persons having previously received last resort financial assistance. It also aims to promote the social participation of persons within the framework of social assistance and support programs, and makes all social assistance program recipients eligible for those programs.

The Act grants, to recipients under a social assistance program, the right to the establishment of a personalized support plan. It also provides for the establishment of regional support networks, composed of, among others, representatives from the Ministère de l'Emploi et de la Solidarité sociale and other government departments and bodies, to allow those representatives to collaborate in the development and implementation of such support plans.

The Act provides that financial assistance granted under the Last Resort Financial Assistance Program will be paid to each adult member of a family. It also introduces a supplement for recipients under that program who pursue studies leading to a secondary school diploma and for such recipients who obtain a diploma. It abolishes, in cases where an adult child does not live with his or her parents, the inclusion of a presumed parental contribution.

The Act modifies the concept of de facto union so that persons who cohabit due to one of them having functional limitations are not considered spouses.

The Act also contains measures relating to debt and recovery. It introduces a regulatory power allowing the Government to grant a partial discharge of a debt in certain cases, and it reduces to five years the period during which an amount paid because of misrepresentation may be claimed. It amends the definition of “misrepresentation” to specify the situations requiring proof of intention. It also introduces a regulatory power allowing the Government to determine the cases in which and the conditions under which a situation does not constitute misrepresentation.

The Act provides that a government regulation may make a minor child eligible for certain programs, benefits or allowances as well as determine the duration of such eligibility. It also grants the possibility, by ministerial regulation, to make any class of adults eligible for certain programs, benefits or allowances for a determined period of time.

The Act allows the implementation of pilot projects specific to social assistance programs and intended in particular to study, experiment or innovate with regard to social assistance in order to improve the living conditions of recipients as well as the operation, effectiveness and efficiency of the programs.

The Act amends the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail mainly to regulate the processing of complaints.

Lastly, the Act makes consequential amendments to other Acts and contains transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Individual and Family Assistance Act (chapter A-13.1.1);
- Code of Civil Procedure (chapter C-25.01);
- Act respecting administrative justice (chapter J-3);
- Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001);
- Act respecting the Régie de l'assurance maladie du Québec (chapter R-5).

Bill 71

AN ACT TO IMPROVE SUPPORT FOR PERSONS AND TO SIMPLIFY THE SOCIAL ASSISTANCE REGIME

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

INDIVIDUAL AND FAMILY ASSISTANCE ACT

1. Section 3 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by replacing “financial assistance programs established under Title II” by “social assistance programs established under Title II and the specific programs established under Title II.1”.

2. Section 8 of the Act is amended by replacing “fostering the social and community integration of persons and families” in the first paragraph by “promoting the social integration and inclusion of persons or their entry on the labour market or active participation in society”.

3. The Act is also amended by inserting the following section after section 8:

“**8.1.** The Minister carries out coordinated actions or participates in such actions, in collaboration with the other departments and bodies concerned, in order to offer continuous, adapted and integrated services designed to meet the needs of persons.

With the consent of the person concerned, such coordinated actions may be implemented as part of, among other things, a service plan.

The departments and bodies concerned exchange the personal information necessary to implement the plan.”

4. Section 15 of the Act is replaced by the following section:

“**15.** In the cases and under the conditions determined by the Minister, the Minister may establish social assistance and support programs for recipients under a social assistance program provided for in Title II who, given their socio-professional profile, require special help and support.

Within the scope of such social assistance and support programs, the Minister may, in particular,

(1) help persons achieve a degree of socio-professional self-sufficiency that promotes their transition to an employment-assistance measure in order to improve their access to the labour market;

(2) contribute to more active participation of persons with severe health constraints by facilitating their access to vocational training at the secondary level or studies at the postsecondary level; or

(3) foster the social participation of persons through the development of social, relational or cognitive skills in order, eventually, to improve their prospects for social integration, active participation in society or entry on the labour market.

To that end, the Minister may enter into an agreement with a body under which the body offers that help and support.”

5. Section 16 of the Act is amended

(1) by replacing “a person” in the first paragraph by “a recipient under a social assistance program provided for in Title II”;

(2) by striking out “If the person is a recipient under the Social Assistance Program or the Social Solidarity Program,” in the second paragraph.

6. Section 17 of the Act is amended by replacing “the Social Assistance Program or the Social Solidarity Program” in the first paragraph by “a social assistance program provided for in Title II”.

7. Section 18 of the Act is amended

(1) by inserting “or considered for the purposes of” after “is excluded from”;

(2) by replacing “the Social Assistance Program or the Social Solidarity Program” by “a social assistance program provided for in Title II”.

8. Section 22 of the Act is amended by adding the following paragraph at the end:

“For the purposes of subparagraph 3 of the first paragraph, there is no de facto union where a person cohabits with another person primarily to compensate for the latter’s functional limitations, where those limitations prevent the person from living alone or would, but for the cohabitation, make it necessary for the person to be lodged in an institution or in a resource.”

9. Section 23 of the Act is amended by adding the following paragraph at the end:

“The regulation provided for in the first paragraph may determine the programs, benefits or allowances for which a minor child is eligible as well as the duration of such eligibility.”

10. Section 26 of the Act is amended by adding the following paragraph at the end:

“The regulatory power provided for in the second paragraph is exercised by the Minister where a duration is determined for that eligibility.”

11. Section 30 of the Act is amended by replacing “for last resort financial assistance or an application made” in the second paragraph by “made under the Last Resort Financial Assistance Program or”.

12. Section 31 of the Act is amended

(1) in the first paragraph,

(a) by replacing “a medical report” by “a medical and, if necessary, psychosocial assessment”;

(b) by adding the following sentence at the end: “The assessment must be prepared by a health or social services professional designated by regulation.”;

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

“Moreover, when the Minister considers it appropriate, the person must undergo another medical or psychosocial assessment, carried out by the health or social services professional designated by the Minister, to verify whether the person has health constraints or severe health constraints. An unfavourable decision of the Minister must be accompanied by the medical or psychosocial assessment drawn up by the health or social services professional so designated by the Minister.”

13. Section 33 of the Act is amended

(1) by inserting “, that is in clear and concise terms” after “possible” in the introductory clause;

(2) by replacing “financial assistance program provided for in Chapter I, II, V or VI of” in paragraph 2 by “social assistance program provided for in”.

14. Section 35 of the Act is repealed.

15. Section 36 of the Act is amended by replacing “financial assistance program provided for in Title II may be ascertained or” in the second paragraph by “social assistance program provided for in Title II or a specific program provided for in Title II.1 may be ascertained or so that”.

16. Section 38 of the Act is amended by adding the following sentence at the end of the second paragraph: “Such information must be given in clear and concise terms and must be as comprehensive as possible.”

17. The heading of Title II of the Act is amended by replacing “FINANCIAL ASSISTANCE” by “SOCIAL ASSISTANCE”.

18. The Act is amended by inserting the following chapter after the heading of Title II:

“CHAPTER 0.1

**“SUPPORT PLANS, REGIONAL SUPPORT NETWORKS
AND PILOT PROJECTS**

“43.1. The Minister offers a recipient under a social assistance program provided for in Title II the possibility to establish, if need be, a personalized support plan to support the recipient in resolving any difficulties that could hinder the recipient’s social integration or participation. With the recipient’s consent, the Minister establishes that plan.

The departments and bodies concerned exchange the personal information necessary to implement the plan.

“43.2. The Minister puts in place regional support networks composed of representatives

(1) from the Ministère de l’Emploi et de la Solidarité sociale;

(2) from other departments and bodies concerned, in particular those involved in the educational childcare, education, health and social services or community sectors; and

(3) from any association, partnership or body designated by the Minister.

“43.3. The representatives of the regional support networks may collaborate in the implementation of personalized support plans in order to, among other things,

(1) assess recipients’ situations to ensure that the personalized support plans adequately meet their needs;

(2) provide support adapted to recipients by adopting an approach that focuses on understanding recipients’ needs, equip them to deal with the difficulties related to their condition, and encourage them in carrying out the steps provided for in their plan;

(3) inform recipients of services that can meet their needs, direct them to the appropriate resources and, where applicable, assist and support them in their dealings with those resources; and

(4) follow up regularly with recipients to ensure that the activities and services provided for in their plan are adequate, and suggest adjustments to the plan.

In addition, the representatives of the regional networks may

- (1) offer information sessions and training, cultural or social activities to help recipients develop their social skills;
- (2) create support groups intended for recipients experiencing similar situations or difficulties; and
- (3) develop initiatives enabling recipients to mitigate the factors that hinder their integration and active participation in society, in order to facilitate their entry on the labour market.

For the purposes of the first and second paragraphs, the Minister may support the regional support network representatives referred to in paragraph 3 of section 43.2.

“43.4. The Minister may develop and implement pilot projects to study or define applicable social assistance standards, or to experiment or innovate with regard to social assistance in order to improve the living conditions of recipients as well as the operation, effectiveness and efficiency of the social assistance programs provided for in Title II.

Within the framework of a pilot project, the Minister determines the applicable standards and obligations, which may differ from those provided for by this Act or the regulations. In such a case, the pilot project is implemented by regulation of the Minister.

The Minister also determines the pilot project’s monitoring and reporting mechanisms, and the information that is necessary for the purposes of those mechanisms and that must be sent to the Minister by any person.

The Minister may enter into agreements with any person, association, partnership or body to facilitate the carrying out of and reporting on the pilot project.

A pilot project is established for a period of up to three years, which the Minister may extend by up to two years. The Minister may modify or terminate a pilot project at any time, after notifying the person, association, partnership or body with whom or which an agreement has been entered into, as well as the pilot project participants.

The Minister produces and makes public a report on the results of the pilot project implemented by regulation within one year after the project ends.”

19. The heading of Chapter I of Title II of the Act is amended by replacing “SOCIAL” by “LAST RESORT FINANCIAL”.

20. Section 44 of the Act is replaced by the following section:

“**44.** The purpose of the Last Resort Financial Assistance Program is to grant last resort financial assistance to persons whose resources are insufficient to provide for their needs.

A further purpose of the program is to encourage such persons to undertake or pursue steps to promote their active participation in society, their inclusion, their social participation or their entry or re-entry on the labour market, as well as to support them during those steps.”

21. Section 45 of the Act is amended by replacing “Social Assistance Program” by “Last Resort Financial Assistance Program”.

22. Section 46 of the Act is repealed.

23. Section 47 of the Act is amended by replacing “Social Assistance Program” and “under the Social Solidarity Program or the Basic Income Program or participates in the Aim for Employment Program” by “Last Resort Financial Assistance Program” and “under another social assistance program provided for in Title II”, respectively.

24. Section 52 of the Act is replaced by the following section:

“**52.** Financial assistance granted under the program takes the form of a last resort assistance benefit.

The benefit is established taking into account the basic benefit applicable to each adult, according to the amount and in the cases and under the conditions prescribed by regulation.”

25. Section 53 of the Act is replaced by the following sections:

“**53.** A health constraint allowance is added to the basic benefit when an independent adult or an adult member of a family

(1) produces a medical and, if necessary, psychosocial assessment establishing that the adult’s state of physical, mental or psychosocial health prevents the adult, for a period of at least one month, from engaging in a job preparation, integration or retention activity; or

(2) applies for the allowance due to being at least 20 weeks pregnant or having given birth less than 18 weeks previously; the application must be filed together with a medical certificate prepared by a health or social services professional designated by regulation that attests to the pregnancy and indicates the adult’s name and date of birth, the number of weeks of pregnancy and the expected or actual date of delivery.

53.1. A severe health constraint allowance is added to the basic benefit when an independent adult or an adult member of a family, as the case may be, produces a medical and, if necessary, psychosocial assessment establishing that the adult's state of physical, mental or psychosocial health is significantly deficient or impaired for a period of at least one year and that, for that reason and given the adult's socio-professional profile, the adult has severe health constraints that prevent him or her from acquiring economic self-sufficiency through employment.

Each year, the Minister may reassess whether a person has severe health constraints.

In exceptional circumstances, the Minister may exempt a person from the obligation to produce a medical or psychosocial assessment."

26. Section 54 of the Act is amended by replacing "temporarily limited capacity allowance" by "health constraint allowance and an adjustment for adults prescribed by regulation".

27. Section 55 is amended

(1) in the first paragraph,

(a) by replacing subparagraph 1 by the following subparagraph:

"(1) determining the amount of the basic benefit and, where applicable, multiplying it by the number of adult members of the family and, in keeping with the regulation, adding to it the amount of any health constraint allowance, of any severe health constraint allowance, of any adjustments for adults, of any support allowance granted under Chapter I of Title I, of any adjustments for dependent children and of any special benefits; and";

(b) by replacing "a last resort financial assistance program" in subparagraph i of subparagraph *f* of subparagraph 2 by "the Last Resort Financial Assistance Program";

(c) by adding the following subparagraph at the end:

"(3) dividing the amount obtained under subparagraphs 1 and 2 by the number of adult members of the family.;"

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

"Moreover, when the amount obtained under the first paragraph is greater than zero, the benefit is increased, in the cases and under the conditions determined by regulation,

(1) by a work income supplement, the amount of which is calculated in accordance with the method set out in that paragraph; or

(2) by a supplement for studies leading to a secondary school diploma or a graduation bonus, the amounts of which are set by regulation.”

28. Section 57 of the Act is amended, in the first paragraph,

(1) by inserting “who cohabits with his or her father, mother, or parents or one of them,” after “adult” in the introductory clause;

(2) by replacing “a medical report; the medical report may be replaced by a written report attesting the pregnancy, signed by a midwife and indicating the name and date of birth of the adult, the number of weeks of pregnancy and the expected date of delivery” in subparagraph 7 by “the medical certificate provided for in paragraph 2 of section 53”;

(3) by adding the following subparagraph at the end:

“(9) the adult has been receiving a severe health constraint allowance.”

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

“**58.1.** The Government may, by regulation, prescribe more flexible rules applicable to recipients of a severe health constraint allowance as regards

(1) property, liquid assets, or amounts paid into a pension plan;

(2) property, liquid assets, or income, earnings or other benefits derived from a succession; and

(3) the eligibility requirements for certain special benefits.”

30. Section 62 of the Act is replaced by the following section:

“**62.** A benefit is paid monthly to an independent adult or to each adult member of a family according to the conditions prescribed by regulation.”

31. Section 63 of the Act is amended, in the first paragraph,

(1) by inserting “, except in the cases and under the conditions prescribed by regulation,” after “must”;

(2) by replacing “for a financial assistance program, or reduce the amount of assistance” by “under the program, or reduce the amount granted under it”.

32. Section 65 of the Act is amended by replacing “in order to become eligible or render their family eligible under the program or to be” by “with the intention of becoming eligible or rendering their family eligible under the program or of being”.

33. Chapter II of Title II of the Act, comprising sections 67 to 73, is repealed.

34. Chapter IV of Title II of the Act, comprising sections 79 to 83, is repealed.

35. Section 83.1 of the Act is amended by striking out “for the first time” in the first paragraph.

36. Section 83.15 of the Act is amended by replacing “a severely limited capacity for employment” by “severe health constraints”.

37. Section 83.17 of the Act is amended

(1) by replacing “a severely limited capacity for employment within the meaning of section 70 and is a recipient under the Social Solidarity Program” in the first paragraph by “severe health constraints and is a recipient under the Last Resort Financial Assistance Program”;

(2) by replacing “a severely limited capacity for employment” in the second paragraph by “severe health constraints”.

38. Section 83.18 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “the first paragraph” in the second paragraph by “section 47”.

39. Section 83.21 of the Act is amended by replacing “Social Solidarity” in the third paragraph by “Last Resort Financial Assistance”.

40. The Act is amended by inserting the following Title after section 83.25:

“TITLE II.1

“SPECIFIC PROGRAMS

“83.26. The Minister may establish specific financial assistance programs to help persons and families with particular difficulties, and determine the application standards for those programs.

In exceptional circumstances, the Minister may set eligibility requirements for a specific program that are different from those set out in sections 26 and 27.

“83.27. The purpose of the specific programs may be, for instance, to foster the development of potential, to improve a person’s economic and social situation, to preserve self-sufficiency and to take account of temporary economic difficulties.

83.28. Within the framework of the specific programs and in the cases and under the conditions the Minister determines, the Minister may grant financial assistance to a person who decides, on a voluntary basis, to take advantage of one of those programs. However, persons eligible under the specific programs may take advantage of the Last Resort Financial Assistance Program or the Basic Income Program if the financial assistance granted under a specific program is less than the assistance they would be granted under either of those programs, to the extent that those persons are also eligible under those programs.

83.29. Section 63 applies to a specific program.

83.30. When there is failure to fulfil any of the obligations imposed by sections 30, 31, 36 and 63, the Minister may, as the case may be, refuse or cease to pay financial assistance or reduce it.

Decisions made by the Minister under this section must include reasons and be communicated in writing to the person concerned.

83.31. The Minister informs persons of the existence of the specific programs and, on the coming into force of the programs, makes available the application standards for those programs and the means of taking advantage of them.

83.32. The Minister must prepare an annual report on the implementation of the specific programs. The report is included in the annual management report of the Ministère de l'Emploi et de la Solidarité sociale.

In the month of April each year, the Minister also publishes in the *Gazette officielle du Québec* a list of the specific programs established during the preceding fiscal year.”

41. Section 89 of the Act is amended by replacing “a financial assistance program provided for in Chapter I, II or V of Title II” in the first paragraph by “the Last Resort Financial Assistance Program or the Aim for Employment Program”.

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

104.1. A partial discharge of a debt may be granted, even after the filing of the certificate, to a debtor of an amount in respect of a social assistance program provided for in Title II, according to the percentage prescribed by regulation and in the cases and under the conditions it determines.”

43. Section 105 of the Act is amended

(1) by striking out the second sentence;

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

“If there has been misrepresentation, the recovery of an amount owed under this Act is prescribed five years after the date on which the Minister became aware of the fact that the amount was due. The period covered by the claim must not, however, exceed the five-year period preceding that date.”

44. Section 106 of the Act is replaced by the following section:

“106. There is misrepresentation if an amount is granted to a person following a failure to file a statement, or following the transmission of a document in which information is omitted with the intention of rendering the person or the person’s family eligible for financial assistance or with the intention of receiving or having the person’s family receive a greater amount than would otherwise have been the case, except in the cases and under the conditions prescribed by regulation.

There is also misrepresentation if an amount is granted to a person following the filing of a statement, or the transmission of a document, containing false information.”

45. Section 107 of the Act is amended, in the second paragraph,

(1) by replacing “a last resort financial assistance program” by “the Last Resort Financial Assistance Program”;

(2) by replacing “or 104” by “, 104 or 104.1”.

46. Section 108 of the Act is amended by replacing the first paragraph by the following paragraph:

“A decision under any of the following is not subject to review:

(1) section 43.1;

(2) a provision of Chapter V of Title II, except section 83.5 or sections 83.11 to 83.13;

(3) a provision of Title II.1; or

(4) the program provided for in section 106.1.”

47. Section 110 of the Act is amended

(1) by replacing “temporarily limited capacity allowance for the reason set out in subparagraph 1 of the first paragraph of section 53 must be reviewed by a physician” in the first paragraph by “health constraint allowance must be reviewed by a health or social services professional designated by regulation”;

(2) in the second paragraph,

(a) by replacing “under the Social Solidarity Program” by “for a severe health constraint allowance”;

(b) by replacing “physician” by “health or social services professional designated by regulation”.

48. Section 114 of the Act is amended by replacing “financial assistance program provided for in Chapter I, II, V or VI of” in the second paragraph by “social assistance program provided for in”.

49. Section 131 of the Act is amended

(1) by striking out “financial” after “last resort” in paragraph 5;

(2) by replacing paragraph 8 by the following paragraph:

“(8) determining the cases in which and the conditions under which a child is not a person’s dependant or is a dependant of an adult other than the child’s father or mother or the child’s parents or one of them and designating that adult, and determining the programs, benefits or allowances for which a minor child is eligible as well as the duration of such eligibility;”;

(3) by inserting the following paragraph after paragraph 13:

“(13.1) designating, for the purposes of the first paragraph of section 31, the health or social services professionals authorized to produce a medical or psychosocial assessment;”.

50. The Act is amended by inserting the following section after section 131:

“131.1. The Minister may make regulations

(1) determining, for the purposes of the third paragraph of section 26, the cases in which and the conditions under which other classes of persons may be eligible for financial assistance, limiting eligibility for certain programs, benefits or allowances, and determining the duration of such eligibility;

(2) implementing, for the purposes of the second paragraph of section 43.4, a pilot project whose standards and obligations differ from those provided for by this Act or the regulations.”

51. Section 132 of the Act is amended

(1) by replacing “Social” in the introductory clause by “Last Resort Financial”;

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

“(3.1) designating the health or social services professionals authorized to prepare the medical certificate provided for in paragraph 2 of section 53;”;

(3) by striking out paragraphs 4 and 5;

(4) by replacing paragraph 6 by the following paragraph:

“(6) determining the adjustments for adults that cannot be combined with a health constraint allowance and an employment-assistance allowance or a support allowance;”;

(5) by replacing “temporarily limited capacity allowance” in paragraph 7 by “health constraint allowance, the severe health constraint allowance”;

(6) by inserting the following paragraphs after paragraph 15.1:

“(15.2) determining the amounts of the supplement for studies leading to a secondary school diploma or of the graduation bonus, and determining the cases in which and the conditions under which those amounts are to be granted;

“(15.3) prescribing, for the purposes of section 58.1, more flexible rules concerning the matters referred to in that section;”;

(7) by inserting the following paragraph after paragraph 18:

“(18.1) determining, for the purposes of the first paragraph of section 63, the cases in which and the conditions under which an adult or the members of a family are not required to exercise their rights or take advantage of other statutory benefits;”.

52. Section 133 of the Act is repealed.

53. Section 133.2 of the Act is amended

(1) by replacing “a severely limited capacity for employment and be a recipient under the Social Solidarity Program” in paragraph 1 by “severe health constraints and be a recipient under the Last Resort Financial Assistance Program”;

(2) by replacing “a severely limited capacity for employment” in paragraph 2 by “severe health constraints”.

54. Section 133.3 of the Act is amended by replacing “financial assistance under the Social Solidarity Program or” by “a severe health constraint allowance under the Last Resort Financial Assistance Program or financial assistance under”.

55. Section 134 of the Act is amended by inserting the following paragraphs after paragraph 9:

“(9.1) determining, for the purposes of section 104.1, the cases in which and conditions under which a discharge of a debt may be granted to a debtor of an amount in respect of a social assistance program provided for in Title II, and prescribing the percentage of the discharge;

“(9.2) determining, for the purposes of the first paragraph of section 106, the cases in which and the conditions under which a failure to file a statement or the transmission of a document in which information is omitted does not constitute misrepresentation; and”.

56. Section 135 of the Act is replaced by the following section:

135. For the purposes of Chapter III of Title III, the Government may make regulations

(1) designating, for the purposes of section 110, the health or social services professionals authorized to carry out the review;

(2) determining, for the purposes of section 119, the cases in which and the conditions under which the Minister is required to pay interest, and prescribing the interest rate.”

57. Section 136 of the Act is amended by inserting “according to the locality or region of residence of the independent adult or the family,” after “dwelling.”

58. The Act is amended

(1) by replacing all occurrences of “financial assistance” in sections 14 and 102 by “social assistance”;

(2) by replacing “a last resort financial assistance program” in sections 87, 88 and 90 to 94 by “the Last Resort Financial Assistance Program”;

(3) by inserting “working” after all occurrences of “30” in section 115, and by replacing “30-day period” in section 116 by “period of 30 working days”;

(4) by replacing “by fax or by electronic means” in sections 120 and 123 by “by any technological means”.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

59. Section 11 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “Chapter IV of Title II” in paragraph 4 by “Title II.1”.

CODE OF CIVIL PROCEDURE

60. Article 449 of the Code of Civil Procedure (chapter C-25.01) is amended by replacing “a social assistance, social solidarity or basic income program” by “the Last Resort Financial Assistance Program or the Basic Income Program”.

61. Article 569 of the Code is amended by replacing “a social assistance or social solidarity program” in the first paragraph by “the Last Resort Financial Assistance Program”.

62. Article 698 of the Code is amended

(1) by replacing “social assistance benefit, an Aim for Employment benefit, a social solidarity allowance” in subparagraph 3 of the second paragraph by “last resort assistance benefit, an Aim for Employment benefit”;

(2) by replacing “social solidarity allowance to single persons” in the fourth paragraph by “last resort assistance benefit to single persons with a severe health constraint allowance”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

63. Section 21 of the Act respecting administrative justice (chapter J-3) is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) under section 118 of the Individual and Family Assistance Act (chapter A-13.1.1), to contest a decision concerning the assessment of health constraints referred to in section 53 of that Act or the assessment of severe health constraints referred to in section 53.1 of that Act;”.

ACT RESPECTING THE MINISTÈRE DE L'EMPLOI ET
DE LA SOLIDARITÉ SOCIALE AND THE COMMISSION
DES PARTENAIRES DU MARCHÉ DU TRAVAIL

64. Section 2 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by replacing “, income security and social benefits” in the first paragraph by “and social assistance”.

65. Section 5 of the Act is amended by replacing “, income security and social benefits” in paragraph 2 by “and social assistance”.

66. Section 8 of the Act is amended by replacing “of income security and social benefits” in the first paragraph by “of social assistance”.

67. Section 10 of the Act is amended by replacing “of income security and social benefits” by “of social assistance”.

68. Section 54 of the Act is amended by inserting “the administrative unit of” after “the name of”.

69. Section 57.6 of the Act is amended by striking out “, unless they are clearly unfounded, including if they do not pertain to one of the matters governed by this Act”.

70. The Act is amended by inserting the following section after section 57.6:

“**57.6.1.** The processing of a complaint may be terminated in the following cases:

(1) the complaint is repetitive, abusive, frivolous, vexatious, made in bad faith or clearly unfounded, for instance because it does not pertain to one of the matters under the Minister’s authority;

(2) the complainant does not have a sufficient interest;

(3) the complainant refuses or neglects to provide, within the prescribed time limit, the information or documents requested;

(4) the complainant has already, based on the same facts, pursued a remedy or filed a complaint;

(5) the time elapsed between the facts and the filing of the complaint makes examination of the complaint impossible; or

(6) the circumstances do not warrant an intervention.”

71. Section 57.8 of the Act is amended by inserting “including to those whose processing was terminated under section 57.6.1,” after “given to the complaints,”.

ACT RESPECTING THE RÉGIE DE L’ASSURANCE MALADIE DU QUÉBEC

72. Section 37.7 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5) is amended by replacing “financial assistance program provided for in any of Chapters I, II, V and VI of” in paragraph *e* by “social assistance program provided for in”.

TRANSITIONAL AND FINAL PROVISIONS

73. In any Act or other document, unless the context indicates otherwise and with the necessary modifications,

(1) “a last resort financial assistance program” is replaced by “the Last Resort Financial Assistance Program”;

(2) “financial assistance program provided for in Chapter I, II, V or VI of” is replaced by “social assistance program provided for in”.

74. As of the date of coming into force of section 20 of this Act, a person who was a recipient under the Social Assistance Program or the Social Solidarity Program on the date preceding the date of coming into force of section 20 of this Act is considered to be a recipient under the Last Resort Financial Assistance Program provided for in section 44 of the Individual and Family Assistance Act (chapter A-13.1.1), as enacted by section 20 of this Act, in accordance with the terms and conditions determined for that new program by this Act, including the following:

(1) a recipient under the Social Assistance Program who was receiving, on the date preceding the date of coming into force of section 20 of this Act, a temporarily limited capacity allowance provided for in subparagraph 1 of the first paragraph of section 53 of the Individual and Family Assistance Act, as it read on that date, is entitled, under the Last Resort Financial Assistance Program, to the health constraint allowance provided for in that section, as enacted by section 25 of this Act, for the duration provided for in the recipient’s medical report; and

(2) a recipient under the Social Solidarity Program on the date preceding the date of coming into force of section 20 of this Act is entitled, under the Last Resort Financial Assistance Program, to the severe health constraint allowance provided for in section 53.1 of the Individual and Family Assistance Act, as enacted by section 25 of this Act.

75. As of the date of coming into force of section 33 of this Act, applications relating to a person’s eligibility for the Social Solidarity Program that have not yet been the subject of a decision of the Minister are processed in accordance with section 70 of the Individual and Family Assistance Act (chapter A-13.1.1), as it read on the date preceding the date of coming into force of section 33 of this Act, except if the person discontinues his or her application and files a new application under section 53.1 of the Individual and Family Assistance Act, as enacted by section 25 of this Act. In such a case, the existence of severe health constraints may not be recognized for any period preceding the date of coming into force of section 25 of this Act.

76. For the purposes of the first paragraph of section 83.17 of the Individual and Family Assistance Act (chapter A-13.1.1), as amended by section 37 of this Act,

(1) a severely limited capacity for employment within the meaning of section 70 of the Individual and Family Assistance Act, as it read on the date preceding the date of coming into force of section 33 of this Act, is considered to be severe health constraints;

(2) any recipient under the Social Solidarity Program established under Chapter II of Title II of the Individual and Family Assistance Act, as it read on the date preceding the date of coming into force of section 33 of this Act, is considered to be a recipient under the Last Resort Financial Assistance Program.

77. Section 105 of the Individual and Family Assistance Act (chapter A-13.1.1), as amended by section 43 of this Act, applies in respect of a notice of claim issued as of the date of coming into force of section 43 of this Act.

78. As of the date of coming into force of section 25 of this Act, a recipient who was receiving a temporarily limited capacity allowance provided for in subparagraph 3 of the first paragraph of section 53 of the Individual and Family Assistance Act (chapter A-13.1.1), as regards the provision of childcare to a dependent child, or subparagraph 4 or 6 to 8 of that paragraph, as they read on the date preceding the date of coming into force of section 25 of this Act, continues to receive that allowance, as long as the recipient remains, without interruption, a recipient under the Last Resort Financial Assistance Program provided for in section 44 of the Individual and Family Assistance Act, as replaced by section 20 of this Act, or eligible to receive dental or pharmaceutical services under section 48 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) and as long as the recipient complies with the cases and conditions or the age prescribed by sections 62 and 63 of that Regulation that are applicable to his or her situation, as they read on that date.

However, a recipient receiving a temporarily limited capacity allowance under the first paragraph ceases to be entitled to that allowance on becoming eligible for a health constraint allowance or a severe health constraint allowance provided for in sections 53 and 53.1 of the Individual and Family Assistance Act, as replaced by section 25 of this Act.

The provisions of section 54 of the Individual and Family Assistance Act, as amended by section 26 of this Act, apply to a recipient of a temporarily limited capacity allowance provided for in the first paragraph.

79. The provisions of this Act come into force on the date or dates to be set by order of the Government.

107204



Gouvernement du Québec

O.C. 1801-2024, 18 December 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 by a competent professional and by a pharmacist — 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 by a competent professional and by a pharmacist

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 or 29.19 of the Act in accordance with the procedure prescribed by government regulation;

WHEREAS, under the second paragraph of section 47.1 of the Act, a competent professional who notifies the Commission of the occurrence of one of the events referred to in the first paragraph of that section must also send the Commission, in the manner determined by government regulation, the information prescribed by that regulation and, where applicable, the information concerning any other service they provided to the patient to relieve their suffering;

WHEREAS, under section 1 of 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, made by Order in Council 1611-2024 dated 13 November 2024, the title of 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 has been amended;

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 11 September 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 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 by a competent professional and by a pharmacist, 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 by a competent professional and by a pharmacist

Act respecting end-of-life care
(chapter S-32.0001, s. 46, 1st par., s. 47, 1st par.,
and s. 47.1, 2nd 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 by a competent professional and by a pharmacist (chapter S-32.0001, r. 1) is amended in section 2

(1) by adding “, in the case of a contemporaneous request for medical aid in dying, or in section 3.1, in the case of an advance request for medical aid in dying” at the end of subparagraph 1;

(2) by striking out “that identifies the competent professional who administered medical aid in dying and the competent professional who gave a second opinion under subparagraph 3 of the first paragraph of section 29 of the Act respecting end-of-life care (chapter S-32.0001), as well as information that allows them to identify the person who requested medical aid in dying” in subparagraph 2.

2. Section 3, amended by section 4 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is further amended by replacing “The information” in the portion before subparagraph 1 of the first paragraph by “If medical aid in dying was administered following a contemporaneous request, the information”.

3. The following is inserted after section 3:

“**3.1.** If medical aid in dying was administered following an advance request, the information constituting the component referred to in paragraph 1 of section 2 is the following:

(1) concerning the person who requested medical aid in dying:

(a) the date of birth;

(b) sex;

(c) an indication that the competent professional verified that the person was insured within the meaning of the Health Insurance Act (chapter A-29) or that the person is considered an insured person within the meaning of the second paragraph of section 29.1 of the Act respecting end-of-life care (chapter S-32.0001);

(d) the main medical diagnosis, vital prognosis and detailed clinical picture;

(e) a description of the clinical manifestations related to the serious and incurable illness leading to the incapacity to consent to care that the person described in the request, as observed by the competent professional along with their recurrent nature;

(f) the nature and description of the person’s disabilities;

(g) the nature and description of physical or psychological suffering and a description of the signs of suffering that the competent professional has observed;

(h) the reasons for which the person’s medical situation leads the competent professional to believe that the person is experiencing enduring and unbearable physical or psychological suffering that cannot be relieved under conditions considered tolerable;

(i) a description of the services other than medical aid in dying the person has received to relieve the suffering, if any;

(j) an indication that the competent professional made sure that the person was incapable of giving consent to care when medical aid in dying was administered and the reasons leading to that conclusion;

(k) an indication that the competent professional ensured that the person had become incapable of giving consent to care because of the serious and incurable illness leading to the incapacity to consent to care identified in the request;

(l) a description of the behavioural symptoms resulting from the person’s medical state, presented by the person, and the reasons for which the competent professional ruled out the possibility that the patient was refusing to receive medical aid in dying, if applicable;

(m) an indication that the competent professional recorded in writing the behavioural symptoms arising from the person’s medical state that the professional observed and the conclusions of the assessment, if applicable;

(n) the date or dates on which the person was examined as required by section 29.13, 29.14 or 29.15 of the Act respecting end-of-life care;

(2) concerning the request for medical aid in dying:

(a) the date on which the request was completed;

(b) an indication that the competent professional verified that it was made using the form prescribed by the Minister of Health and Social Services under the first paragraph of section 29.2 of the Act respecting end-of-life care;

(c) an indication that the competent professional verified that it was completed fully and correctly;

(d) an indication that the competent professional verified that the request was the most recent one made by the person and recorded in the register referred to in section 29.10 of the Act respecting end-of-life care;

(e) the serious and incurable illness leading to the inability to consent to care identified in the request;

(f) the clinical manifestations of the serious and incurable illness leading to the incapacity to consent to care described by the person in the request;

(g) a medical description of the clinical manifestations made by the competent professional in the request;

(3) concerning the competent professional who administered medical aid in dying:

(a) the date or dates on which the competent professional

i. consulted the record of the person who requested medical aid in dying, and in particular the form used to make the request for medical aid in dying;

ii. examined the person who requested medical aid in dying;

iii. consulted the members of the healthcare team responsible for the person who requested medical aid in dying, if applicable;

(b) an indication that he or she is a physician or a specialized nurse practitioner and, if applicable, was treating the person who requested the medical aid in dying before it was administered;

(c) an indication that the competent professional did or did not carry out the examination required by section 29.13, 29.14 or 29.15 of the Act respecting end-of-life care;

(4) concerning the second competent professional consulted to confirm compliance with the criteria set out in subparagraph 2 of the first paragraph of section 29.1 and the first paragraph of section 29.2 of the Act respecting end-of-life care:

(a) an indication that the professional was independent of both the person who requested medical aid in dying and the competent professional who administered the medical aid in dying;

(b) the date or dates on which the second competent professional consulted the record of the person who requested medical aid in dying, and in particular the form used to make the request for medical aid in dying;

(c) the date or dates on which the second competent professional personally examined the person who requested medical aid in dying;

(d) the second competent professional's opinion concerning compliance with the criteria set out in subparagraph 2 of the first paragraph of section 29.1 and the first paragraph of section 29.2 of the Act respecting end-of-life care and the date on which the opinion was signed;

(e) an indication that the second competent professional is a physician or a specialized nurse practitioner and, if applicable, was treating the person who requested the medical aid in dying before it was administered;

(f) an indication that the second competent professional did or did not carry out the examination required by section 29.13, 29.14 or 29.15 of the Act respecting end-of-life care;

(5) the information on medical aid in dying referred to in subparagraph 4 of the first paragraph of section 3.

The competent professional who administered medical aid in dying also sends to the Commission any other information or comment the competent professional deems relevant for examination by the Commission within the framework of its mandate.”.

4. Section 4 is amended by replacing “consulted” in the portion before subparagraph *a* of paragraph 3 by “who gave a second opinion pursuant to subparagraph 3 of the first paragraph of section 29 of the Act respecting end-of-life care (chapter S-32.0001), in the case of a contemporaneous request for medical aid in dying, or subparagraph 2 of the first paragraph of section 29.19 of the Act, in the case of an advance request for medical aid in dying”.

5. Section 8 is amended by inserting “or section 29.19” after “section 29” in the first paragraph.

6. Section 9 is amended

(1) by inserting “or section 29.19” after “section 29” in the first paragraph;

(2) by inserting “or the criteria set out in subparagraph 2 of the first paragraph of section 29.1 and the first paragraph of section 29.2 of that Act” after “Act respecting end-of-life care” in the second paragraph.

7. Section 13 is amended

(1) in the first paragraph

(a) by inserting “or section 29.19” after “section 29”;

(b) by replacing “section 29” by “either section”;

(2) by inserting “or section 29.19” after “section 29” in the third paragraph.

8. Section 15.1, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is amended by striking out “that identifies the competent professional having received a request for medical aid in dying who did not administer such aid to the person having made the request as well as the information that allows the Commission to identify the person who requested medical aid in dying” in subparagraph 2.

9. Section 15.2, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is amended

(1) by inserting “or section 29.19” after “section 29” in the part preceding subparagraph 1;

(2) by replacing paragraphs 1 to 3 by the following:

“(1) the person’s date of birth and sex;

(2) if known by the competent professional, the person’s main medical diagnosis and, as applicable,

(a) the prognosis for the illness or a description of the anticipated clinical course of the physical impairment, in the case of a contemporaneous request;

(b) the person’s vital prognosis, in the case of an advance request;

(3) the date on which the request for medical aid in dying was completed;

(4) the health region in which the person’s domicile is located;

(5) the reasons leading the competent professional to conclude that the person no longer meets the criteria set out in section 29 or 29.19 of the Act respecting end-of-life care and the date on which that conclusion was made;

(6) the information concerning any service other than medical aid in dying offered to and received by the person to relieve suffering, if applicable;

(7) an indication that the competent professional is a physician or a specialized nurse practitioner.”

10. Section 15.3, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is amended

(1) by inserting “in addition to the reasons why the person withdrew the request, if known by the competent professional,” after “is,” in the portion before paragraph 1;

(2) by replacing paragraphs 1 to 3 by the following:

“(1) in the case of a contemporaneous request:

(a) the competent professional’s opinion regarding compliance with the criteria set out in section 26 of the Act respecting end-of-life care (chapter S-32.0001) before the person withdrew their request, if applicable;

(b) the information referred to in paragraphs 1 to 4, 6 and 7 of section 15.2;

(2) in the case of an advance request:

(a) the date on which the request was deleted from the register referred to in section 29.10 of the Act respecting end-of-life care;

(b) the information referred to in paragraphs 1, 3, 4 and 7 of section 15.2.”

11. Section 15.4, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is amended by replacing paragraphs 1 to 5 by the following:

“(1) the date on which the administration of medical aid in dying was to take place;

(2) the person’s main medical diagnosis and, as applicable,

(a) the prognosis for the illness or a description of the anticipated clinical course of the physical impairment, in the case of a contemporaneous request;

(b) the person’s vital prognosis, in the case of an advance request;

(3) the date on which the competent professional concluded that the person met the criteria set out in section 29 or 29.19 of the Act respecting end-of-life care (chapter S-32.0001);

(4) the information referred to in paragraphs 1, 3, 4, 6 and 7 of section 15.2;

In addition to the information provided for in the first paragraph, the following information is also required:

(1) in the case of a contemporaneous request:

(a) the facts that made it possible to find that the person had expressed his or her refusal;

(b) the date on which the person’s inability to consent to care was observed;

(c) an indication that the person had given consent, in writing by means of the form prescribed by the Minister of Health and Social Services and in the presence of a competent professional, to receive medical aid in dying even if the person became incapable of giving consent to care before the administration of the aid as well as the date on which the form was completed, if applicable;

(2) in the case of an advance request:

(a) the date or dates on which the examination required by section 29.13, 29.14 or 29.15 of the Act respecting end-of-life care was carried out;

(b) the facts that made it possible to find that the person had expressed his or her refusal and the reasons leading the competent professional to conclude that they did not constitute behavioural symptoms resulting from the

person’s medical state that would have led the competent professional to rule out the possibility that the person was refusing to receive medical aid in dying;

(c) the date on which the request was deleted from the register referred to in section 29.10 of the Act respecting end-of-life care.”.

12. Section 15.5, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is replaced by the following:

“**15.5.** If the competent professional forwarded a notice of refusal pursuant to section 31 of the Act respecting end-of-life care (chapter S-32.0001), the information constituting the component referred to in paragraph 1 of section 15.1 is, in addition to the date on which the professional forwarded the notice, the following:

(1) in the case of a notice of refusal of a request for a reason not based on section 29 or section 29.19 of the Act respecting end-of-life care, the information referred to in paragraphs 1, 3, 4 and 7 of section 15.2;

(2) in the case of a notice of refusal to provide assistance to a person in making an advance request:

(a) the date on which the competent professional was asked to assist the person;

(b) the information referred to in paragraphs 1, 4 and 7 of section 15.2;

(3) in the case of a notice of refusal de provide assistance to a person for the withdrawal of an advance request or a notice of refusal to carry out the examination required by section 29.13, 29.14 or 29.15 of the Act respecting end-of-life care, the information referred to in paragraphs 1, 3, 4 and 7 of section 15.2.”.

13. Section 15.6, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is amended by replacing paragraphs 1 to 4 by the following:

“(1) the date of death of the person, if known by the competent professional;

(2) the competent professional’s opinion regarding compliance with the criteria set out in section 26 or 29.19 of the Act respecting end-of-life care (chapter S-32.0001) before the person died, if applicable;

(3) the date on which the administration of medical aid in dying was to take place, if applicable;

(4) the information referred to in paragraphs 1 to 4, 6 and 7 of section 15.2;

In addition to the information provided for in the first paragraph, the following information is also required, in the case of an advance request:

(1) the date or dates on which the examination required by section 29.13, 29.14 or 29.15 of the Act respecting end-of-life care was carried out, if applicable;

(2) the date or dates on which the criteria set out in section 29.19 of the Act respecting end-of-life care were assessed, if applicable.”.

14. Section 15.7, made by section 8 of 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, made by Order in Council 1611-2024 dated 13 November 2024, is amended by replacing “who made” in paragraph 1 by “concerned by”.

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

107213



Gouvernement du Québec

O.C. 1841-2024, 18 December 2024

Act to amend various legislative provisions with respect to housing
(2024, chapter 2)

Alienation of immovables under section 92 of the Act to amend various legislative provisions with respect to housing

Regulation respecting the alienation of immovables under section 92 of the Act to amend various legislative provisions with respect to housing

WHEREAS, under the fifth paragraph of section 92 of the Act to amend various legislative provisions with respect to housing (2024, chapter 2), with the exception of the provisions of the Natural Heritage Conservation Act (chapter C-61.01), the Cultural Heritage Act (chapter P-9.002), the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), section 272.15 of the Education Act (chapter I-13.3) and section 180 of the Act respecting health services and social services (chapter S-4.2), an alienation referred to in the first, second or third paragraph of section 92 of the Act to amend various legislative provisions with respect to housing is subject to no condition other than those set out in that section or prescribed by a government regulation made on the joint recommendation of the Minister of Finance and the Minister Responsible for Housing, or those determined by the minister or a body referred to in the second or third paragraph of that section;

WHEREAS, under the sixth paragraph of section 92 of the Act to amend various legislative provisions with respect to housing, a government regulation made under the fifth paragraph of that section may specify the cases where the authorization of another minister is required, in which case that other minister may subject the authorization to other conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the alienation of immovables under section 92 of the Act to amend various legislative provisions with respect to housing was published in Part 2 of the *Gazette officielle du Québec* of 2 October 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 Finance and the Minister Responsible for Housing:

THAT the Regulation respecting the alienation of immovables under section 92 of the Act to amend various legislative provisions with respect to housing, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE

Associate Secretary General and Assistant Clerk of the Secrétariat du Conseil exécutif

Regulation respecting the alienation of immovables under section 92 of the Act to amend various legislative provisions with respect to housing

Act to amend various legislative provisions with respect to housing
(2024, chapter 2, s. 92, 5th and 6th par.).

1. This Regulation sets conditions according to which an immovable may be alienated under section 92 of the Act to amend various legislative provisions with respect to housing (2024, chapter 2).

2. An immovable may be alienated only for the carrying out of a project for which a subsidy has been granted by a minister or a government body or that is the subject of an agreement between a minister or a government body and a third person allowing for the immovable to be used for the purposes of social or affordable housing or of dwellings intended for persons pursuing studies within the meaning of article 1979 of the Civil Code.

3. The alienation of an immovable must be authorized by the Minister of Finance in the following cases:

(1) the net book value of the immovable is at least \$5,000,000;

(2) the amount of the consideration is at least \$10,000,000 less than the value of the immovable.

For the purposes of subparagraph 2 of the first paragraph, the value of the immovable is the product obtained by multiplying the value entered on the property assessment roll for the immovable by the comparative factor established under section 264 of the Act respecting municipal taxation (chapter F-2.1). If the immovable is not entered on the assessment roll, its value is the market value established by a chartered appraiser.

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

107214



Gouvernement du Québec

O.C. 1848-2024, 18 December 2024

Courts of Justice Act
(chapter T-16)

Partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace

WHEREAS, under the first paragraph of section 246.16.1 of the Courts of Justice Act (chapter T-16), if a judge or former judge and his or her spouse of the opposite or the same sex have ceased living together and the latter meets the conditions set out in paragraph 2 of section 224.14 of the Act, they may agree, within 12 months following the date on which they ceased living together and on the conditions and according to the terms determined by government regulation, to a partition of the benefits accrued by the judge or former judge under the pension plans provided for in Parts V.1, VI and VI.1 of the Act;

WHEREAS, under the second paragraph of section 246.16.1 of the Act, for that purpose, the judge or former judge and the spouse are entitled to obtain, upon application made to Retraite Québec on the conditions and according to the terms prescribed by regulation, a statement setting out the value of the benefits accrued by the judge or former judge under the pension plans provided for in Parts V.1, VI and VI.1 of the Act, established as at the date on which they ceased living together, and any other information determined by the regulation;

WHEREAS, under subparagraphs *a* and *b* of the first paragraph of section 246.22 of the Act, the Government may, by regulation,

— determine the terms and conditions of the applications required under Part VI.2 of the Act;

— determine, for the purposes of sections 246.16 and 246.16.1 of the Act, the information which must be contained in the statement setting out the value of the benefits accrued by the judge or former judge;

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 partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace was published in Part 2 of the *Gazette officielle du Québec* of 26 June 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 Justice:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace, 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 partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace

Courts of Justice Act
(chapter T-16, s. 246.16.1 and s. 246.22, 1st par.,
subpars. *a* and *b*).

1. The Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace (chapter T-16, r. 4) is amended in the title by replacing “judges of certain municipal courts” by “municipal judges”.

2. Section 1 is amended by inserting “under section 4 of the Act respecting Retraite Québec (chapter R-26.3)” after “benefits” in the second paragraph.

3. The following is inserted after section 1:

“**1.1.** Any application to obtain the statement referred to in the second paragraph of section 246.16.1 of the Act must be signed by the judge or former judge and his or her spouse. The application must contain the following information and be accompanied by the following documents:

(1) the name and address, Social Insurance Number and date of birth of the judge or former judge and his or her spouse;

(2) an attestation by the judge or former judge that he or she was neither married nor in a civil union on the date on which the spouses ceased living together and, where applicable, the date of the divorce or the dissolution of the civil union and the documents attesting thereto, unless those documents have already been sent to Retraite Québec;

(3) an attestation by the judge or former judge and his or her spouse concerning the dates on which they began and ceased living together and, where applicable, proof of their marital residence. Furthermore, if the spouses lived in a conjugal relationship for at least one year but not more than three years preceding the date on which they ceased living together, they must also attest that one of the situations referred to in any of subparagraphs *a* to *c* of paragraph 2 of section 224.14 of the Act occurred and, where applicable, provide proof thereof;

(4) the information that must be provided by the Minister of Justice and the municipalities having joined the pension plan provided for in Part V.1 or VI of the Act, in accordance with section 246.27 of the Act, for the year during which the assessment is determined up to the date set for that assessment, as well as for the previous year; that information must be certified by the Minister of Justice or the municipality concerned.”.

4. Section 13 is amended by inserting the following after paragraph 3:

“(3.1) in the case of spouses referred to in section 246.16.1 of the Act, the agreement concerning the partition of the benefits accrued by the judge or former judge under the pension plan established by Part V.1, VI or VI.1 of the Act, signed before a notary or attorney, or by means of a joint sworn declaration signed by both spouses within 12 months following the date on which they ceased living together;”.

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

107215



Extract from the Rules for the conduct of proceedings in the National Assembly

CHAPTER III PRIVATE BILLS

32. Objects — A bill relating to private or local matters must be introduced by a Member of the Assembly.

33. Deposit with Law Clerk — A Member who sponsors a bill relating to private or local matters shall deposit such bill with the Law Clerk.

The said Member shall not be answerable for the contents of the bill, nor shall he be required to endorse anything that may be provided therein.
(See S.O. 264 and 265)

34. Documents to be provided — Such bill shall be accompanied by a notice stating the name of the Member who is to introduce it and by a copy of every document mentioned therein and of every other document that may be pertinent thereto.

Any bill relating to a municipal corporation governed by the Cities and Towns Act, the Québec Municipal Code, or a special charter shall likewise be accompanied by a certified true copy of the resolution authorizing its introduction.
(See S.O. 265)

35. Introduction and passage during same sessional period — No bill deposited with the Law Clerk during a sessional period envisaged in Standing Order 19 may be passed within that same period.
2009.04.21
(See S.O. 265)

36. Notice in *Gazette officielle du Québec* — The applicant for a private bill shall cause to be published in the *Gazette officielle du Québec*, over his signature, a notice entitled “Avis de présentation d’un projet de loi d’intérêt privé”.

Such notice shall specify the objects of the bill and state that any party whose interest may be affected by it and who wishes to make submissions with respect thereto must so advise the Law Clerk.
(See S.O. 265)

37. Notices in newspaper — The said notice shall likewise be published in a newspaper in the judicial district wherein the applicant is domiciled; and if there be no newspaper in that district, it shall be published in a newspaper in the nearest district thereto.

Such notice shall be published once in each week for four weeks.

A copy of this notice shall accompany the bill upon its deposit with the Law Clerk.
(See S.O. 265)

38. Reports from Law Clerk — The Law Clerk shall submit to the President of the Assembly a report stating whether such notice has been drafted and published in accordance with these Rules.

The President shall forward a copy of this report to the Government House Leader and to the Member sponsoring the bill.
(See S.O. 265)

39. Private bills register — The Law Clerk shall keep a register in which he shall enter the name, the occupation, and the place of residence of the applicant for a private bill and those of every party who has advised him that his interest is affected by such bill and that he wishes to make submissions with respect thereto.

The Law Clerk shall provide to the Government House Leader and to the Member who is to introduce such bill a list of the parties who have advised him of their wish to make submissions with respect thereto.
(See S.O. 265)

40. Notices to interested parties — The director of the Committee Secretariat shall convene the interested parties not less than seven days before such bill is to be considered in committee.
(See S.O. 267)

41. Annual publication of rules — The Law Clerk shall publish in the *Gazette officielle du Québec*, in January of each year, the rules pertaining to private bills, together with Title III, Chapter IV, of the Standing Orders of the National Assembly.

Extract from the Standing Orders of the National Assembly

TITLE III

CHAPTER IV PRIVATE BILLS

264. Notice and introduction — Any Member may, at the request of an interested person, introduce a bill relating to private or local matters.

He shall give notice of his intent not later than the day preceding that on which such bill is to be introduced and shall provide a copy thereof to the President before the sitting at which it is to be introduced.

(See R.C.P. 33)

265. Report from Law Clerk — Before such bill is introduced, the President shall communicate to the Assembly the contents of the report from the Law Clerk thereon.

(See R.C.P. 33 to 39)

266. Preamble — A private bill shall require no explanatory notes; but every such bill shall contain a preamble setting out the facts on which it is founded.

267. Referral to committee — When a private bill has been introduced the Government House Leader shall move, without notice, that it be referred to a committee; and such motion shall be decided without debate.

The committee shall hear the interested parties, examine the bill clause by clause, and report thereon to the Assembly. The question for concurrence in such report shall be put forthwith and decided without debate.

(See R.C.P. 40)

268. Motions for passage in principle and passage — The passage in principle of the bill shall be set down for a future sitting day. No motion may be made to divide such bill or to defer its passage in principle.

A private bill when passed in principle shall not again be referred to a standing committee but may be passed during the same sitting day, and Standing Order 257 shall apply: Provided that the bill may not then be passed if opposition to its passage is taken by five Members.

269. Debate — During the debates on the passage in principle and the final passage of a private bill, each Member may speak for up to ten minutes: Provided that the Member sponsoring the bill and the leaders of the parliamentary groups may each speak for up to thirty minutes.

270. Procedure — Except as otherwise provided in this chapter of these Standing Orders, the general rules pertaining to bills shall apply to private bills.

107170



Draft Regulation

Act respecting contracting by public bodies
(chapter C-65.1)

Fees for certain legal services rendered to bodies of the Government — 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 fees for certain legal services rendered to bodies of the Government, appearing below, may be made by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the fees for certain legal services rendered to bodies of the Government (chapter C-65.1, r. 7.3) by removing from sections 1 and 2 the reference to bodies described in section 7 of the Act respecting contracting by public bodies (chapter C-65.1). That reference is no longer necessary because the bodies referred to in section 7 of the Act are listed in Schedule I as bodies that are excluded from the scope of the Regulation.

Consequently, the Regulation no longer applies to Héma-Québec or the Société du parc industriel et portuaire de Bécancour.

Therefore, a consequential amendment of Schedule I removes therefrom the government enterprises referred to in section 7 of the Act respecting contracting by public bodies, which include Hydro Québec, Investissement Québec, the Société des alcools du Québec and the Société des loteries du Québec. The draft Regulation also amends the Schedule by removing the Caisse de dépôt et placement du Québec, to which section 7 of the Act respecting contracting by public bodies no longer applies, and Innovatech enterprises, which have been dissolved.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Robert Villeneuve, Director General, Regulation, Sous-secrétariat aux marchés publics, Secrétariat du Conseil du trésor, 875, Grande-Allée Est, Québec (Québec) G1R 5R8; telephone: 418 643-0875, extension 4938; email: robert.villeneuve@sct.gouv.qc.ca.

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

SONIA LABEL

*Minister Responsible for Government Administration
and Chair of the Conseil du trésor*

Regulation to amend the Regulation respecting the fees for certain legal services rendered to bodies of the Government

Act respecting contracting by public bodies
(chapter C-65.1, s. 23, par. 1, and s. 23.1).

1. The Regulation respecting the fees for certain legal services rendered to bodies of the Government (chapter C-65.1, r. 7.3) is amended in section 1 by replacing “or to a body described in section 7 of the Act, except the bodies listed in Schedule I” in the first paragraph by “except a body listed in Schedule I”.

2. Section 2 is amended by replacing “or to a body described in section 7 of the Act, except the bodies listed in Schedule I” in paragraph 3 by “except a body listed in Schedule I”.

3. Schedule I to the Regulation is replaced by the following:

“**SCHEDULE I**
(ss. 1 and 2)

EXCLUDED BODY

— Autorité des marchés financiers”.

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

107212

Draft Regulation

Act respecting municipal taxation
(chapter F-2.1, s. 263)

Median proportion of the real estate assessment roll — 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 median proportion of the real estate assessment roll, appearing below, may be made by the Minister of Municipal Affairs on the expiry of 45 days from this publication.

The draft Regulation primarily updates the process for determining the median proportion of the real estate assessment roll, in particular by revising the sale prices used in that process and the method for transmitting the information intended for the Minister of Municipal Affairs. The draft Regulation also provides for rules applicable in certain specific cases.

Further information on the draft Regulation may be obtained by contacting Nathalie Bourassa, Direction de la politique fiscale et des revenus municipaux, Ministère des Affaires municipales et de l'Habitation, 10, rue Pierre-Olivier-Chauveau, 2^e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 83664; email: nathalie.bourassa@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 Nathalie Bourassa at the above contact information.

ANDRÉE LAFOREST
Minister of Municipal Affairs

Regulation to amend the Regulation respecting the median proportion of the real estate assessment roll

Act respecting municipal taxation
(chapter F-2.1, s. 263).

1. The Regulation respecting the median proportion of the real estate assessment roll (chapter F-2.1, r. 10) is amended in section 2 by replacing “1,000” in the first paragraph by “5,000”.

2. The following is inserted after section 2:

“**2.1.** Any reference to the Manuel d'évaluation foncière du Québec, published on the website of the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire and hereinafter called the “Manual”, means that the assessor must comply with the instructions set out therein.”.

3. Section 4 is replaced by the following:

“**4.** Subject to the fifth paragraph of section 264 of the Act respecting municipal taxation (chapter F-2.1), the basic list of the sales that may be used for the purposes of determining the median proportion must be drawn up by the assessor by means of the information prescribed in Part 5A of the Manual.”.

4. Section 6 is amended by replacing “2 decimals” in the second paragraph by “3 decimals”.

5. Section 7 is amended by replacing “enregistrement” in the second paragraph of the French text by “inscription”.

6. Section 9 is amended by replacing “by the number of sales entered on the basic list” in subparagraph 2 of the first paragraph by “by 30 or by the number of sales entered on the basic list, whichever number is higher”.

7. Section 19 is amended by adding the following at the end:

“Notwithstanding the foregoing, the first paragraph does not apply if

(1) the median ratio determined in accordance with section 18 is equal to or less than 50%;

(2) the number of sales used to determine the median ratio is less than 30; and

(3) the single-family residential concentration index of the municipality, as determined in accordance with the third paragraph of section 14 of the Regulation respecting the real estate assessment roll (chapter F-2.1, r. 13), is greater than the quotient, expressed as a percentage, obtained by dividing the number of sales used that result from the sale of immovables that are part of one of the headings referred to in that paragraph, by the total number of sales used.”.

8. Section 20 is amended by inserting “, or if the conditions referred to in the second paragraph of section 19 are met” at the end.

9. Section 21 is amended by striking out “, according to the assessor of the municipal body responsible for the assessment that caused the roll to be drawn up,” in the portion before subparagraph 1 of the first paragraph.

10. Section 22 is amended by inserting “and subject to section 23.1” after “section 21” in the portion before subparagraph 1 of the first paragraph.

11. Section 23 is replaced by the following:

“**23.** For the purposes of section 22,

(1) “fiscal period in question” means the fiscal period for which the median proportion of the roll of the municipality is being determined;

(2) “comparable roll” means any real estate assessment roll, other than that of the municipality, that is drawn up for a part of the regional municipal territory comprising that of the municipality which has not been the subject of an equilibration within the meaning of the third paragraph of section 46.1 of the Act respecting municipal taxation (chapter F-2.1) in the previous 12 months and in respect of which the basic list used to determine its median proportion for the fiscal period in question contains a number of sales equal to the number of sales to be entered on that list.

For the purposes of subparagraph 2 of the first paragraph, “regional municipal territory” means the territory of a regional county municipality or the territory formed by all the territories of the Eeyou Istchee James Bay Regional Government, referred to in section 5 of the Act establishing the Eeyou Istchee James Bay Regional Government (chapter G-1.04), and the enclosed municipalities, within the meaning of section 1 of that Act.”

23.1. Section 22 does not apply for the purpose of establishing the median proportion of the roll of the Eeyou Istchee James Bay Regional Government or the median proportion of the roll of a municipality whose territory is located more than 200 kilometres from the territory of any other local municipality included in the territory of the same regional county municipality. In such a case, the median ratio determined in accordance with section 18 constitutes the median proportion of the roll for any fiscal period other than the one referred to in section 21.”

12. Section 25 is amended by replacing the portion before paragraph 0.1 by “**25.** The assessor must note the information and determine the results of operations prescribed in Part 5A of the Manual, in particular,”

13. Section 26 is amended by striking out “, on a schedule to the form that is deemed to be a part of the form,”

14. Section 27 is amended by striking out “, on a schedule to the form that is deemed to be a part of the form,”

15. Section 28 is amended by replacing “the duly completed form” in the first paragraph by “the information and results referred to in section 25, and any report referred to in section 26 or 27, as the case may be, in the form provided for in Part 5A of the Manual,”

16. The amendments provided for by this Regulation apply for the purpose of calculating the median proportion applicable to every fiscal period from the 2026 fiscal period onward.

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

107197



Draft Regulation

Professional Code
(chapter C-26)

Terms and conditions on which dental hygienists can perform non-surgical periodontal debridement without a prescription

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the terms and conditions on which dental hygienists can perform non-surgical periodontal debridement without a prescription, adopted by the board of directors of the Ordre des hygiénistes dentaires du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec and then submitted to the Government, which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation determines the terms and conditions on which dental hygienists can perform non-surgical periodontal debridement without a prescription.

The Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the Regulation may be obtained by contacting Jacques Gauthier, executive director and secretary, Ordre des hygiénistes dentaires du Québec, 606, rue Cathcart, bureau 700, Montréal (Québec) H3B 1K9; telephone: 514 284-7639, extension 202, or 1 800 361-2996; email: jgauthier@ohdq.com.

Any person wishing to comment on the Regulation is requested to submit written comments within the 45-day period to the acting secretary of the Office des professions du Québec, Jean Gagnon, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments may be forwarded by the Office to the Minister Responsible for Government Administration and Chair of the Conseil du trésor and may also be sent to the Ordre des hygiénistes dentaires du Québec and to interested persons, departments and bodies.

JEAN GAGNON
Acting Secretary, Office des professions du Québec

Regulation respecting the terms and conditions on which dental hygienists can perform non-surgical periodontal debridement without a prescription

Professional Code
(chapter C-26, s. 37.1, par. 1.4, subpar. i).

1. Before performing non-surgical periodontal debridement without a prescription, the dental hygienist must consult a professional responsible for providing medical care to the client to ensure they have a complete portrait of the client's health condition if the client

(1) has a heart condition or any other condition for which recognized medical standards recommend antibiotic prophylaxis, unless the client already has a prescription for such prophylaxis;

(2) has or has previously had tuberculosis;

(3) is undergoing chemotherapy or radiotherapy treatment; or

(4) shows signs and symptoms similar to peri-implantitis.

2. The dental hygienist must enter the information obtained pursuant to section 1 in the client's record and include the following details:

(1) the reasons for the consultation;

(2) the name and title of the professional consulted;

(3) the date and time of the consultation and the means of communication used; and

(4) details of the information provided by the professional consulted.

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

107199



Draft Regulation

Court Bailiffs Act
(chapter H-4.1)

Tariff of fees of court bailiffs — 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 Tariff of fees of court bailiffs, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Tariff of fees of court bailiffs (chapter H.4-1, r. 13.1) to provide for an annual adjustment of 2.5% of the fees prescribed in this Regulation, for the period from 1 April 2025 to 1 April 2028 inclusively, except for the fees mentioned in section 10.

Further information on the draft Regulation may be obtained by contacting Hakima Ait Amer Meziane, Direction du soutien juridique aux services de justice, Ministère de la Justice, 1, rue Notre-Dame Est, 7^e étage, Montréal (Québec) H2Y 1B6; email: hakima-ait.amer-meziane@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.

SONIA LABEL
*Minister Responsible for
Government Administration
and Chair of the
Conseil du trésor*

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Tariff of fees of court bailiffs

Court Bailiffs Act
(chapter H-4.1, s. 13).

1. The Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1) is amended by replacing the heading of Division V by the following:

“DIVISION V MISCELLANEOUS AND FINAL

48.1. The fees prescribed in this Regulation are adjusted annually by 2.5%, on 1 April each year, for the period from 1 April 2025 to 1 April 2028 inclusively, except for the fees mentioned in section 10. The amounts thus adjusted are reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50 or increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister of Justice publishes the results of the adjustment in Part I of the *Gazette officielle du Québec* and on the website of the Ministère de la Justice.”.

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

107216



Gouvernement du Québec

T.B. 231645, 17 December 2024

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

Pension plan for federal employees transferred to employment with the Gouvernement du Québec — Amendments

Amendments to the Pension plan for federal employees transferred to employment with the Gouvernement du Québec

WHEREAS, under the first paragraph of section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), employees of the federal government who transfer to an employment that is pensionable employment under the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel within the framework of an agreement between the Government of Canada and the Gouvernement du Québec may, where the agreement so provides, elect, in accordance with the rules and conditions fixed by the Government, to become members of the Government and Public Employees Retirement Plan, of the Pension Plan of Management Personnel if, in the latter case, they hold employment that is pensionable employment under the Government and Public Employees Retirement Plan, or of a pension plan established by the Government in respect of those employees or of each group of employees affected by such an agreement and similar to the plan to which they formerly belonged;

WHEREAS, under the first paragraph of section 10.0.1 of the Act, section 125 of the Act applies to the plan so established;

WHEREAS, under section 125 of the Act, no supplemental pension plan may be amended without prior authorization by Retraite Québec, and any amendment entailing additional costs for the plan may be authorized by the Government;

WHEREAS the Government made the Pension plan for federal employees transferred to employment with the Gouvernement du Québec (chapter R-10, r. 10) by Order in Council 430-93 dated 31 March 1993;

WHEREAS it is expedient to amend the plan;

WHEREAS Retraite Québec has authorized the amendments to the plan;

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;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the amendments to the Pension plan for federal employees transferred to employment with the Gouvernement du Québec, attached hereto, be made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Amendments to the Pension plan for federal employees transferred to employment with the Gouvernement du Québec

Act respecting the Government and Public Employees Retirement Plan (chapter R-10, s. 10.0.1, 1st par.).

1. The Pension plan for federal employees transferred to employment with the Gouvernement du Québec (chapter R-10, r. 10) is amended by replacing in section 13 by the following:

“**13.** An employee ceases to be governed by this plan on 31 December of the year in which the employee reaches age 71.”

2. Section 41 is amended by replacing the second paragraph by the following:

“Notwithstanding the first paragraph, a pension becomes payable to a contributor eligible therefor from the day of the contributor’s retirement or not later than 31 December of the year in which the contributor reaches age 71.”

3. The second paragraph of section 91 is replaced by the following:

“Even in the absence of an application for payment, any benefit payable under this plan must be paid not later than 31 December of the year in which the contributor reaches age 71.”.

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

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