

By-law respecting certain temporary measures relating to the leasing of low-rental housing

An Act respecting the Société d'habitation du Québec (chapter S-8, s. 86, 1st par., subpar. g, and 2nd par.)

- 1.** Despite sections 5 to 13 and 19 of the By-law respecting the conditions for the leasing of dwellings in low-rental housing (chapter S-8, r. 3), the determination of the rent applicable for a dwelling for which the lease is renewed before 1 October 2020 corresponds to the rent paid by the household occupying the dwelling before the renewal.
- 2.** Despite section 15 of the By-law, a washing machine or a clothes dryer is used free of charge until 30 September 2020, unless a device on one of those appliances prevents it.
- 3.** Despite the first paragraph of section 18 of the By-law, the lessee whose lease is renewed before 1 October 2020 is not required to provide the lessor with the names of the persons living with the lessee, and with the proof required to determine the rent the lessor is asking for.
- 4.** For the period beginning on 25 June 2020 and ending on 30 September 2020, a lessee may file an application for a rent reduction in accordance with section 20 of the By-law without accompanying it with the supporting documents.

In such a case, the lessee must undertake to provide all the supporting documents necessary for the examination of the application not later than 15 November 2020.

If the lessor does not send those documents within the period prescribed or if the lessor determines, after examining the supporting documents, that the rent reduction should not have been granted, the lessee must reimburse the lessor an amount equal to the rent reduction for each month it has been applied.
- 5.** Despite sections 2 and 4 to 7 of the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik (chapter S-8, r. 4), the monthly rent of a lessee renewing a lease as of 1 July 2020 corresponds to the monthly rent paid by the lessee until that date.
- 6.** Despite section 7 of the By-law, no increase of the maximum rent is applicable as of 1 July 2020.
- 7.** This By-law comes into force on the date of its publication in the *Gazette officielle du Québec*.

104499

Gouvernement du Québec

O.C. 685-2020, 17 June 2020

An Act respecting prescription drug insurance (chapter A-29.01)

Basic prescription drug insurance plan —Amendment

CONCERNING the Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS, under subparagraph 7 of the first paragraph of section 78 of the Act respecting prescription drug insurance (chapter A-29.01) the Government may, in addition to the regulatory powers conferred on it by that Act and after consulting with the Régie de l'assurance maladie du Québec, make regulations to determine, for the purposes of sections 13.1 and 28.1, the rules pursuant to which the rates of adjustment are to be fixed annually and specify the class of persons to which each rate is applicable, where that is the case;

WHEREAS, the Government made the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4);

WHEREAS, under section 6.1 of that Regulation, the amount of the annual premium is adjusted on 1 July of each year on the basis of the experience of the months of April to March of the preceding fiscal year, taking into account the increase in the costs of the plan to persons referred to in paragraph 4 of section 15 of the Act respecting prescription drug insurance and this adjustment shall take into account, on the same basis, the anticipated cost of changes to coverage under the plan, particularly the cost of adding new medications to the List of medications as well as any other factor having a direct effect on the cost of the plan;

WHEREAS, under paragraph 1 of section 6.2 of that Regulation, the deductible, coinsurance and maximum annual contribution are adjusted on 1 July so as to maintain the proportion of the gross costs assumed by those classes of persons referred to in the first and second paragraphs of section 28 of the Act respecting prescription drug insurance, on the basis of the experience of the months of April to March of the preceding fiscal year, taking into account the increase in the costs of the plan to those persons;

WHEREAS, under paragraph 2 of section 6.2 of that Regulation, in the application of subparagraph 1 of this section, the rate of adjustment of the maximum contribution may not exceed the rate of increase in the

Pension Index, established under the Act respecting the Québec Pension Plan (chapter R-9) and that applies on 1 January of the year of the adjustment, reduced by 0.5% in regard to the persons referred to in the first paragraph of section 28 of the Act respecting prescription drug insurance and increased by 0.5%, in regard to the persons referred to in the second paragraph of that section;

WHEREAS, it is expedient to amend that Regulation in order to revise certain rules prescribed therein;

WHEREAS, the Régie de l'assurance maladie du Québec was consulted on the proposed Regulation attached to the present Order in Council;

WHEREAS, under Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect public health;

WHEREAS, under paragraph 1 of section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without the publication thereof prescribed in section 8 of that Act where the authority making it is of the opinion that it is required by the urgency of the situation;

WHEREAS, under subparagraph 1 of the first paragraph of section 18 of that Act, a regulation may come onto force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that it is required by the urgency of the situation;

WHEREAS, under section 13 and the second paragraph of section 18 of that Act, the reasons justifying the absence of prior publication and the coming into force from the date of its publication must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies this absence of publication and this coming into force of the Regulation to amend the Regulation respecting the basic prescription drug insurance plan:

— the COVID-19 pandemic currently raging is having exceptional economic consequences;

— the Regulation respecting the basic prescription drug insurance plan stipulates that the rates of adjustment of the maximum amount of the annual premium, deductible, coinsurance or maximum annual contribution will be made on 1 July of each year;

— new rules regarding the rates of adjustment of the annual premium and the parameters of contribution to the plan must be set out without delay, notably with respect to reasonable and fair access to the medications required by the health condition of persons;

WHEREAS, it is expedient to make the Regulation to amend the Regulation respecting the basic prescription drug insurance plan;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

An Act respecting prescription drug insurance (chapter A-29.01, s 78, 1st para., subpara. 7)

1. The Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended by inserting, after section 6.2, the following section:

“6.3. Notwithstanding the provisions of sections 6.1 and 6.2, for the period beginning on 1 July 2020 and ending on 31 December 2020, the rules according to which the Board fixes the rates of adjustment of the maximum amount of the annual premium, deductible, coinsurance and annual maximum contribution are the following:

(1) the amount of the annual premium is indexed according to the rate of the Pension Index established under the Act respecting the Québec Pension Plan and that applies on 1 January 2020;

(2) the amount of the maximum contribution is indexed according to the rate of the Pension Index established under the Act respecting the Québec Pension Plan and that applies on 1 January 2020:

(a) reduced by 0.5% in regard to the persons referred to in the first paragraph of section 28 of the Act respecting prescription drug insurance;

(b) increased by 0.5% in regard to the persons referred to in the second paragraph of section 28 of the Act respecting prescription drug insurance;

(3) the amount and revised percentage of the deductible and coinsurance pursuant to the notice published in Part 1 (French) of the *Gazette officielle du Québec* on 22 June 2019, No. 25, page 441, remain applicable.

For the period of 1 January 2021 to 30 June 2021, the amount of the annual premium, deductible and maximum contribution, as well as the percentage of the coinsurance that, notwithstanding the first paragraph of the present provision, would have been revised on 1 July 2020 according to the rates of adjustment fixed by the Board according to the rules set out in sections 6.1 and 6.2, will be applicable as of 1 January 2021.

The rates of adjustment, percentages and amounts thus revised will be published in Part 1 of the *Gazette officielle du Québec*.

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

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