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Part

2

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Laws and Regulations

Volume 150

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- (1) Acts assented to;
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PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 28 MARCH 2018

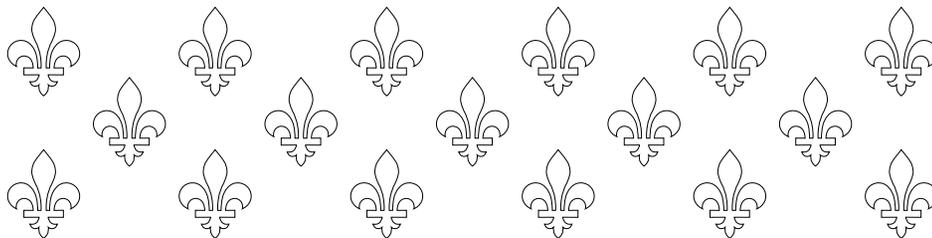
OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 28 March 2018*

This day, at four o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bills:

166 An Act to reform the school tax system

234 An Act to amend the Charter of the Université de Montréal

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 166
(2018, chapter 5)

An Act to reform the school tax system

Introduced 7 December 2017
Passed in principle 14 February 2018
Passed 27 March 2018
Assented to 28 March 2018

Québec Official Publisher
2018

EXPLANATORY NOTES

This Act proposes, for the school years 2018–2019 and 2019–2020, a transitional scheme of school taxation applicable throughout the Québec territory that is subject to school taxation, except on the island of Montréal. It establishes that the tax rate of a school board for the school year 2018–2019 will be the same as the lowest rate imposed by an English language or French language school board in a school tax region for the school year 2017–2018 and that the rate will be adjusted for the school year 2019–2020. Consequently, a subsidy to complete the tax revenues intended for school boards is introduced.

For the island of Montréal, the transitional scheme provides, in particular, that the rate of the school tax applicable for the school year 2018–2019 may not exceed the rate set for the preceding school year and that the rate applicable in the school year 2019–2020 may not exceed the result of an indexation formula.

The first \$25,000 in value of the taxable immovables will be exempted from the school tax on a recurring basis starting from the school year 2018–2019. In addition, 18 school tax regions are established.

From the school year 2020–2021, a regional school taxation system will replace the transitional scheme of school taxation applied by the school boards. Accordingly, rules on the determination of the regional school tax rate are provided. That rate will be the same for all the taxable immovables of a school tax region. In addition, a formula for the computation of anticipated complementary revenues, which include the tax revenues and a regional balance subsidy, is introduced.

The mode of computation of the maximum regional school tax rate is specified and it will be possible for a rate that is lower than the rate so computed to be determined if all the school boards of a school tax region adopt a resolution to that effect.

Rules on the collection of the school tax and rules on the apportionment of the school tax proceeds and the subsidies completing the anticipated complementary revenues among the various school boards present in the territory of a school tax region, whether they

are English language or French language school boards, are set out. An entity in charge of collecting the school tax for each region will be designated. Such entity may be a school board of that region or the Comité de gestion de la taxe scolaire, which will replace the Comité de gestion de la taxe scolaire de l'île de Montréal. The provisions governing the mode of operation of that committee are modified accordingly. In addition, a committee monitoring the collection, recovery and apportionment of the regional school tax must be established in each school tax region, except in the Montréal school tax region.

Lastly, the Act contains various consequential or transitional provisions.

LEGISLATION AMENDED BY THIS ACT:

- Charter of Ville de Québec, national capital of Québec (chapter C-11.5);
- Cities and Towns Act (chapter C-19);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Commission municipale (chapter C-35);
- Act respecting municipal courts (chapter C-72.01);
- Act respecting school elections (chapter E-2.3);
- Act respecting municipal taxation (chapter F-2.1);
- Education Act (chapter I-13.3).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12);
- Regulation respecting the norms, conditions and procedure for disposing of an immovable of a school board (chapter I-13.3, r. 7).

REGULATION REPEALED BY THIS ACT:

- Regulation respecting determination of the base amount for calculation of the maximum yield of the school tax (chapter I-13.3, r. 6).

Bill 166

AN ACT TO REFORM THE SCHOOL TAX SYSTEM

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

EDUCATION ACT

1. Section 114 of the Education Act (chapter I-13.3) is amended by adding the following sentence at the end of the first paragraph: “If the name of the school board is mentioned in Schedule I, the order amends the Schedule by substituting the new name of the school board for the old one.”

2. Section 118 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The order may also amend Schedule I.”;

(2) by adding the following sentence at the end of the second paragraph: “However, it shall come into force on 1 July if it amends Schedule I.”

3. Section 193 of the Act is amended by replacing “of subsidies, school tax proceeds and other revenues” in subparagraph 9 of the first paragraph by “of the revenues of the school board”.

4. Section 275 of the Act is amended by replacing “of subsidies, school tax proceeds and its other revenues” by “of its revenues”.

5. Section 275.1 of the Act is amended by replacing “of the revenues referred to in section 275” in the first paragraph by “of its revenues”.

6. Division VII of Chapter V of the Act is amended by replacing the portion before section 315 by the following:

“DIVISION VII

“REGIONAL SCHOOL TAX

“§1.—*Preliminary provisions*

“**302.** In this Act, unless the context indicates otherwise,

“**adjusted standardized assessment**” means the value of the standardized assessment or, if there is a variation in the municipality’s standardized assessment of taxable immovables because of the coming into force of its assessment roll, the adjusted value obtained after the variation in the standardized assessment has been averaged in accordance with the provisions of Division IV.3 of Chapter XVIII of the Act respecting municipal taxation (chapter F-2.1), with the necessary modifications;

“**clerk**” means a clerk within the meaning of the Act respecting municipal taxation;

“**entity in charge of collecting the school tax**” means the school board designated in accordance with the first paragraph of section 313.6 or section 477.1.6 or the Comité de gestion de la taxe scolaire established under section 399 in any of the situations provided for in the first, second and fourth paragraphs of section 313.6 or in section 478.5;

“**owner**” means the person or trust in whose name a taxable immovable is entered on the assessment roll of a municipality;

“**school tax region**” means a territory identified in Schedule I, described according to the geographical boundaries of the French language school boards and applying to the English language and French language school boards situated in whole or in part in them, subject to section 313.5, and, for tax purposes, to any immovable situated in such territories;

“**standardized assessment**” means the product obtained by multiplying the value entered on the assessment roll of a municipality by the comparative factor established for that roll under section 264 of the Act respecting municipal taxation;

“**taxable immovable**” means a taxable unit of assessment, or the taxable part thereof if it is not entirely taxable, and a non-taxable unit of assessment referred to in the first paragraph of section 208 of the Act respecting municipal taxation, or the part thereof referred to in that paragraph if the reference is not to its entirety.

“**303.** The clerk of a municipal body responsible for property assessment shall provide every entity in charge of collecting the school tax of a school tax region included in whole or in part in the territory of the body with a certified copy of the assessment roll of the taxable immovables situated in the common territory and a certificate attesting the standardization factor for that roll.

The clerk shall send the copy within 15 days after the day on which the Minister of Municipal Affairs, Regions and Land Occupancy communicates to the body the standardizing factor for the municipal fiscal period in which the roll comes into force.

The copy must be provided upon payment of the fees payable for the issue of copies of municipal documents.

“304. Each year, the entity in charge of collecting the school tax shall send to the Minister, according to the form and content determined by the Minister, the information required to compute the maximum regional school tax rate.

The information must be sent on or before 1 May for the school year beginning on the next 1 July and be based on the assessment roll that is up to date on 1 April of the current school year for all the taxable immovables situated in the entity’s school tax region. The information is used for the purposes of the computations described in sections 308 to 313.4.

“§2.—Immovables subject to the regional school tax and taxable value of those immovables

“305. For each school year, a regional school tax is levied on every taxable immovable of a school tax region.

“306. A tax shall be levied in respect of the owner of a taxable immovable on the value of the adjusted standardized assessment of the immovable that exceeds \$25,000.

“§3.—Determination of the regional school tax rate

“307. The regional school tax rate is the same for all the taxable immovables of a school tax region.

It is determined and computed annually, for each school tax region, in accordance with this subdivision.

“308. The regional school tax rate is either the maximum rate computed in accordance with section 309 or a reduced rate determined in accordance with section 310.

“309. The maximum regional school tax rate corresponds to the proportion that the anticipated complementary revenues of a school tax region computed in accordance with section 312, from which the amount for regions with insufficient fiscal resources computed in accordance with section 313.3 and the amount for the regionalization of the school tax computed in accordance with section 313.4 are subtracted, is of the adjusted standardized assessment of all the taxable immovables situated in the school tax region.

The proportion must be multiplied by one hundred in order to have the maximum rate expressed in dollars per \$100 of adjusted standardized assessment. The rate is expressed as a decimal number comprising five decimals. The fifth decimal is increased by 1 if the sixth is greater than 4.

The result of the computation of the maximum rate is sent by the Minister to the entity in charge of collecting the school tax and to the school boards of the school tax region concerned.

“310. A regional school tax rate that is lower than the maximum rate computed in accordance with section 309 may be imposed in a school tax region if all the councils of commissioners of the school boards of a school tax region, which have at least one school established in the territory of that region, adopt a resolution for a lower rate. The lower rate must be specified in the resolution that the school boards are required to send to the Minister on or before 1 June preceding the school year to which the rate will apply. The rate must be expressed in dollars per \$100 of adjusted standardized assessment.

If the resolutions of the school boards do not all specify the same rate and all the rates specified are lower than the maximum rate, the rate that is the closest to the maximum rate is deemed to have been adopted by all the school boards of the region.

“311. At the end of the process carried out under sections 308 to 310, the Minister shall notify the regional school tax rate to the entity in charge of collecting the school tax and to the school boards of the school tax region concerned.

The Minister shall give notice of the rate so determined in the *Gazette officielle du Québec*.

“312. The anticipated complementary revenues of a school tax region for a school year represent the financing that the school boards of a school tax region will be able to obtain for that year as tax revenues or subsidies computed under this division and paid under section 475.

Those anticipated complementary revenues correspond to the sum of the anticipated complementary revenues of any school board whose territory is entirely situated in that region, computed in accordance with section 313, and to which a fractional value of the anticipated complementary revenues of any school board whose territory is included in part in that region is added, if applicable.

The fractional value is obtained by multiplying the anticipated complementary revenues of the school board for the school year by the proportion that the total number of students enrolled on 30 September of the preceding school year in any school of the school board situated in that school tax region is of the total number of students enrolled on that date in all the schools of the school board.

“313. The anticipated complementary revenues of a school board represent the share of the anticipated complementary revenues of a school tax region that is to be apportioned to the school board.

Those revenues are computed, for a school year, in accordance with the regulation made under section 455.1.

“313.1. For each school year, a regional balance subsidy is paid by the Minister, in accordance with section 475, to the entity in charge of collecting the school tax for the purpose of completing the tax revenues coming from the entity’s region to ensure that the anticipated complementary revenues of the school boards of the entity’s region can be reached.

The subsidy comprises an exemption compensation amount computed in accordance with section 313.2, an amount for regions with insufficient fiscal resources computed in accordance with section 313.3 and an amount for the regionalization of the school tax computed in accordance with section 313.4.

“313.2. The exemption compensation amount is computed

(1) by multiplying by \$25,000 the number of taxable immovables situated in the school tax region and whose adjusted standardized assessment is greater than \$25,000;

(2) by adding to the amount obtained under paragraph 1 the aggregate value of the adjusted standardized assessment of all the immovables situated in the school tax region and whose adjusted standardized assessment is of \$25,000 or less; and

(3) by multiplying the amount obtained under paragraph 2 by the regional school tax rate determined in accordance with section 311.

“313.3. The amount for regions with insufficient fiscal resources is computed

(1) by determining the anticipated complementary revenues of the school tax region in accordance with section 312;

(2) by determining, for the school year, the amount that would result from the application of a school tax rate of \$0.35 per \$100 of the adjusted standardized assessment of the taxable immovables situated in the school tax region; and

(3) by subtracting the amount obtained under subparagraph 2 from the amount obtained under subparagraph 1.

Where the result of the computation is less than zero, it is deemed to be equal to zero.

“313.4. The amount for the regionalization of the school tax corresponds to the amount obtained under section 94 of the Act to reform the school tax system (2018, chapter 5) for a school tax region.

“§4.—*Entity in charge of collecting the school tax and monitoring committee*

“**313.5.** This subdivision does not apply to a school board whose territory is part of a school tax region but that has no school established in that territory. Such a school board may not participate in the designation of the entity in charge of collecting the school tax of the region or take part in the monitoring committee established under section 313.10.

“**313.6.** English language and French language school boards of the same school tax region, except the Montréal school tax region, shall designate one of their number or the Comité de gestion de la taxe scolaire as the entity in charge of collecting the school tax. To be valid, a designation must be made unanimously by the school boards of a school tax region.

If no designation has been made for a school tax region, the Comité de gestion de la taxe scolaire is by virtue of office the entity in charge of collecting the school tax for that region.

The school boards shall notify the Minister of the name of the entity in charge of collecting the school tax for their school tax region. The Minister shall give notice of the designation in the *Gazette officielle du Québec*.

The Comité de gestion de la taxe scolaire is in charge of collecting the school tax for the Montréal school tax region.

“**313.7.** The designation of a school board as the entity in charge of collecting the school tax of a school tax region made in accordance with section 313.6 is valid for a period of five school years starting from the school year that follows the notice given in accordance with the third paragraph of that section. The same applies to the designation of the Comité de gestion de la taxe scolaire.

The designation is automatically renewed for successive periods of five school years, unless a school board of the school tax region notifies the school boards of its region and the Minister of its intention to revoke it. The notice must be given not later than 1 July of the last school year for which the designation is valid. In such a case, the school boards of the school tax region have until the following 31 August to make a new designation of an entity in charge of collecting the school tax, in accordance with section 313.6, which will be valid as of the following school year.

However, the school boards of a school tax region may, before the end of the period of five school years provided for in the first paragraph, designate a new entity in charge of collecting the school tax, in accordance with section 313.6, for the remainder of the period of designation.

“313.8. In the case where a new designation is made in accordance with section 313.7, 477.1.6 or 478.5, any right or obligation relating to the school tax and existing on the date of validity of the new designation devolves to the new entity in charge of collecting the school tax for any immovable situated in that region.

Any proceedings for the sale of an immovable for non-payment of school taxes or for the redemption of the immovable begun before the date referred to in the first paragraph are continued by the new entity in charge of collecting the school tax. In addition, judicial proceedings are continued without continuance of suit by the new entity.

“313.9. The entity in charge of collecting the school tax of a school tax region is in charge of collecting and recovering the school tax for that region as well as redistributing it to the school boards of the region in accordance with the apportionment principles set out in section 318.1.

“313.10. The school boards of a school tax region, except the Montréal school tax region, shall establish a committee to monitor the collection, recovery and redistribution of the regional school tax. Each school board shall designate as a member of the monitoring committee one of its commissioners elected or appointed under the Act respecting school elections (chapter E-2.3).

The committee shall elect a chair from among its members. The chair may not be a member appointed by the entity in charge of collecting the school tax.

Decisions of the committee are made by a majority vote of the members present. In the case of a tie vote, the chair has a casting vote.

However, as regards the election of a chair, it is the person who obtained the greatest number of votes cast on the matter who is elected. In the event of a tie vote, a second ballot is held only for the candidates having obtained the greatest number of votes in the first ballot. In the event of another tie vote, a new ballot for which the member designated by the entity in charge of collecting the school tax has a casting vote is held.

The committee shall establish its internal management rules.

“313.11. Subject to the second paragraph, the monitoring committee may

(1) determine the form and content of the rendering of account that must be made by the entity in charge of collecting the school tax;

(2) determine a rate applicable to any unpaid taxes in the school tax region for the purposes of section 316;

(3) approve any administrative process of tax collection and recovery implemented by the entity in charge of collecting the school tax;

(4) demand to be consulted by the entity in charge of collecting the school tax before the chair of the committee or a person it designates avails himself or herself of section 342;

(5) determine that the payment of the amounts to which the school boards are entitled will be made at shorter intervals than that provided for in the third paragraph of section 318.1;

(6) impose oversight measures on the entity in charge of collecting the school tax; and

(7) make recommendations on any subject relating to the collection, recovery and redistribution of the regional school tax to the entity in charge of collecting the school tax.

If the entity in charge of collecting the school tax is the Comité de gestion de la taxe scolaire, only the powers provided for in subparagraphs 2, 4 and 7 of the first paragraph apply.

The entity in charge of collecting the school tax shall provide the committee with any information or document required for the exercise of its functions.

“§5.— *Collection of the regional school tax*

“**314.** After notification of the regional school tax rate by the Minister in accordance with the first paragraph of section 311, the director general of the entity in charge of collecting the school tax shall cause a tax bill to be sent to every owner of a taxable immovable situated in the territory of its school tax region.

The regional school tax is payable by the owner of a taxable immovable to the entity in charge of collecting the school tax.

However, in the case of a tax levied on an immovable owned by a partnership or an immovable held in undivided co-ownership, the tax may be claimed and recovered in its entirety from any member of the partnership or from any co-owner.

“**314.1.** Any person, other than the debtor, who pays a school tax owed by another person is subrogated by operation of law in the prior claims and legal hypothecs of the entity in charge of collecting the school tax on the immovables of the debtor and may recover from the debtor the amount of tax so paid. Such subrogation is of no effect unless the receipt that the entity in charge of collecting the school tax is required to issue states that the payment was made by a third person for the debtor.

The name of such third person must be recorded in the books of the entity in charge of collecting the school tax.”

7. Section 315 of the Act is amended by replacing “the school board” in the fourth paragraph by “the entity in charge of collecting the school tax”.

8. Section 316 of the Act is amended

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

“Interest is payable on the school tax at the rate determined by the monitoring committee established under section 313.10 or, for the Montréal school tax region, by the Comité de gestion de la taxe scolaire. If no rate is so determined, the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002) applies.”;

(2) by replacing “taxes” in the third paragraph in the French text by “taxe”.

9. Section 317 of the Act is replaced by the following section:

“**317.** No entity in charge of collecting the school tax may waive the payment of the regional school tax or the interest except where an owner’s annual tax bill is for an amount under \$2.”

10. Section 317.1 of the Act is amended by replacing “the school board” in the second paragraph by “the entity in charge of collecting the school tax”.

11. Section 317.2 of the Act is amended by replacing “the school board” and “the school board’s claim” wherever they appear by “the entity in charge of collecting the school tax” and “the claim of the entity in charge of collecting the school tax”, respectively.

12. The Act is amended by inserting the following section after section 318:

“**318.1.** The entity in charge of collecting the school tax shall apportion, for every school year, the tax revenues, the regional balance subsidy paid under section 475 and any investment income derived from them among the school boards of its school tax region in such a manner as to ensure that each school board receives the anticipated complementary revenues to which it is entitled or the fractional value of those revenues in accordance with the computation provided for in section 312 or 313 or its respective share in proportion to the anticipated complementary revenues of the school tax region where the tax rate determined is lower than the maximum rate.

If there remains a balance after the apportionment, it is redistributed to the school boards of the school tax region in accordance with the respective shares of the school boards in the anticipated complementary revenues of the school tax region, such shares being computed in accordance with section 312 or 313.

Each school board shall receive the amounts to which it is entitled on a quarterly basis starting from the thirty-first day after the sending of the tax bills. The school boards of the Montréal school tax region shall receive, not later than 3 January, the amounts referred to in the first paragraph to which they are entitled.

The entity in charge of collecting the school tax shall send to the school boards of its school tax region and to the Minister, not later than the date set by the Minister, a statement of apportionment of the revenues referred to in the first and second paragraphs, according to the form and content determined by the Minister.

In the case of the Montréal school tax region, the balance, after deducting the amount determined by the Comité for its purposes in relation to that region, is apportioned among the school boards to ensure the upgrading of education in economically disadvantaged areas of the region, at such periods and according to the apportionment rules determined by a resolution adopted by the vote of at least two-thirds of the members of the Comité de gestion de la taxe scolaire having the right to vote on the matter.”

13. Sections 319 to 321 of the Act are repealed.

14. Section 322 of the Act is amended

(1) by replacing “to the school board” in the first paragraph by “to the entity in charge of collecting the school tax”;

(2) by replacing “The school board” in the second paragraph by “The entity in charge of collecting the school tax”.

15. Section 323 of the Act is repealed.

16. Section 324 of the Act is amended by replacing “to the school board” by “to the entity in charge of collecting the school tax”.

17. The heading of subdivision 4 before section 325 of the Act is replaced by the following heading:

“§6.—*Recovery of the regional school tax*”.

18. Section 326 of the Act is amended

(1) by inserting “of the entity in charge of collecting the school tax” after “director general”;

(2) by replacing “school board” by “school tax region”.

19. Section 327 of the Act is amended by replacing “of the school board” wherever it appears by “of the entity in charge of collecting the school tax”.

20. Section 331 of the Act is amended by replacing “of the school board” in the second paragraph by “of the entity in charge of collecting the school tax”.

21. Sections 336 to 339 of the Act are amended by replacing “director general” wherever it appears by “director general of the entity in charge of collecting the school tax”.

22. Section 340 of the Act is amended

(1) by replacing “to the council of commissioners for approval” in the first paragraph by “for approval to the council of commissioners of the entity in charge of collecting the school tax or, as the case may be, to the Comité de gestion de la taxe scolaire, and for information to the monitoring committee established under section 313.10”;

(2) by replacing “director general” in the second paragraph by “director general of the entity in charge of collecting the school tax”.

23. Section 341 of the Act is amended by replacing “director general of a school board” by “director general of the entity in charge of collecting the school tax”.

24. Section 342 of the Act is amended

(1) by replacing “in the territory of a school board”, “the school board may” and “the school board,” in the first paragraph by “in a school tax region”, “the entity in charge of collecting the school tax may, after conducting the consultation required, if applicable, under subparagraph 4 of the first paragraph of section 313.11,” and “the entity,”, respectively;

(2) by replacing “The school board may also” in the second paragraph by “The entity in charge of collecting the school tax may, in the same manner,”;

(3) by replacing “of the school board” and “the school board shall pay” in the third paragraph by “of the entity in charge of collecting the school tax” and “the entity in charge of collecting the school tax shall pay”, respectively.

25. Section 343 of the Act is amended

(1) by replacing “The school board” and “from the school board” in the first paragraph by “The entity in charge of collecting the school tax” and “from the entity in charge of collecting the school tax”, respectively;

(2) by replacing “, the redemption price shall include, in addition to the amount paid by the school board” in the second paragraph by “by the owner of the immovable, the redemption price shall include, in addition to the amount paid by the entity in charge of collecting the school tax”;

(3) by replacing “the bailiff or” and “of the school board” in the fourth paragraph by “the director general of the entity in charge of collecting the school tax, the bailiff or the” and “of the entity in charge of collecting the school tax”, respectively.

26. Section 344 of the Act is replaced by the following section:

“344. Any immovable acquired at auction by the entity in charge of collecting the school tax for which the right of redemption is not exercised within the period fixed by law and that is not required for the carrying on of its activities must be disposed of in accordance with the regulation referred to in the second paragraph of section 272.

Where the entity in charge of collecting the school tax, other than the Comité de gestion de la taxe scolaire, wishes to keep an immovable for the carrying on of its activities, it must inform the monitoring committee. In such a case, the value that corresponds to the purchase price of the immovable is deducted from the revenues to be paid to it under section 318.1.”

27. Subdivision 5 of Division VII of Chapter V of the Act, comprising sections 345 to 353, is repealed.

28. The heading of Chapter VI before section 399 of the Act is amended by striking out “DE L’ÎLE DE MONTRÉAL”.

29. Section 399 of the Act is replaced by the following section:

“399. A school tax management committee is established under the name “Comité de gestion de la taxe scolaire”.

With respect to the school tax, the Comité acts as the entity in charge of collecting the school tax for the Montréal school tax region and for any other region for which it is designated under the first or second paragraph of section 313.6 or section 478.5.

For any other matter assigned to it, the Comité has jurisdiction over the school boards of the Montréal school tax region.”

30. Section 401 of the Act is amended by replacing “on the island of Montréal” in the third paragraph by “of the school tax region for which it is the entity in charge of collecting the school tax”.

31. Section 402 of the Act is replaced by the following section:

“402. The Comité is composed of

(1) a commissioner elected or appointed under the Act respecting school elections (chapter E-2.3) from each school board of the Montréal school tax region, designated by the school board from among its commissioners;

(2) a person domiciled in the Montréal school tax region, designated by the Minister after consultation with the parents' committees of the school boards of that region;

(3) a member of the management personnel of the Ministère de l'Éducation, du Loisir et du Sport, but not entitled to vote, designated by the Minister; and

(4) a commissioner elected or appointed under the Act respecting school elections for each school tax region for which the Comité becomes the entity in charge of collecting the school tax, designated by the Minister, after consultation with the monitoring committee established under section 313.10, from among the commissioners of that region.

No member of the Comité may be a member of the personnel of the Comité or of a school board of a school tax region for which the Comité is in charge of collecting the school tax.

No member of the Comité designated in accordance with subparagraph 4 of the first paragraph is entitled to vote on the matters concerning exclusively the school boards of the Montréal school tax region.

If a school board fails to designate a commissioner in accordance with subparagraph 1 of the first paragraph, the Minister shall, within 30 days of the vacancy, designate a person from among the commissioners of that school board."

32. Section 403 of the Act is amended

(1) by inserting "of the Montréal school tax region" after "school board";

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

"For each school tax region for which the Comité becomes the entity in charge of collecting the school tax, the Minister may designate as a substitute another commissioner who is elected or appointed under the Act respecting school elections (chapter E-2.3) from any of the school boards of that region, after consulting with the monitoring committee of that region established under section 313.10."

33. The Act is amended by inserting the following section after section 403:

"403.1. No commissioner whose school electoral division is entirely situated outside the Montréal school tax region may be designated as a member of the Comité under subparagraph 1 of the first paragraph of section 402 or as a substitute under the first paragraph of section 403."

34. Section 407 of the Act is repealed.

35. Section 411 of the Act is replaced by the following section:

“411. The Comité shall send, at the same time as to its members, a copy of the convocation notice and of the agenda of any extraordinary sitting to each school board of the Montréal school tax region and to the monitoring committee, established under section 313.10, of each region for which it is in charge of collecting the school tax.”

36. Section 412 of the Act is amended by replacing “secretary” by “director general”.

37. Section 415 of the Act is amended

(1) by replacing “, 160, the first paragraph of section 161” by “to 161”;

(2) by replacing “and 175 to 178” by “, 175 to 176, paragraph 3 of section 176.1 and sections 177 to 178”;

(3) by inserting “, with the necessary modifications” at the end of the first sentence.

38. Section 420 of the Act is amended by replacing “Sections 200, 201.1 and 201.2” in the second paragraph by “Sections 200 to 201.2”.

39. Section 421 of the Act is repealed.

40. Division V of Chapter VI of the Act is amended by replacing the portion before section 423 by the following:

“DIVISION V

“FUNCTIONS AND POWERS AS REGARDS LOANS CONTRACTED

“422.1. In this division, the school boards of the Montréal school tax region are considered to be school boards on the island of Montréal.

In addition, “Council” means the Conseil scolaire de l’île de Montréal which is succeeded by the Comité de gestion de la taxe scolaire under section 723.0.1.”

41. The Act is amended by inserting the following after section 429:

“DIVISION VI

“OTHER MEASURES, FUNCTIONS AND POWERS”.

42. Section 430 of the Act is amended by replacing both occurrences of “on the island of Montréal” by “in the Montréal school tax region”.

43. Sections 434.1 to 443 of the Act are repealed.

44. Section 445 of the Act is amended

(1) by striking out the last sentence;

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

“The Comité shall transmit a copy of the documents adopted under the first paragraph to the school boards of the Montréal school tax region and to the monitoring committee, established under section 313.10, of every school tax region for which it is in charge of collecting the school tax.”

45. Section 455.1 of the Act is replaced by the following section:

“455.1. The Government shall, by regulation, determine the method for computing the anticipated complementary revenues of a school board that are provided for in section 313. The method must allow for the determination of basic financing and of financing that takes the number of students into account.

The basic financing prescribed by the regulation may vary according to the categories of school boards or the types of activities.

The financing that takes the number of students into account prescribed by the regulation may include rules for establishing the number of eligible students. In particular, it may vary according to the categories of students, weighting indexes applicable to them, measures to lessen the effect of a decline in the number of students of a school board, and the categories of school boards.

The regulation may prescribe an indexation formula for the amounts it contains or set indexation rates applicable to those amounts.”

46. Section 473.1 of the Act is amended

(1) by replacing “de l’île de Montréal, in order to take into account special situations” in the first paragraph by “, in order to take into account special situations or responsibilities”;

(2) by striking out “de l’île de Montréal” in subparagraph 3 of the second paragraph.

47. Sections 475 and 475.1 of the Act are replaced by the following section:

“475. The Minister shall, in the budgetary rules referred to in section 472, provide for the payment to the entity in charge of collecting the school tax of a regional balance subsidy, computed in accordance with sections 313.1 to 313.4, to ensure that the school boards of a school tax region may obtain their anticipated complementary revenues computed in accordance with section 313.

The amounts apportioned among the school boards in accordance with the second paragraph of section 318.1 must be taken into account in determining the subsidy amounts granted under the budgetary rules referred to in section 472 and may be considered to stand in lieu of subsidies, in whole or in part.”

48. Section 477.1.1 of the Act is amended by adding the following sentence at the end of the first paragraph: “The Government may, for the same reasons, order that the ownership of an immovable acquired by any entity in charge of collecting the school tax under sections 342 to 344 be transferred to another school board if it is useful for the carrying on of the latter’s activities.”

49. The Act is amended by inserting the following section after section 477.1.5:

“477.1.6. The Minister may, after consulting with the monitoring committee of a school tax region and from the date the Minister determines, relieve the Comité de gestion de la taxe scolaire from its responsibility to act as the entity in charge of collecting the school tax of a school tax region, other than the Montréal school tax region, to entrust it to the school board of the Minister’s choice situated in that school tax region for the remainder of the Comité’s period of designation, as if the designation had been made in accordance with subdivision 4 of Division VII of Chapter V.”

50. Section 478.5 of the Act is amended

(1) by striking out “de l’île de Montréal”;

(2) by adding the following sentence at the end: “The Minister may also cancel the designation of a school board as the entity in charge of collecting the school tax of a school tax region and designate the Comité de gestion de la taxe scolaire or, at the request of all the school boards of the school tax region other than the school board in charge of collecting the school tax, one of the school boards of that region to act as the entity in charge of collecting the school tax for the remainder of the school board’s period of designation, as if the designation had been made in accordance with subdivision 4 of Division VII of Chapter V.”

51. Sections 481 to 485 of the Act are repealed.

52. Section 487 of the Act is amended by striking out “, in any one of paragraphs 1 to 3, 6 or 8 of section 481 or in section 485”.

53. Section 488 of the Act is repealed.

54. Section 492 of the Act is amended by replacing “school board or the Conseil” by “school board or the Comité de gestion de la taxe scolaire”.

55. Section 715 of the Act is repealed.

56. The Act is amended by inserting the following section after section 723:

“723.0.1. The Comité de gestion de la taxe scolaire replaces the Comité de gestion de la taxe scolaire de l’île de Montréal and the Conseil scolaire de l’île de Montréal. It shall acquire their rights and assume their obligations.”

57. Sections 723.2 to 723.5 of the Act are repealed.

58. The Act is amended by replacing “Comité de gestion de la taxe scolaire de l’île de Montréal” wherever it appears in sections 451, 452, 472, 474, 476, 477, 478, 478.3, 479, 480 and 491 by “Comité de gestion de la taxe scolaire”.

59. The Act is amended by adding the following schedule at the end:

“SCHEDULE I

“(Section 302)

“SCHOOL TAX REGIONS

“The territories identified below, described according to the geographical boundaries of the French language school boards and applying to the English language and French language school boards situated in whole or in part in them, subject to section 313.5, and, for tax purposes, to any immovable situated in such territories, are school tax regions.

| School tax region | Description of the territory |
|-----------------------|---|
| Abitibi-Témiscamingue | The territory of the Harricana, Lac-Abitibi, Lac-Témiscamingue, Or-et-des-Bois and Rouyn-Noranda school boards. |
| Bas-Saint-Laurent | The territory of the Fleuve-et-des-Lacs, Kamouraska-Rivière-du-Loup, Monts-et-Marées and Phares school boards. |
| Capitale-Nationale | The territory of the Capitale, Charlevoix, Découvreurs, Portneuf and Premières-Seigneuries school boards. |
| Centre-du-Québec | The territory of the Bois-Francs, Chênes and Riveraine school boards. |
| Chaudière-Appalaches | The territory of the Appalaches, Beauce-Etchemin, Côte-du-Sud and Navigateurs school boards. |
| Côte-Nord | The territory of the Estuaire, Fer and Moyenne-Côte-Nord school boards. |

| | |
|-------------------------|--|
| Estrie | The territory of the Hauts-Cantons, Région-de-Sherbrooke and Sommets school boards. |
| Gaspésie | The territory of the Chic-Chocs and René-Lévesque school boards. |
| Îles-de-la-Madeleine | The territory of the Commission scolaire des Îles. |
| Lanaudière | The territory of the Affluents and Samares school boards. |
| Laurentides | The territory of the Laurentides, Pierre-Neveu, Rivière-du-Nord and Seigneurie-des-Mille-Îles school boards. |
| Laval | The territory of the Commission scolaire de Laval. |
| Mauricie | The territory of the Chemin-du-Roy and Énergie school boards. |
| Montérégie | The territory of the Grandes-Seigneuries, Hautes-Rivières, Marie-Victorin, Patriotes, Saint-Hyacinthe, Sorel-Tracy, Trois-Lacs, Val-des-Cerfs and Vallée-des-Tisserands school boards. |
| Montréal | The territory of the Marguerite-Bourgeoys, Montréal and Pointe-de-l'Île school boards. |
| Nord-du-Québec | The territory of the Commission scolaire de la Baie-James. |
| Outaouais | The territory of the Cœur-des-Vallées, Draveurs, Hauts-Bois de l'Outaouais and Portages-de-l'Outaouais school boards. |
| Saguenay–Lac-Saint-Jean | The territory of the Jonquière, Lac-Saint-Jean, Rives-du-Saguenay and Pays-des-Bleuets school boards. „ |

CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

60. Section 157 of Schedule C to the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is amended by striking out “or school” in the first paragraph.

CITIES AND TOWNS ACT

61. Section 29.10.1 of the Cities and Towns Act (chapter C-19) is amended by striking out subparagraph 3 of the second paragraph.

62. Section 497 of the Act is amended by striking out “or school” in the second paragraph.

63. Section 500 of the Act is repealed.

MUNICIPAL CODE OF QUÉBEC

64. Article 14.8.1 of the Municipal Code of Québec (chapter C-27.1) is amended by striking out subparagraph 3 of the second paragraph.

65. Article 203 of the Code is amended by striking out the fourth paragraph.

66. Article 984 of the Code is amended by striking out “or school” in the first paragraph.

67. Article 986 of the Code is repealed.

68. Article 1022 of the Code is amended by replacing “of the school board concerned” in subparagraph 4 of the first paragraph by “of the entity in charge of collecting the school tax concerned, designated under the Education Act (chapter I-13.3)”.

69. Article 1023 of the Code is amended by replacing “school board” in the second paragraph by “entity in charge of collecting the school tax”.

70. Article 1024 of the Code is amended by replacing “of a school board” in the first paragraph by “of an entity in charge of collecting the school tax”.

ACT RESPECTING THE COMMISSION MUNICIPALE

71. Section 65 of the Act respecting the Commission municipale (chapter C-35) is amended

(1) by replacing “to each school board” in the first paragraph by “to the entity in charge of collecting the school tax, designated under the Education Act (chapter I-13.3),”;

(2) by replacing “The school board” in the second paragraph by “The entity in charge of collecting the school tax”.

72. Section 76 of the Act is amended by replacing “school board or *fabrique*” in the second paragraph by “*fabrique* or entity in charge of collecting the school tax”.

ACT RESPECTING MUNICIPAL COURTS

73. Section 28 of the Act respecting municipal courts (chapter C-72.01) is amended by striking out paragraph 2.

ACT RESPECTING SCHOOL ELECTIONS

74. Section 1.1 of the Act respecting school elections (chapter E-2.3) is amended by striking out “and pays school taxes to that school board,” in the second paragraph.

75. Section 21 of the Act is amended by replacing the third paragraph by the following paragraph:

“Employees of the Comité de gestion de la taxe scolaire are disqualified for election to the office of school commissioner of any school board of a school tax region for which the Comité is in charge of collecting the school tax.”

ACT RESPECTING MUNICIPAL TAXATION

76. Section 1 of the Act respecting municipal taxation (chapter F-2.1) is amended, in the first paragraph,

(1) by inserting the following definition in alphabetical order:

““**entity in charge of collecting the school tax**” means the school board or the Comité de gestion de la taxe scolaire so designated under the Education Act (chapter I-13.3);”;

(2) by replacing “that a local municipality or a school board imposes on an immovable or in respect of the immovable if the tax or surtax is imposed regardless of use” in the definition of “**property tax**” by “imposed by a local municipality or a tax imposed under the Education Act on an immovable or, if it is imposed regardless of use, in respect of the immovable”.

77. Section 3 of the Act is amended by inserting “, entity in charge of collecting the school tax” after “school board”.

78. Sections 124, 210 and 245 of the Act are amended by replacing “school board” wherever it appears by “the entity in charge of collecting the school tax”, sections 138.5, 149, 179, 213 and 220.4 of the Act are amended by replacing “school board” wherever it appears by “entity in charge of collecting the school tax” and section 250 of the Act is amended by replacing “a school board” by “an entity in charge of collecting the school tax”.

79. Section 253.35 of the Act is amended by replacing “in the case referred to in section 310” in the second paragraph by “where required under Division VII of Chapter V”.

80. Section 264 of the Act is amended by replacing “a school board” in the last paragraph by “an entity in charge of collecting the school tax”.

81. Section 495 of the Act is amended by replacing “No school board may exercise a taxation power” by “No school board or entity in charge of collecting the school tax may exercise a power relating to taxation”.

REGULATION RESPECTING THE MUNICIPAL AND SCHOOL TAX SYSTEM APPLICABLE TO THE GOVERNMENTS OF THE OTHER PROVINCES, FOREIGN GOVERNMENTS AND INTERNATIONAL BODIES

82. Section 6 of the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12) is amended

(1) by replacing “school board” in the first paragraph by “to the entity in charge of collecting the school tax of the school tax region in which the immovable is situated”;

(2) by striking out the second paragraph.

83. Section 7 of the Regulation is amended by replacing “. If the school tax in lieu of which the sum stands is not collected by a local municipality, the word “municipality” in the Regulation means a school board” in the second paragraph by “and the word “municipality” means the entity in charge of collecting the school tax, designated under the Education Act (chapter I-13.3)”.

REGULATION RESPECTING DETERMINATION OF THE BASE AMOUNT FOR CALCULATION OF THE MAXIMUM YIELD OF THE SCHOOL TAX

84. The Regulation respecting determination of the base amount for calculation of the maximum yield of the school tax (chapter I-13.3, r. 6) is repealed.

REGULATION RESPECTING THE NORMS, CONDITIONS AND PROCEDURE FOR DISPOSING OF AN IMMOVABLE OF A SCHOOL BOARD

85. Section 7 of the Regulation respecting the norms, conditions and procedure for disposing of an immovable of a school board (chapter I-13.3, r. 7) is amended by replacing “or is adjacent to it” in subparagraph 1 of the first paragraph by “, is adjacent to it or is part of its school tax region”.

TRANSITIONAL AND FINAL PROVISIONS

86. No referendum on the imposition of a tax or surtax may be held under the Education Act (chapter I-13.3), despite sections 308, 345 to 353, 440 to 443, 475, 475.1 and 723.5 of that Act.

87. For the school years 2018–2019 and 2019–2020,

(1) section 302 of the Education Act is to be read

(a) as if “or by its adjusted value under the second and third paragraphs of section 310” were inserted at the end of paragraph 2;

(b) as if “or trust” were inserted after “person” in paragraph 4;

(2) section 303 of the Act is to be read as if “on the Island of Montréal, may levy” in the first paragraph were replaced by “in the Montréal school tax region, shall levy”;

(3) section 308 of the Act is to be read

(a) as if the first paragraph were struck out;

(b) as if “yield of the tax” in the second paragraph were replaced by “tax proceeds of a school board”;

(c) as if the following paragraphs were added at the end:

“The maximum school tax proceeds of a school tax region correspond to the sum of the maximum school tax proceeds of any school board whose territory is entirely situated in that region, computed in accordance with the first paragraph, and to which a fractional value of the maximum school tax proceeds of any school board whose territory is included in part in that region is added, if applicable.

The fractional value is obtained by multiplying the maximum school tax proceeds of the school board for the school year by the proportion that the total number of students enrolled on 30 September of the preceding school year in any school of the school board situated in that school tax region is of the total number of students enrolled on that date in all the schools of the school board.”;

(4) the Act is to be read as if the following section were inserted after section 310:

“310.1. A tax shall be levied in respect of every owner of a taxable immovable on the amount of the standardized assessment of the immovable that exceeds \$25,000.”;

(5) section 311 of the Act is to be read as if the following paragraphs were added at the end:

“Starting from 1 July 2019, as soon as the school board receives the documents from the clerk, it shall send a copy to the entity in charge of collecting the school tax designated in accordance with section 313.6.

In addition, the school board shall also send the entity any document or information it may need in order to fully exercise its functions starting from 1 July 2020 and to have up-to-date information concerning the collection and recovery of the school tax.”;

(6) section 312 of the Act is to be read as follows:

“312. The rate or, where the territory of a school board is situated in more than one school tax region, the rates of the school tax which a school board shall levy for the school year 2018–2019 are shown in Schedule I to the Act to reform the school tax system (2018, chapter 5).

The rate or rates which the school board shall impose for the school year 2019–2020 are those shown in that Schedule, multiplied by the factor determined by the formula

$$(A/B) \times (C/D).$$

For the purposes of the formula in the second paragraph,

(1) A is the maximum school tax proceeds of the school tax region for the school year 2019–2020;

(2) B is the maximum school tax proceeds of the school tax region for the school year 2018–2019;

(3) C is the standardized assessment of the taxable immovables of the school tax region based on the assessment roll that is up to date on 1 May 2018; and

(4) D is the standardized assessment of the taxable immovables of the school tax region based on the assessment roll that is up to date on 1 May 2019.

Where the result of the computation is a rate that exceeds \$0.35 per \$100 of the standardized assessment of the taxable immovables of a school tax region, the tax rate applicable for the school year 2019–2020 is \$0.35 per \$100.

The school boards or, regarding its responsibilities relating to the Montérégie school tax region, the Comité de gestion de la taxe scolaire de l'île de Montréal shall send the Minister, on the date and according to the form and content determined by the Minister, the information required to compute the rates for the school year 2019–2020.

The Minister shall notify the regional school tax rate for the school year 2019–2020 to the school boards and the Comité de gestion de la taxe scolaire de l'île de Montréal. The Minister shall give notice of the rates so determined in the *Gazette officielle du Québec*.”;

(7) section 313 of the Act is to be read as if “situated in the same school tax region” were inserted at the end of the first paragraph;

(8) section 314 of the Act is to be read as if “Once the school tax is levied” were replaced by “After 1 July of the school year concerned”;

(9) section 434.1 of the Act is to be read as if “of the school boards on the island of Montréal to meet their needs” were replaced by “of the Montréal school tax region and in the part of the territory of the Lester-B.-Pearson School Board situated in the territory of the Montérégie school tax region”;

(10) section 434.2 of the Act is to be read as follows:

“434.2. The rate of the school tax levied by the Comité for the school year 2018–2019 for the Montréal school tax region may not exceed \$0.17832 per \$100 of the standardized assessment of the taxable immovables situated in that school tax region.

Nor may the rate exceed the rate required to obtain tax proceeds that correspond to the maximum school tax proceeds of the Montréal school tax region for the school year 2018–2019 computed in accordance with the third and fourth paragraphs of section 308.”;

(11) the Act is to be read as if the following section were inserted after section 434.2:

“434.2.1. The rate of the school tax levied by the Comité for the school year 2019–2020 for the Montréal school tax region may not exceed \$0.17832 per \$100 of the standardized assessment of the taxable immovables of that school tax region, multiplied by the factor determined by the formula in the second paragraph of section 312 applied to the Montréal school tax region. If applicable, the third paragraph of that section applies.

In addition, the rate may not exceed the rate required to obtain tax proceeds that correspond to the maximum school tax proceeds of the Montréal school tax region for the school year 2019–2020 computed in accordance with the third and fourth paragraphs of section 308.

The Comité shall send the Minister, on the date and according to the form and content determined by the Minister, the information required to compute the maximum rate for the Montréal school tax region for the school year 2019–2020.”;

(12) section 434.3 of the Act is to be read as if “, 310.1” were inserted after “310”;

(13) section 434.4 of the Act is to be read

(a) as if the first paragraph were replaced by the following paragraph:

“For the purposes of section 434.1 in relation to the part of the territory of the Lester-B.-Pearson School Board situated in the Montérégie school tax region, the Comité shall exercise, on that part of the territory, in accordance with sections 304 to 307, such functions and powers as would have been exercised by the school board if section 303 were applicable to it.”;

(b) as if “on the island of Montréal” in the second paragraph were replaced by “situated in whole or in part in the Montréal school tax region”;

(14) section 434.5 of the Act is to be read

(a) as if “on the island of Montréal” and “in the second and third paragraphs of section 308” in the first paragraph were replaced by “in the Montréal school tax region” and “in the first and second paragraphs of section 308”, respectively;

(b) as if the following paragraph were inserted after the first paragraph:

“The request of the Lester-B.-Pearson School Board must concern only the part of its territory situated in the Montréal school tax region. The amount requested may not exceed the fractional value of its maximum school tax proceeds, computed in accordance with the fourth paragraph of section 308.”;

(c) as if “on the island of Montréal” in the second paragraph were replaced by “situated in whole or in part in the Montréal school tax region”;

(15) section 435 of the Act is to be read as follows:

“**435.** The Comité shall, each year, determine the school tax rate for the Montréal school tax region.

In addition, the Comité shall provide the school boards, before the adoption of the resolution referred to in the first paragraph of section 434.5, with a projection of the school tax rate that could result if the school boards of the Montréal school tax region require the maximum school tax proceeds of that school tax region, established by performing the computations provided for in section 308.

Lastly, the school tax rate applicable for the school year 2018–2019 for the part of the territory of the Lester-B.-Pearson School Board situated in the Montérégie school tax region is \$0.17832 per \$100 of the standardized assessment of the taxable immovables. Such a rate is adjusted in accordance with section 312 for the school year 2019–2020.”;

(16) section 439 of the Act is to be read

(a) as if subparagraph 1 of the first paragraph were replaced by the following subparagraphs:

“(1) each school board whose territory is entirely situated in the Montréal school tax region shall receive, not later than 3 January, that part of the school tax proceeds and, as the case may be, of the balance subsidy provided for in section 475.1 that corresponds to the amount requested by the school board; a school board may not receive any amount in excess of the maximum school tax proceeds resulting from the computations provided for in the first and second paragraphs of section 308;

“(1.1) the Lester-B.-Pearson School Board shall receive, not later than 3 January, for the part of its territory situated in the Montréal school tax region, a part of the school tax proceeds and, as the case may be, of the balance subsidy provided for in section 475.1 that corresponds to the amount requested by the school board; the school board may not receive any amount in excess of the fractional value of the maximum school tax proceeds for that region computed in accordance with the fourth paragraph of section 308; and”;

(b) as if the following paragraph were added at the end:

“The Comité shall pay to the Lester-B.-Pearson School Board, not later than 3 January, the school tax proceeds obtained for the part of its territory situated in the Montérégie school tax region.”;

(17) section 475 of the Act is to be read as follows:

“475. The Minister shall, in the budgetary rules set out in section 472, provide for the payment of a balance subsidy to every school board other than a school board to which section 475.1 or 475.1.1 applies. The subsidy shall be fixed by the Minister

(1) by determining, for a school year, the maximum school tax proceeds of the school board by performing the computations provided for in section 308;

(2) by determining, for that school year, the amount that is the school tax proceeds that would have been obtained as at 1 May of the preceding school year by applying the rate or rates to be imposed by the school board to the taxable immovables, with reference to the value mentioned in section 310.1; and

(3) by subtracting the amount obtained under subparagraph 2 from the amount obtained under subparagraph 1.

Where the result obtained under subparagraph 3 of the first paragraph is less than zero, the result corresponds to tax proceeds in excess of the maximum school tax proceeds computed in accordance with section 308. The excess amount must be deducted from the other subsidies that can be paid under section 472.

In addition, the tax proceeds obtained for a school year by a school board in excess of the amount obtained in computing the maximum school tax proceeds, other than that referred to in the second paragraph, is taken into account in determining the subsidy amounts granted under the budgetary rules referred to in section 472 and may be considered to stand in lieu of subsidies, in whole or in part.

The school boards shall send the Minister, on the date and according to the form and content determined by the Minister, the information required to compute the balance subsidy.”;

(18) section 475.1 of the Act is to be read as follows:

“**475.1.** The Minister shall, in the budgetary rules set out in section 472, provide for the payment of a balance subsidy to the Comité de gestion de la taxe scolaire de l’île de Montréal. The subsidy shall be fixed by the Minister

(1) by determining, for a school year, the maximum school tax proceeds for the Montréal school tax region;

(2) by determining, for that school year, the amount that is the school tax proceeds that would have been obtained as at 1 May of the preceding school year by applying the maximum rate that may be determined by the Comité under section 434.2 or 434.2.1, as the case may be, to all the taxable immovables situated in the Montréal school tax region, with reference to the value mentioned in section 310.1; and

(3) by subtracting the amount obtained under subparagraph 2 from the amount obtained under subparagraph 1.

Where the result obtained under subparagraph 3 of the first paragraph is less than zero, it is deemed to be equal to zero.

The Comité shall send the Minister, on the date and according to the form and content determined by the Minister, the information required to compute the balance subsidy.”;

(19) the Act is to be read as if the following section were inserted after section 475.1:

“**475.1.1.** The Minister shall, in the budgetary rules set out in section 472, provide for the payment of a balance subsidy to the Lester-B.-Pearson School Board for the part of its territory situated in the Montérégie school tax region. The subsidy shall be fixed by the Minister

(1) by determining, for a school year, the fractional value of the maximum school tax proceeds of the Lester-B.-Pearson School Board for the part of its territory situated in the Montérégie school tax region computed in accordance with the fourth paragraph of section 308;

(2) by determining, for that school year, the amount that is the portion of the school tax proceeds that would have been obtained as at 1 May of the preceding school year by applying the rate specified in the last paragraph of section 435 to the immovables situated in the Montérégie school tax region that are taxable by the Comité de gestion de la taxe scolaire de l'île de Montréal, with reference to the value mentioned in section 310.1; and

(3) by subtracting the amount obtained under subparagraph 2 from the amount obtained under subparagraph 1.

Where the result obtained under subparagraph 3 of the first paragraph is less than zero, the result corresponds to tax proceeds in excess of the fractional value of the maximum school tax proceeds computed in accordance with subparagraph 1 of the first paragraph. The excess amount must be deducted from the subsidies that can be paid under section 472.

In addition, the tax proceeds obtained for a school year by the Lester-B.-Pearson School Board for the Montérégie school tax region in excess of the amount obtained in computing the fractional value of its maximum school tax proceeds for that region, other than that referred to in the second paragraph, is taken into account in determining the subsidy amounts granted under the budgetary rules referred to in section 472 and may be considered to stand in lieu of subsidies, in whole or in part.

The Comité de gestion de la taxe scolaire de l'île de Montréal and the Lester-B.-Pearson School Board shall send the Minister, on the date and according to the form and content determined by the Minister, the information required to compute the balance subsidy.”

88. The school boards of a school tax region have until 30 June 2019 to designate an entity in charge of collecting the school tax starting from the school year 2020–2021 and inform the Minister in accordance with section 313.6 of the Education Act.

89. For the purpose of applying the school tax to the school year 2020–2021, the formalities necessary for determining the regional school tax rate may validly be completed within the 90 days preceding 1 July 2020, to take effect on that date.

90. A school board may enter into an agreement with the entity in charge of collecting the school tax of its school tax region, designated in accordance with section 88, to allow the entity to exercise on its behalf, for all or part of the school year 2019–2020, any responsibility relating to the collection or recovery of the school tax entrusted to the school board under the Education Act.

91. Any right or obligation relating to the school tax and existing on 1 July 2020 for each school tax region devolves to the entity in charge of collecting the school tax designated under section 313.6 of the Education Act, enacted by section 6 of this Act, in respect of any immovable situated in that region.

Any proceedings for the sale of an immovable for non-payment of school taxes or for the redemption of the immovable begun before 1 July 2020 are continued by the entity in charge of collecting the school tax of the school tax region in which the immovable concerned is situated. In addition, judicial proceedings are continued without continuance of suit by the new entity.

92. Despite the second paragraph of section 318.1 of the Education Act, enacted by section 12 of this Act, the apportionment of amounts collected by the entity in charge of collecting the school tax for amounts owed before 1 July 2020 by owners of immovables situated in its school tax region must be carried out in such a way that the amounts are apportioned, among the school boards of its region, in proportion to the unpaid taxes owed to them as at that date.

93. Unless the context indicates otherwise, in any Act, regulation or other document, a reference to the Comité de gestion de la taxe scolaire de l'île de Montréal is a reference to the Comité de gestion de la taxe scolaire.

94. For the purposes of section 313.4 of the Education Act, enacted by section 6 of this Act, the amount for the regionalization of the school tax of a school tax region that is applicable from the school year 2020–2021 is determined by the formula

$$(A + B) - (C + D).$$

For the purposes of the formula in the first paragraph,

(1) A, which may be negative, is the total of the results obtained under subparagraph 3 of the first paragraph of section 475 of the Education Act for the school year 2019–2020 by any school board whose territory is entirely situated in the school tax region;

(2) B, which may be negative, is the total of the results obtained by performing the following computations for any school board whose territory is situated in part in the school tax region:

(a) determining the fractional value of the maximum school tax proceeds of each school board concerned, for the part of its territory situated in that region, computed in accordance with the fourth paragraph of section 308 for the school year 2019–2020;

(b) determining, for that school year, the amount that is the portion of the school tax proceeds of the school board that would have been obtained according to the assessment roll updated to 1 May 2019 by applying the rate imposed for the year 2019–2020 to the immovables situated in the school tax region that are taxable by the school board, with reference to the value mentioned in section 310.1 of the Education Act; and

(c) subtracting the amount obtained under subparagraph *b* from the amount obtained under subparagraph *a*;

(3) C is the exemption compensation amount computed in accordance with section 313.2 of the Education Act, enacted by section 6 of this Act, as if it had been applicable to the school year 2019–2020, on the basis of the assessment roll that is up to date on 1 May 2019 and by replacing “determined in accordance with section 311” in paragraph 3 of that section by “determined in accordance with section 312 or the third paragraph of section 435, as the case may be, or, for the Montréal school tax region, by the maximum rate that can be determined under section 434.2.1”; and

(4) D is the amount for regions with insufficient fiscal resources computed according to the assessment roll updated to 1 May 2019 in accordance with section 313.3 of the Education Act, enacted by section 6 of this Act, as if it had been applicable to the school year 2019–2020, and by replacing “anticipated complementary revenues of the school tax region in accordance with section 312” in subparagraph 1 of the first paragraph of that section by “maximum school tax proceeds of the school tax region in accordance with section 308”.

Where the result of the addition of A and B in the formula in the first paragraph is less than zero, it is deemed to be equal to zero. The same applies to the amount determined by the whole formula.

For the Montréal school tax region, the result of the addition of A and B in the formula in the first paragraph is replaced by the amount obtained under section 475.1 of the Education Act, enacted by paragraph 18 of section 87 of this Act.

For the Montérégie school tax region, the portion of B attributable to the Lester-B.-Pearson School Board corresponds to the result obtained under subparagraph 3 of the first paragraph of section 475.1.1 of the Education Act, enacted by paragraph 19 of section 87 of this Act.

95. The Government may, by regulation, take, before 28 September 2019, any measure necessary or useful for carrying out this Act and fully achieving its purpose.

Such a regulation may, if it so provides, apply from a date not prior to 28 March 2018 and is not subject to the publication requirement or the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1).

96. This Act comes into force on 1 July 2020, except

(1) sections 36 to 39, 86 to 91, 94 and 95 and Schedule I, which come into force on 27 April 2018;

(2) sections 1 and 2, the provisions of section 6, to the extent that it enacts the definition of “school tax region” in section 302 of the Education Act, and sections 57 and 59, which come into force on 1 July 2018; and

(3) the provisions of section 6, to the extent that it enacts the heading of subdivision 4 of Division VII of Chapter V and sections 313.5 to 313.7, 313.10 and 313.11 of the Education Act, which come into force on 1 July 2019.

Until 1 July 2020, the provisions specified in subparagraph 3 of the first paragraph are to be read as if “Comité de gestion de la taxe scolaire” were replaced by “Comité de gestion de la taxe scolaire de l’île de Montréal”. In addition, the decisions of the monitoring committee regarding the powers described in section 313.11 may not take effect before 1 July 2020.

SCHEDULE I
(Section 87, paragraph 6)

SCHOOL TAX RATES FOR THE SCHOOL YEAR 2018–2019 FOR
SCHOOL BOARDS OTHER THAN THOSE SITUATED IN WHOLE OR
IN PART ON THE ISLAND OF MONTRÉAL

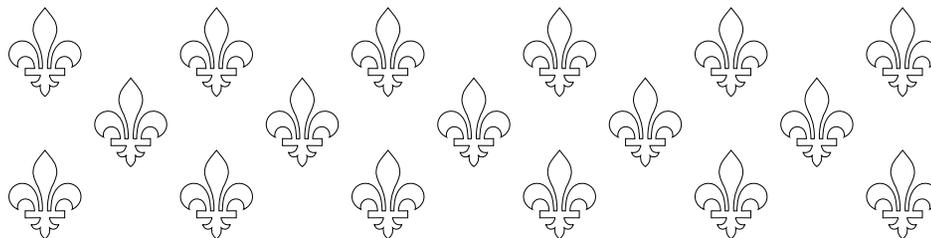
| School board | School tax region | School tax rate for the school year 2018–2019¹ |
|--|--------------------------|--|
| Central Québec School Board | Bas-Saint-Laurent | \$0.26107 |
| | Saguenay–Lac-Saint-Jean | \$0.30932 |
| | Capitale-Nationale | \$0.13360 |
| | Mauricie | \$0.30932 |
| | Nord-du-Québec | \$0.30551 |
| | Chaudière-Appalaches | \$0.22586 |
| | Centre-du-Québec | \$0.29640 |
| Commission scolaire des Affluents | Lanaudière | \$0.27072 |
| Commission scolaire des Appalaches | Chaudière-Appalaches | \$0.22586 |
| Commission scolaire de la Baie-James | Nord-du-Québec | \$0.30551 |
| Commission scolaire de la Beauce-Étchemin | Chaudière-Appalaches | \$0.22586 |
| Commission scolaire des Bois-Francs | Centre-du-Québec | \$0.29640 |
| Commission scolaire de la Capitale | Capitale-Nationale | \$0.13360 |
| Commission scolaire de Charlevoix | Capitale-Nationale | \$0.13360 |
| Commission scolaire du Chemin-du-Roy | Mauricie | \$0.30932 |
| Commission scolaire des Chênes | Centre-du-Québec | \$0.29640 |
| Commission scolaire des Chic-Chocs | Gaspésie | \$0.28500 |
| Commission scolaire au Cœur-des-Vallées | Outaouais | \$0.13694 |
| Commission scolaire de la Côte-du-Sud | Chaudière-Appalaches | \$0.22586 |

| | | |
|--|-------------------------|-----------|
| Commission scolaire des Découvreurs | Capitale-Nationale | \$0.13360 |
| Commission scolaire des Draveurs | Outaouais | \$0.13694 |
| Commission scolaire de l'Énergie | Mauricie | \$0.30932 |
| Commission scolaire de l'Estuaire | Côte-Nord | \$0.23901 |
| Commission scolaire du Fer | Côte-Nord | \$0.23901 |
| Commission scolaire du Fleuve-et-des-Lacs | Bas-Saint-Laurent | \$0.26107 |
| Commission scolaire des Grandes-Seigneuries | Montérégie | \$0.17832 |
| Commission scolaire Harricana | Abitibi-Témiscamingue | \$0.13694 |
| Commission scolaire des Hautes-Rivières | Montérégie | \$0.17832 |
| Commission scolaire des Hauts-Bois-de- l'Outaouais | Outaouais | \$0.13694 |
| Commission scolaire des Hauts-Cantons | Estrie | \$0.18434 |
| Commission scolaire des Îles | Îles-de-la-Madeleine | \$0.28420 |
| Commission scolaire De La Jonquière | Saguenay-Lac-Saint-Jean | \$0.30932 |
| Commission scolaire de Kamouraska- Rivière-du-Loup | Bas-Saint-Laurent | \$0.26107 |
| Commission scolaire du Lac-Abitibi | Abitibi-Témiscamingue | \$0.13694 |
| Commission scolaire du Lac-Saint-Jean | Saguenay-Lac-Saint-Jean | \$0.30932 |
| Commission scolaire du Lac-Témiscamingue | Abitibi-Témiscamingue | \$0.13694 |
| Commission scolaire des Laurentides | Laurentides | \$0.10540 |
| Commission scolaire de Laval | Laval | \$0.23095 |

| | | |
|---|-------------------------|-----------|
| Commission scolaire Marie-Victorin | Montérégie | \$0.17832 |
| Commission scolaire des Monts-et-Marées | Bas-Saint-Laurent | \$0.26107 |
| Commission scolaire de la Moyenne-Côte-Nord | Côte-Nord | \$0.23901 |
| Commission scolaire des Navigateurs | Chaudière-Appalaches | \$0.22586 |
| Commission scolaire de l'Or-et-des-Bois | Abitibi-Témiscamingue | \$0.13694 |
| Commission scolaire des Patriotes | Montérégie | \$0.17832 |
| Commission scolaire du Pays-des-Bleuets | Saguenay-Lac-Saint-Jean | \$0.30932 |
| Commission scolaire des Phares | Bas-Saint-Laurent | \$0.26107 |
| Commission scolaire Pierre-Neveu | Laurentides | \$0.10540 |
| Commission scolaire des Portages-de-l'Outaouais | Outaouais | \$0.13694 |
| Commission scolaire de Portneuf | Capitale-Nationale | \$0.13360 |
| Commission scolaire des Premières-Seigneuries | Capitale-Nationale | \$0.13360 |
| Commission scolaire de la Région-de-Sherbrooke | Estrie | \$0.18434 |
| Commission scolaire René-Lévesque | Gaspésie | \$0.28500 |
| Commission scolaire de la Riveraine | Centre-du-Québec | \$0.29640 |
| Commission scolaire des Rives-du-Saguenay | Saguenay-Lac-Saint-Jean | \$0.30932 |
| Commission scolaire de la Rivière-du-Nord | Laurentides | \$0.10540 |
| Commission scolaire de Rouyn-Noranda | Abitibi-Témiscamingue | \$0.13694 |
| Commission scolaire de Saint-Hyacinthe | Montérégie | \$0.17832 |

| | | |
|--|-----------------------|-----------|
| Commission scolaire des Samares | Lanaudière | \$0.27072 |
| Commission scolaire de la Seigneurie-des-Mille-Îles | Laurentides | \$0.10540 |
| Commission scolaire des Sommets | Estrie | \$0.18434 |
| Commission scolaire de Sorel-Tracy | Montérégie | \$0.17832 |
| Commission scolaire des Trois-Lacs | Montérégie | \$0.17832 |
| Commission scolaire du Val-des-Cerfs | Montérégie | \$0.17832 |
| Commission scolaire de la Vallée-des-Tisserands | Montérégie | \$0.17832 |
| Eastern Shores School Board | Bas-Saint-Laurent | \$0.26107 |
| | Côte-Nord | \$0.23901 |
| | Gaspésie | \$0.28500 |
| | Îles-de-la-Madeleine | \$0.28420 |
| Eastern Townships School Board | Estrie | \$0.18434 |
| | Chaudière-Appalaches | \$0.22586 |
| | Montérégie | \$0.17832 |
| | Centre-du-Québec | \$0.29640 |
| New Frontiers School Board | Montérégie | \$0.17832 |
| Riverside School Board | Montérégie | \$0.17832 |
| Sir Wilfrid Laurier School Board | Laval | \$0.23095 |
| | Lanaudière | \$0.27072 |
| | Laurentides | \$0.10540 |
| Western Québec School Board | Outaouais | \$0.13694 |
| | Abitibi-Témiscamingue | \$0.13694 |
| | Laurentides | \$0.10540 |

¹ Rate expressed per \$100 of the standardized assessment of the taxable immovables.



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 234
(Private)

An Act to amend the Charter of the Université de Montréal

Introduced 15 November 2017
Passed in principle 27 March 2018
Passed 27 March 2018
Assented to 28 March 2018

**Québec Official Publisher
2018**

LEGISLATION AMENDED BY THIS ACT:

- Charter of the Université de Montréal (1967, chapter 129).

Bill 234

(Private)

AN ACT TO AMEND THE CHARTER OF THE UNIVERSITÉ DE MONTRÉAL

AS it is expedient to update the Charter of the Université de Montréal;

AS Québec society and universities have evolved considerably over the last half-century, and as the Université de Montréal (university) requires new management tools to ensure the institution's sound administration;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF THE UNIVERSITÉ DE MONTRÉAL

1. The preamble to the Charter of the Université de Montréal (1967, chapter 129) is amended

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

“Whereas the Charter of 29 March 1950 was replaced by the Charter of the Université de Montréal, assented to on 12 August 1967;

“Whereas the Charter of 12 August 1967 was amended by the Act to amend the Charter of the Université de Montréal, assented to on 5 November 1968;”;

(2) by replacing the fifth paragraph by the following paragraphs:

“Whereas the university recognizes that its members are entitled to the freedom of conscience, instruction, research and creation inherent in a public institution of higher education;

“Whereas the university wishes to enable its professors, lecturers, students, alumni and personnel to participate in its administration;

“Whereas the university has full and complete autonomy over decisions related to its mission;

“Whereas the university is accountable to society for its use of public funds;

“Whereas the university is resolutely francophone in character;

“Whereas the university plays a role in La Francophonie and the French-language university community;

“Whereas the university is outward-looking and open to the world;”.

2. Section 1 of the Charter is amended

(1) by inserting the following paragraph before paragraph *a*:

“(a.0) “lecturer”: as defined in the statutes;”;

(2) by replacing paragraph *c* by the following paragraphs:

“(c) “independent member”: a member shall qualify as independent if, in the opinion of the board or the government, when he is appointed by the latter, he has no direct or indirect relations or interests, including those of a financial, commercial, professional or philanthropic nature, likely to interfere with the quality of his decisions regarding the interests of the institution. A board member shall be deemed not independent if a member of his immediate family, as defined by the board, belongs to the institution’s senior administrative personnel or if he is or, in the three years preceding his appointment, was employed by the institution. The directors of the affiliated institutions shall be deemed independent members;

“(c.1) “career professor”: as defined in the statutes;”.

3. Section 3 of the Charter is replaced by the following section:

“**3.** The university’s mission shall be higher education, research, creation and community service.”

4. Section 4 of the Charter is amended by replacing, in subparagraph *h* of the second paragraph,

(1) “radius of two miles from its present administrative centre, any” by “four-kilometer radius of any faculty office;”;

(2) “provisions of the Code of Civil Procedure” by “prescriptions of any applicable legislation”;

(3) “Lieutenant-Governor in Council” by “Government”.

5. Section 8 of the Charter is amended by replacing paragraphs *b* to *g* by the following:

“(b) the chancellor;

“(c) six members appointed by the university assembly, namely, four career professors, one lecturer and one member from another personnel category;

“(d) three members appointed by a council representing the university’s student body;

“(e) four independent members appointed by the board after consultation with a council representing the university’s alumni;

“(f) two independent members appointed by the Government on the recommendation of the Minister responsible for Higher Education;

“(g) not more than five other members appointed by a resolution of the board passed by at least three-quarters of its members;

“(h) the director of the École Polytechnique de Montréal, while the affiliation exists;

“(i) the director of the École des Hautes Études Commerciales de Montréal, while the affiliation exists.

The independent members shall represent not less than the majority or more than two-thirds of the board members.

Member designation shall strive to reflect Québec’s social diversity and to ensure the qualifications required.”

6. Section 10 of the Charter is amended by replacing “resignation” by “resignation, inability to exercise one’s duties”.

7. Section 11 of the Charter is amended by adding the following paragraph at the end:

“If, exceptionally, the circumstances so warrant, the board may fill any vacancy for a period of no more than six months.”

8. Section 12 of the Charter is amended

(1) by replacing “members other than the rector” by “independent members appointed under paragraph *e, f* or *g* of section 8”;

(2) by adding the following sentence at the end: “Once appointed, he shall become a board member, according to the term of office fixed, and the office he held under paragraph *e, f* or *g* of section 8, as applicable, shall become vacant.”

9. Section 16 of the Charter is replaced by the following section:

“16. The executive committee shall be composed of the chancellor, the rector and not less than four or more than eight persons appointed by the board from among its members. A majority of the executive committee members shall be independent members.”

10. Section 18 of the Charter is amended by replacing

(1) “rector” by “chancellor”;

(2) “member of the board” by “independent member of the executive committee”.

11. Section 19 of the Charter is amended by replacing paragraphs *d* to *h* by the following paragraphs:

“(d) at least one professor from each faculty with ten or more professors, elected by his peers in accordance with the statutes. One-half of the university assembly shall be composed of elected professors;

“(e) at least one lecturer of each faculty having ten or more lecturers, elected by his peers in accordance with the statutes;

“(f) at least eight members appointed by a council representing the university’s student body, in accordance with the statutes;

“(g) three independent members appointed by the board after consultation with a council representing the university’s alumni, in accordance with the statutes;

“(h) four members appointed by a council representing the university’s personnel, in accordance with the statutes;

“(i) four members appointed by the board from among the university’s executives and professionals, on the recommendation of the university assembly;

“(j) any other member appointed in accordance with the statutes, including one representative of each affiliated institution.”

12. Section 20 of the Charter is amended

(1) by striking out “and university discipline,” in paragraph *c*;

(2) by replacing paragraph *d* by the following paragraphs:

“(d) shall designate members to the committee consulted for appointment of the rector, in accordance with the statutes;

“(e) shall designate members to various university bodies or committees, in accordance with the Charter and the statutes;

“(f) shall exercise any other power assigned by the statutes.”

13. Section 22 of the Charter is amended by replacing paragraphs *d* to *f* by the following paragraphs:

“(d) five members of the teaching staff, that is, three professors and two lecturers, appointed by the university assembly;

“(e) not more than two independent members from among the alumni appointed by a council representing the university’s alumni;

“(f) four members appointed by a council representing the university’s student body;

“(g) the directors of the affiliated institutions designated in the statutes, while the affiliation exists;

“(h) on the recommendation of the university assembly, any other member appointed by the board and whose powers it may limit.”

14. Section 23 of the Charter is replaced by the following section:

“**23.** The committee on studies shall ensure education coordination and education-research consistency.

It shall make or approve any by-law required for the university’s academic organization, make recommendations to the board or the executive committee, as applicable, and exercise any other power assigned by the statutes.”

15. Section 25 of the Charter is amended by replacing the first paragraph by the following paragraph:

“The rector shall be appointed by the board with the participation of the university assembly and the university community, in accordance with the statutes. He shall report to the board.”

16. Section 26 of the Charter is replaced by the following section:

“**26.** On the recommendation of the rector and in accordance with the statutes, the board shall appoint the vice-rectors, who shall report to the rector.

On the recommendation of the rector, the secretary-general shall be appointed by the board, to which he shall report. The board shall determine the secretary-general's functions in accordance with the statutes."

17. Section 28 of the Charter is amended

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

"The dean shall be appointed by the board, with the participation of the faculty members, in accordance with the statutes. The dean shall report to the rector or the vice-rector designated by the rector.";

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

"On the recommendation of the dean and in accordance with the statutes, the board shall appoint the vice-deans, who shall report to the dean."

18. Section 29 of the Charter is replaced by the following section:

"29. The faculty council shall recommend the appointment and promotion of the professors and other members of the teaching staff and the creation of any body within the faculty. It shall adopt any by-law required for the faculty's academic organization, subject to the approval prescribed by the statutes, and shall exercise any other power assigned by the latter.

The faculty council shall designate members to the committee consulted for appointment of the dean, in accordance with the statutes."

19. Section 32 of the Charter is repealed.

20. Section 34 of the Charter is amended by inserting the following paragraphs after the first paragraph:

"The statutes may be amended or repealed by a resolution of the board approved by the university assembly or by a resolution of the board adopted by a majority of at least three-quarters of its members, after consultation with the university assembly.

The amendments or repeals shall come into force on the date of their publication in the *Gazette officielle du Québec*."

21. Sections 35 and 37 to 39 of the Charter are repealed.

TRANSITIONAL AND FINAL PROVISIONS

22. The Université de Montréal board, and the board's composition on the date of coming into force of this Act, shall be maintained, and the board shall continue to exercise all the rights and powers conferred on it by the Charter of the Université de Montréal, as amended by this Act.

New appointments to the board shall be made in accordance with the Charter of the Université de Montréal, as amended by this Act.

The Université de Montréal university assembly, and the assembly's composition on the date of coming into force of this Act, shall be maintained, and the assembly shall continue to exercise all the rights and powers conferred on it by the Charter of the Université de Montréal, as amended by this Act.

New appointments to the university assembly shall be made in accordance with the Charter of the Université de Montréal, as amended by this Act.

The Université de Montréal committee on studies, and the committee's composition on the date of coming into force of this Act, shall be maintained, and the committee shall continue to exercise all the rights and powers conferred on it by the Charter of the Université de Montréal, as amended by this Act.

New appointments to the committee on studies shall be made in accordance with the Charter of the Université de Montréal, as amended by this Act.

Université de Montréal statutes, by-laws and regulations adopted before the date of coming into force of this Act shall remain in force, provided they are consistent with the Charter of the Université de Montréal, as amended by this Act.

In the event of inconsistencies, the Charter of the Université de Montréal, as amended by this Act, shall have precedence over any statute, by-law, regulation, contract or agreement.

23. The university assembly by-laws respecting university discipline that are covered by a clause of a collective agreement binding a certified association of employees and the Université de Montréal are deemed to be university board by-laws after the coming into force of this Act. Such clauses shall continue to apply to by-laws respecting university discipline as long as the collective agreement remains applicable.

For the purposes of such clauses, the parties shall exercise their rights in good faith, in particular to allow a transparent policy and disciplinary process that are equitable for all members of the Université de Montréal community to be adopted and applied, particularly with respect to sexual harassment and sexual violence.

24. This Act comes into force on 28 September 2018.

Regulations and other Acts

Gouvernement du Québec

O.C. 565-2018, 2 May 2018

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

Medical aid —Amendment

Regulation to amend the Regulation respecting medical aid

WHEREAS, under subparagraph 3.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations determining the care, treatment, technical aid and costs forming part of the medical aid referred to in paragraph 5 of section 189 and specifying the cases in which, the conditions on which and up to what amount payments may be made as well as the prior authorizations to which such payments may be subject;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting medical aid was published in Part 2 of the *Gazette officielle du Québec* of 31 May 2017 with a notice that it could be adopted by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission adopted the Regulation with amendments at its sitting of 19 October 2017;

WHEREAS, under the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases, every draft regulation made by the Commission under subparagraph 3.1 of the first paragraph of section 454 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting medical aid, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting medical aid

An Act respecting industrial accidents and occupational diseases (chapter A-3.001, ss. 189, par. 5, and 454, 1st par, subpar. 3.1)

1. The Regulation respecting medical aid (chapter A-3.001, r. 1) is amended in section 1

(1) by inserting the following definition before the definition of “border region”:

““account” means an invoice, a bill of fees or a payment transaction by electronic link or other technological support authorized by the Commission des normes, de l'équité, de la santé et de la sécurité du travail under section 356 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001); (*compte*)”;

(2) by replacing the definition of “health worker” by the following:

““health worker” means a natural person, other than a health professional within the meaning of the Act respecting industrial accidents and occupational diseases, entered on the roll of a professional order governed by the Professional Code (chapter C-26) and referred to in this Regulation, including a holder of a psychotherapist's permit issued by the Ordre professionnel des psychologues du Québec; (*intervenant de la santé*)”;

(3) by adding the following definitions in alphabetical order:

““session” means a visit, with or without an appointment, to a health worker by a worker suffering from an employment injury to receive care or treatment or to obtain an initial evaluation, including home care and professional services according to the rate per session provided for in Schedule I; (*séance*)”

“professional service” means an act performed by a health worker, other than care and treatment; (*service professionnel*).

2. Section 2 is amended by replacing “The care, treatment, technical aids and costs provided for in this Regulation form part of” by “The care, treatment, professional services, technical aids and other costs provided for in this Regulation constitute”.

3. Section 3 is replaced by the following:

“**3.** The Commission assumes the cost of care, treatment, professional services and technical aids received in Québec, in accordance with the conditions and amounts prescribed by this Regulation if they were prescribed by the physician in charge of the worker before they were received or before the expenditures for them were made. Unless otherwise provided, the amounts include the supplies and costs related to the care, treatment, professional services or technical aids.

Every claim submitted to the Commission concerning the care, treatment, professional services or technical aids must be accompanied by the health worker’s recommendation, where applicable, and by vouchers detailing their cost. The health worker must keep the prescription in the worker’s record and provide it to the Commission on request.”

4. The following is inserted after section 3:

“**3.1.** The account related to costs provided for in this Regulation must be sent to the Commission within 180 days from the date of provision of the service, care, treatment or technical aid, or from the performance of the act related to another cost. In the case of a report, the 180-day period begins to run from the date on which the report becomes exigible.”

5. Section 5 is amended in the second paragraph by inserting “other” before “costs”.

6. The heading of Division III is replaced by the following: “CARE, TREATMENT AND PROFESSIONAL SERVICES”.

7. Section 6 is replaced by the following:

“**6.** The Commission assumes the cost of the care, treatment and professional services determined in Schedule I up to the amounts provided for therein, if such care, treatment and services are provided personally by a health worker who is a member of the professional order corresponding to the prescribed care, treatment or services. Such

health worker must also be duly authorized to practice, to perform the act billed and, where applicable, must hold a valid permit for that purpose.”.

8. Section 7 is amended by replacing “nursing care and of chiropractic, physiotherapy and occupational therapy treatment” by “the sessions for nursing care and chiropractic and physiotherapy treatment”.

9. Section 9 is replaced by the following:

“**9.** The first session with a health worker, even for an initial evaluation, is paid for up to the amounts provided for in Schedule I, or the amounts for a care or treatment session if no specific rate is provided for therein, except in the case of professional services in audiology or speech therapy.

No other amount is payable by the Commission for an initial evaluation where the evaluation goes beyond the first session with a health worker.”.

10. Section 10 is amended in the first paragraph by replacing “statements of fees” by “accounts”.

11. Section 11 is amended by replacing “statements of fees” by “accounts”.

12. Sections 13 to 17 are replaced by the following:

“**13.** For physiotherapy or occupational therapy care and treatment, the Commission assumes the cost thereof up to a maximum of one care or treatment session per day and up to 3 care or treatment sessions per week, subject to a prescription to the contrary from the physician in charge of the worker.

14. Where an initial evaluation goes beyond the first session, and care or treatment is also provided at the same time, the initial evaluation must neither hinder the care or treatment, nor reduce the quality or duration thereof.

15. A physiotherapist, a physical rehabilitation therapist and an occupational therapist must keep a register indicating, for each session, the date, the professional act performed, either the initial evaluation or care or treatment, and the name of the health worker who met the worker.

The worker must sign the register at each session.

The register must be kept in the record kept by the health worker for as long as the health worker is required to keep the record. The register must be put at the disposal of the Commission, on request.

A register kept on a medium based on information technology must comply with the provisions of the Act to establish a legal framework for information technology (chapter C-1.1).

16. A physiotherapist and an occupational therapist must send to the Commission a first account whose form and content must comply with the form in Schedule III or, if sent using another technological medium, complying with that authorized by the Commission, within 7 days of the first session. They must also use that account form or an authorized technological medium to claim an amount for care or treatment.

The account form is available on the Commission's website.

16.1. At the request of the Commission, a physiotherapist, a physical rehabilitation therapist or an occupational therapist must provide a report whose form and content must comply with the form in Schedule III.1 or, if sent using another technological medium, complying with that authorized by the Commission.

The report form is available on the Commission's website.

The report must be sent to the Commission and to the physician in charge of the worker within 15 days following the date of the Commission's request.

16.2. A report is payable by the Commission only if it is made on the form in Schedule III.1 or, if sent using another technological medium, complying with that authorized by the Commission, and is complete.

16.3. Except in case of superior force, where a report is not filed within the time provided for in the second paragraph of section 16.1, the Commission withholds payment of the accounts for the care and treatment sessions provided after the deadline for filing the report, until it is sent to the Commission.

When the report is filed, the Commission pays the accounts for the care and treatment sessions whose payment was withheld.

17. The Commission assumes the cost of a session for care or treatment provided for in the worker's personal care or treatment program established on the basis of the worker's specific needs, even if a worker receives the care and treatment simultaneously with other persons.

17.0.1. The following occupational therapy services are not medical aid:

- (1) a work integration program or a program for a therapeutic return to work;
- (2) an assessment of a workstation or its adaptation and equipment testing;
- (3) an assessment of driving ability and vehicle adaptation;
- (4) residence adaptation;
- (5) a social integration program or any other evaluation or intervention as part of the rehabilitation provided for in Chapter IV of the Act;
- (6) an intervention as part of an interdisciplinary or multidisciplinary program;
- (7) a development program or any other service to evaluate functional or occupational capacities, or any other intervention pursuing the same objectives;
- (8) a mental health intervention.

17.0.2. Subject to a prescription to the contrary from the physician in charge of the worker concerning the date on which treatment begins, the Commission assumes only the cost of the occupational therapy sessions held from the sixth week following the date of the employment injury and if the employment injury is not consolidated on that date. The foregoing also applies to the reimbursement of the cost of an initial evaluation.

Despite the first paragraph, the Commission assumes the cost of sessions held before that date, if the prescription of the physician in charge of the worker pertains to one or more of the following injuries:

- (1) a hand or wrist injury;
- (2) a complex regional pain syndrome, regardless of the site of the injury;
- (3) nerve damage to the upper limbs;
- (4) a burn, regardless of the site of the injury.

13. The heading of Division IV is amended by inserting "OTHER" after "AND".

14. Schedule I is replaced by the following:**“SCHEDULE I****CARE, TREATMENT AND PROFESSIONAL SERVICES PROVIDED BY HEALTH WORKERS****1. Care and treatment:****Acupuncture**

| | |
|--|---------|
| Acupuncture care provided by an acupuncturist, per session | \$27.00 |
|--|---------|

Chiropractic

| | |
|---|---------|
| Chiropractic treatment, per session (the amount includes the cost of x-rays.) | \$32.00 |
|---|---------|

Occupational therapy

| | |
|------------------------|---------|
| Treatment, per session | \$46.00 |
|------------------------|---------|

Physiotherapy

| | |
|------------------------|---------|
| Treatment, per session | \$42.00 |
|------------------------|---------|

Podiatry

| | |
|-------------|---------|
| Per session | \$32.00 |
|-------------|---------|

Psychology

| | |
|---|---------|
| Psychological, psychotherapy and neuropsychological care, hourly rate | \$86.60 |
|---|---------|

Home care

| | |
|-------------------------------------|---------|
| Chiropractic treatment, per session | \$50.00 |
|-------------------------------------|---------|

| | |
|--------------------------------------|---------|
| Physiotherapy treatment, per session | \$50.00 |
|--------------------------------------|---------|

| | |
|---------------------------|---------|
| Nursing care, per session | \$44.00 |
|---------------------------|---------|

2. Professional services:**Audiology**

| | |
|--|---------|
| Audiology (interview, consultation of record), per session | \$20.25 |
|--|---------|

| | |
|----------------------|---------|
| Pure-Tone audiometry | \$54.25 |
|----------------------|---------|

| | |
|--|---------|
| Speech audiometry (threshold and discrimination tests) | \$20.25 |
|--|---------|

| | |
|---|---------|
| Acoustic impedance tests (tympanogram, acoustic reflex, adaptation of acoustic reflex, Metz test) | \$20.25 |
|---|---------|

| | |
|------------------------------|--------|
| Acoustic impedance screening | \$3.50 |
|------------------------------|--------|

| | |
|--|---------|
| Special tests (A.B.L.B., S.I.S.I., adaptation, Békésy, etc.), per test | \$15.00 |
|--|---------|

| | |
|---|--|
| Electrophysiological tests (Echo G; evoked potentials): | |
|---|--|

| | |
|----------------------|---------|
| — without anesthetic | \$54.25 |
|----------------------|---------|

| | |
|--------------------|----------|
| — under anesthetic | \$114.00 |
|--------------------|----------|

| | |
|---|---------|
| Issue of audiological evaluation report and, where applicable, of a hearing aid certificate | \$30.50 |
|---|---------|

| | |
|--|---------|
| Analysis of needs and determination of appropriate treatment | \$33.00 |
|--|---------|

| | |
|---------------------------------------|---------|
| Psychoacoustic testing of hearing aid | \$40.00 |
|---------------------------------------|---------|

| | |
|--|---------|
| Electroacoustic testing of hearing aid | \$33.00 |
|--|---------|

Occupational therapy

| | |
|--------------------|---------|
| Initial evaluation | \$85.00 |
|--------------------|---------|

| | |
|---------|---------|
| Reports | \$25.00 |
|---------|---------|

Speech therapy

| | |
|--|---------|
| Speech therapy (interview, record consultation), per session | \$32.00 |
|--|---------|

| | |
|--|---------|
| Tests for speech reading due to deafness | \$32.00 |
|--|---------|

| | |
|-----------------------|---------|
| Voice parameter tests | \$48.00 |
|-----------------------|---------|

| | |
|---------------------------|---------|
| Expressive language tests | \$32.00 |
|---------------------------|---------|

| | |
|--------------------------|---------|
| Receptive language tests | \$32.00 |
|--------------------------|---------|

| | |
|--------------------------|---------|
| Phonetic inventory tests | \$16.00 |
|--------------------------|---------|

| | |
|------------------------|---------|
| Written language tests | \$64.00 |
|------------------------|---------|

| | |
|---------------|---------|
| Prosody tests | \$47.50 |
|---------------|---------|

| | |
|--|---------|
| Complementary tests (such as praxia, math), per test | \$16.00 |
|--|---------|

| | |
|---|---------|
| Issue of a speech therapy evaluation report | \$30.50 |
|---|---------|

Physiotherapy

| | |
|---------|---------|
| Reports | \$25.00 |
|---------|---------|

Laboratory examinations

The cost of those examinations is reimbursed according to the amounts provided for in the agreement made under section 195 of the Act.”.

15. The heading of Schedule II is amended by inserting “OTHER” after “AND”.

16. Schedule II is amended

(1) by inserting “a balloon, an elastic band,” after “balls,” in subparagraph *c* of paragraph 3 of section 3 entitled “Therapeutic aids”;

(2) by replacing the heading “COSTS” before section 5 by “OTHER COSTS”.

17. Schedule III is replaced by the following:

“**SCHEDULE III**
(s. 16)

PHYSIOTHERAPY OR OCCUPATIONAL THERAPY CARE AND TREATMENT ACCOUNT



PHYSIOTHERAPY AND OCCUPATIONAL THERAPY CARE OR TREATMENT ACCOUNT
Occupational health and safety

Physiotherapy
 Occupational therapy

Worker's file No.

| Identification of the worker | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Surname (as shown on birth certificate) | First name | Health insurance No. <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Postal code | Date of original event <input style="width: 100%;" type="text"/> | Date of recurrence, relapse or aggravation <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Physician | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Physician in charge of the worker | | Permit No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of the clinic (or health institution) | | Date of the prescription <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 Diagnosis | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 Diagnosis requiring consultation in occupational therapy before the 6th week from the date of the event? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 Consultation in occupational therapy before the 6th week from the date of the event indicated by the physician in charge? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 More than 3 treatments per week indicated by the physician in charge? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Information on the supplier | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of the clinic (or health institution) | | Supplier No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 Transfer from clinic (or health institution) <input type="checkbox"/> Yes <input type="checkbox"/> No | | Telephone <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fax <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 Indicate the care and treatment or services rendered by using the appropriate codes available on the Website of the CNESST. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Month | Year | <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td> </tr> <tr> <td> </td><td> </td> </tr> </table> | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Specify the date of the last treatment or last absence if it is the cause of the end of the treatment | | Date of the end of treatment <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Health worker | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of the member of the professional order who made the initial evaluation | | Member No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature | | Date <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of the member of the professional order who provided treatment | | Member No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature | | Date <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of the member of the professional order who provided treatment | | Member No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature | | Date <input style="width: 100%;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

SCHEDULE III.1

(s. 16.1)

PHYSIOTHERAPY AND OCCUPATIONAL THERAPY REPORTS


PHYSIOTHERAPY REPORT
 Occupational health and safety

| | | | | |
|---|--|---|--|--|
| 1 Date of request for report | | <input type="text"/> | Worker's file No. | <input type="text"/> |
| Identification of the worker | | | | |
| Surname (as shown on birth certificate) | | First name | | Date of original event |
| Profession or trade practised at the time of event | | Postal code | | Date of recurrence, relapse or aggravation |
| 2 Diagnosis | | Left-handed <input type="checkbox"/> Right-handed <input type="checkbox"/> | Sex F <input type="checkbox"/> M <input type="checkbox"/> | Health insurance No. |
| Physician | | | | |
| Physician in charge of the worker | | Permit No. | | Date of the prescription |
| Name of the clinic (or health institution) | | | Telephone | |
| Information on the supplier | | | | |
| Name of the clinic (or health institution) | | | Supplier No. | |
| Date of initial evaluation | Number of treatments provided to this day: | | Telephone | Fax |
| Name of the member of the Ordre professionnel de la physiothérapie du Québec who completed the report | | | Member No. | |
| 3 Subjective data (worker's perceptions) | | | | |
| Intensity of the pain felt: at rest ____/10 in movement ____/10 by palpation ____/10 | | | | |
| Positions or movements affected: | | | | |
| According to the worker, are daily activities impeded by the employment injury? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | | | | |
| If yes, describe. | | | | |
| According to the worker, are work activities impeded by the employment injury? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | | | | |
| If yes, describe. | | | | |
| Worker's perception of his or her return to work as before the injury: | | | | |
| Worker's perception of his or her evolution: Improvement ____% Stable <input type="checkbox"/> Deterioration ____% | | | | |
| Other data | | | | |

4 Objective clinical data (examination). Fill out both sections: **Initial condition** and **Current condition**.

| Initial condition (or at the time of last report sent to the CNESST) | Current condition |
|---|---|
| Date of examination <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> | Date of examination <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> |
| Objective clinical data (neurologic, signs, joint mobility, muscular force, muscular endurance, œdema, atrophy, etc.) | Objective clinical data (neurologic, signs, joint mobility, muscular force, muscular endurance, œdema, atrophy, etc.) |

5 Functional data and Ordre professionnel de la physiothérapie du Québec member's opinion. Fill out both sections: **Initial condition** and **Current condition**.

| Initial condition (or at the time of last report sent to the CNESST) | Current condition | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Date of examination <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> | Date of examination <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Crouching: | _____ | _____ | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Kneeling: | _____ | _____ | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Walking: | _____ | _____ | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Stairs: | <input type="checkbox"/> 5 à 10 steps | <input type="checkbox"/> +10 steps | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pushing: | <input type="checkbox"/> 0-5 kg | <input type="checkbox"/> 5-15 kg | <input type="checkbox"/> 15-25 kg | <input type="checkbox"/> +25 kg | <input type="checkbox"/> N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Grip strength: | _____ kg | N/A | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Handling: | _____ | | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lifting loads: | <input type="checkbox"/> 0-5 kg | <input type="checkbox"/> 5-15 kg | <input type="checkbox"/> 15-25 kg | <input type="checkbox"/> +25 kg | <input type="checkbox"/> N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Other functional data: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Minutes | Hours | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Standing: | _____ | _____ | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Crouching: | _____ | _____ | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Walking: | _____ | _____ | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Stairs: | <input type="checkbox"/> 5 à 10 steps | <input type="checkbox"/> +10 steps | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pushing: | <input type="checkbox"/> 0-5 kg | <input type="checkbox"/> 5-15 kg | <input type="checkbox"/> 15-25 kg | <input type="checkbox"/> +25 kg | <input type="checkbox"/> N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pulling: | <input type="checkbox"/> 0-5 kg | <input type="checkbox"/> 5-15 kg | <input type="checkbox"/> 15-25 kg | <input type="checkbox"/> +25 kg | <input type="checkbox"/> N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grip strength: | _____ kg | N/A | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Handling: | _____ | | <input type="checkbox"/> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lifting loads: | <input type="checkbox"/> 0-5 kg | <input type="checkbox"/> 5-15 kg | <input type="checkbox"/> 15-25 kg | <input type="checkbox"/> +25 kg | <input type="checkbox"/> N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Moving loads: | <input type="checkbox"/> 0-5 kg | <input type="checkbox"/> 5-15 kg | <input type="checkbox"/> 15-25 kg | <input type="checkbox"/> +25 kg | <input type="checkbox"/> N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other functional data: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Observations (presence of mixed signals, sensitivity, balance, etc.) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Have you discussed return to work arrangements with the worker? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify. If not, why? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| Functional data and Ordre professionnel de la physiothérapie du Québec member's opinion (cont'd) | | | | | | |
| Describe the evolution of the obstacles to the return to work, if applicable (physical condition or personal and environmental factors or others). | | | | | | |
| Describe the evolution of the levers for the return to work, if applicable (physical condition or personal and environmental factors or others). | | | | | | |
| 7 Treatment plan | | | | | | |
| Active conditions: | | | | | | |
| Passive conditions: | | | | | | |
| 8 Worker's condition | | | | | | |
| Improvement _____ % Stable <input type="checkbox"/> Deterioration _____ % | | | | | | |
| Do you recommend the end of treatment? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | |
| If yes , what is the real or planned date of the end of treatment? <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center; width: 100px;"> <tr> <td style="width: 20px; height: 20px;">Y</td><td style="width: 20px; height: 20px;">Y</td><td style="width: 20px; height: 20px;">Y</td><td style="width: 20px; height: 20px;">M</td><td style="width: 20px; height: 20px;">M</td><td style="width: 20px; height: 20px;">D</td> </tr> </table> | Y | Y | Y | M | M | D |
| Y | Y | Y | M | M | D | |
| What are the residual difficulties? <input type="checkbox"/> N/A | | | | | | |
| If no , how many additional treatments are you planning? Planned frequency of treatments: _____ / week Other: What are the functional objectives pursued by the additional treatments? | | | | | | |
| Comments / Recommendations | | | | | | |
| Signature of the member of the Ordre professionnel de la physiothérapie du Québec who completed the report Date <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center; width: 100px;"> <tr> <td style="width: 20px; height: 20px;">Y</td><td style="width: 20px; height: 20px;">Y</td><td style="width: 20px; height: 20px;">Y</td><td style="width: 20px; height: 20px;">M</td><td style="width: 20px; height: 20px;">M</td><td style="width: 20px; height: 20px;">D</td> </tr> </table> | Y | Y | Y | M | M | D |
| Y | Y | Y | M | M | D | |

4 Objective clinical data (examination). Fill out both sections: **Initial condition** and **Current condition**.

| Initial condition (or at the time of last report sent to the CNESST) | Current condition |
|---|---|
| Date of examination <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Date of examination <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| Objective clinical data (neurologic, signs, joint mobility, muscular force, muscular endurance, oedema, atrophy, etc.) | Objective clinical data (neurologic, signs, joint mobility, muscular force, muscular endurance, oedema, atrophy, etc.) |

5 Functional data and occupational therapist's opinion. Fill out both sections: **Initial condition** and **Current condition**.

6 Initial condition (or at the time of last report sent to the CNESST)

| Initial condition | | Current condition | |
|--|------------------------------------|--|------------------------------------|
| Date of examination <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | | Date of examination <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | |
| Minutes | Hours | Minutes | Hours |
| Standing: _____ | _____ <input type="checkbox"/> N/A | Standing: _____ | _____ <input type="checkbox"/> N/A |
| Sitting: _____ | _____ <input type="checkbox"/> N/A | Sitting: _____ | _____ <input type="checkbox"/> N/A |
| Crouching: _____ | _____ <input type="checkbox"/> N/A | Crouching: _____ | _____ <input type="checkbox"/> N/A |
| Kneeling: _____ | _____ <input type="checkbox"/> N/A | Kneeling: _____ | _____ <input type="checkbox"/> N/A |
| Walking: _____ | _____ <input type="checkbox"/> N/A | Walking: _____ | _____ <input type="checkbox"/> N/A |
| Stairs: <input type="checkbox"/> 5 à 10 steps <input type="checkbox"/> +10 steps <input type="checkbox"/> N/A | | Stairs: <input type="checkbox"/> 5 à 10 steps <input type="checkbox"/> +10 steps <input type="checkbox"/> N/A | |
| Pushing: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | | Pushing: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | |
| Pulling: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | | Pulling: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | |
| Grip strength: _____ kg | N/A <input type="checkbox"/> | Grip strength: _____ kg | N/A <input type="checkbox"/> |
| Handling: _____ | <input type="checkbox"/> N/A | Handling: _____ | <input type="checkbox"/> N/A |
| Lifting loads: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | | Lifting loads: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | |
| Moving loads: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | | Moving loads: <input type="checkbox"/> 0-5 kg <input type="checkbox"/> 5-15 kg <input type="checkbox"/> 15-25 kg <input type="checkbox"/> +25 kg <input type="checkbox"/> N/A | |
| Other functional data: | | Other functional data: | |

Observations (presence of mixed signals, sensitivity, balance, etc.)

Participation of worker during evaluation (cooperation, interest, effort, regularity). Specify:

Analysis of interactions between personal, environmental and work factors that pose **obstacles** to the return to work, if applicable.

| | |
|---|--|
| Functional data and occupational therapist's opinion. (cont'd) | |
| Analysis of interactions between personal, environmental and work factors that constitute levers for the return to work, if applicable. | |
| Opinion of occupational therapist on the return to work and on the performance of daily activities. Specify: | |
| Have you discussed return to work arrangements with the worker? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify. If not, why? | |
| 7 Treatment plan | |
| Active conditions: | |
| Passive conditions: | |
| 8 Worker's condition | |
| Improvement _____% Stable <input type="checkbox"/> Deterioration _____% | |
| Do you recommend the end of treatment? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes , what is the real or planned date of the end of treatment? <input type="text" value=""/> | |
| What are the residual difficulties? <input type="checkbox"/> N/A | |
| If no , how many additional treatments are you planning? Planned frequency of treatments: _____ / week Other: _____ What are the functional objectives pursued by the additional treatments? | |
| Comments / Recommendations | |
| Signature of the member of the OEQ who completed the report | Date <input type="text" value=""/> |

TRANSITIONAL AND FINAL

18. Despite the second paragraph of section 3, as replaced by section 3 of this Regulation, a member of the Ordre professionnel de la physiothérapie du Québec and a member of the Ordre professionnel des ergothérapeutes du Québec must send to the Commission a prescription for care or treatment that does not comply with the standards set out in section 13 or 17.0.2, as made by section 12 of this Regulation, until 31 March 2020.

19. The 180-day period provided for in section 3.1, made by section 4 of this Regulation, begins to run as of 24 May 2018 in respect of professional services, care or treatment provided before that date.

20. Despite section 7, as amended by section 8 of this Regulation, a worker may continue to receive occupational therapy home care if it has been prescribed before 24 May 2018.

The rate for such care, provided for in Schedule I as it read before being replaced by section 14 of this Regulation, continues to apply to the home care referred to in the first paragraph.

21. The costs payable for the first visit to a health worker, referred to in section 9, before its replacement by section 9 of this Regulation, which are exigible at a date prior to 24 May 2018 are not payable if the account is sent to the Commission more than 30 days after that date.

22. Section 13, made by section 12 of this Regulation, applies only to a change in a worker's treatment plan or to a prescription issued as of 24 May 2018.

23. The costs payable for treatment after the filing of an initial report, a progress report, a treatment termination report and a reasoned opinion, required under sections 14 to 16, before their replacement by section 12 of this Regulation, which are exigible at a date prior to 24 May 2018 are not payable if those reports and opinions are sent to the Commission more than 30 days after that date.

24. Sections 17.0.1 and 17.0.2, made by section 12 of this Regulation, apply only to an employment injury occurring as of 24 May 2018.

25. The goods and services provided before 24 May 2018 are paid by the Commission according to the rate applicable at the time they were provided.

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

103462

Gouvernement du Québec

AddendumElection Act
(CQLR, c. E-3.3)ADDENDUM TO THE AGREEMENT
CONCERNING THE TESTING OF NEW POLLING
FORMALITIES

AGREED TO IN AUGUST 2012

BETWEEN

MR. PHILIPPE COUILLARD, LEADER OF THE
QUEBEC LIBERAL PARTY, AN AUTHORIZED
PARTY REPRESENTED IN THE NATIONAL
ASSEMBLY

AND

MR. JEAN-FRANÇOIS LISEE, LEADER OF THE
PARTI QUÉBÉCOIS, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. FRANÇOIS LEGAULT, LEADER OF
COALITION AVENIR QUÉBEC-L'ÉQUIPE
FRANÇOIS LEGAULT, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. GAÉTAN CHÂTEAUNEUF, LEADER OF
QUÉBEC SOLIDAIRE, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. PIERRE REID, IN HIS CAPACITY AS THE
CHIEF ELECTORAL OFFICER OF QUEBEC

WHEREAS the parties signed an agreement in August 2012, under section 489 of the Election Act (CQLR, c. E-3.3), to allow the testing of a new type of ballot bearing photographs;

WHEREAS section 4 of the agreement replaces section 6 of the Nomination Regulation (CQLR, c. E-3.3, r. 7);

WHEREAS in accordance with section 550 of the Election Act, the Committee on Institutions has approved with modification, on February 20, 2018, the Regulation to amend the Nomination Regulation which had been submitted to it by the Chief Electoral Officer of Québec;

WHEREAS section 1 of the Regulation to amend the Nomination Regulation, coming into force on March 22, 2018, replaces section 6 of the Nomination Regulation;

WHEREAS section 4 of the agreement is no longer required.

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. PREAMBLE

The preamble to this agreement forms an integral part thereof.

2. CHANGES TO THE AGREEMENT REACHED IN AUGUST 2012

2.1 Section 4 of the agreement is deleted.

3. COMING INTO FORCE

This addendum is effective as of the date of the last signature.

In Witness Whereof, The Parties Have Signed, In Five Copies,

In Québec, On April 11, 2018

PHILIPPE COUILLARD,
Leader of the Quebec Liberal Party

In Québec, On April 12, 2018

JEAN-FRANÇOIS LISÉE,
Leader of the Parti québécois

In Québec, On April 18, 2018

FRANÇOIS LEGAULT,
*Leader of Coalition Avenir Québec
-Équipe François Legault*

In Montréal, On April 20, 2018

GAÉTAN CHÂTEAUNEUF,
Leader of Québec Solidaire

In Québec, On April 25, 2018

PIERRE REID,
Chief Electoral Officer of Québec

103463

M.O. 2018

Order number AM-0010-2018 of the Minister of Public Security dated 20 April 2018

Civil Protection Act
(chapter S-2.3)

Regulation respecting warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster

THE MINISTER OF PUBLIC SECURITY,

CONSIDERING the first paragraph of section 194 of the Civil Protection Act (chapter S-2.3), which provides that the Minister of Public Security may determine, by regulation, warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster;

CONSIDERING that the first paragraph of section 194 also provides that a local municipality must ensure, until the first civil protection plan binding it comes into force, that such warning and mobilization procedures and such minimum rescue services are in force in its territory;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster was published in Part 2 of the *Gazette officielle du Québec* of 12 April 2017, with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that the 45-day period has expired;

CONSIDERING that comments have been received and it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation respecting warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster, attached to this Order, is hereby made.

Québec, 20 April 2018

MARTIN COITEUX,
Minister of Public Security

Regulation respecting warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster

Civil Protection Act
(chapter S-2.3, s. 194)

DIVISION I WARNING AND MOBILIZATION PROCEDURES

- 1.** The warning and mobilization procedures of a local municipality specify the conditions applicable in order to warn its population and to warn and mobilize the persons designated by the municipality in the event of an actual or imminent major disaster.
- 2.** A local municipality must at all times be able to issue the warning and to mobilize the persons designated by the municipality.
- 3.** The warning to the persons designated by the municipality is issued according to the warning plan of the municipality. The plan describes the warning procedure and identifies the persons designated by the municipality who must be warned in the event of an actual or imminent major disaster. The plan also identifies who is responsible for warning those persons.
- 4.** When a warning to the persons designated by the municipality is issued, the municipal civil protection coordinator designated by the municipality or his or her substitute must coordinate the implementation of the emergency preparedness plan and, as required, mobilize the persons designated by the municipality using the municipality's mobilization list and directory of resources.

5. The mayor, the acting mayor, the municipal civil protection coordinator or his or her substitute, or any other person designated by the municipality, may

- (1) approve the content of the warning message to the population;
- (2) authorize the dissemination of the warning message; and
- (3) issue the warning to the population.

The warning message to the population must mention, in particular, the nature of the disaster, its location and the safety instructions to be followed.

DIVISION II MINIMUM RESCUE SERVICES

- 6.** A local municipality must be able to disseminate among its population information intended to protect the persons and property in its territory in the event of an actual or imminent major disaster.
- 7.** A local municipality must designate locations that can, in the event of an actual or imminent disaster, be used as a coordination centre or as service and temporary housing centres for victims.
- 8.** A coordination centre must have telecommunications and computer equipment allowing for the reception, processing and transmission of information on the management of the disaster and of the space needed to receive the persons designated by the municipality.

In addition, the municipality must be able to overcome an interruption in electrical supply that could occur in the centre.
- 9.** Service and temporary housing centres for victims must be equipped with sanitary facilities.

In addition, the municipality must be able to overcome an interruption in electrical supply that could occur in those centres.
- 10.** A local municipality must be able to provide victims with reception, information, temporary housing, food and clothing services.
- 11.** A local municipality must develop procedures to evacuate and confine the population threatened by an actual or imminent major disaster and be able to implement them if need be.

The procedures must include

(1) the names and contact information of the persons designated by the municipality to authorize the evacuation or confinement of the population;

(2) the names and contact information of the persons responsible for evacuation and confinement operations, as well as the respective responsibilities of those persons;

(3) the general instructions to be disseminated among the population;

(4) the means to be used to disseminate the notice of evacuation or confinement of the population;

(5) the means of transportation to evacuate the population;

(6) the means to be used to make a census of the persons evacuated; and

(7) the means to be implemented to monitor the sectors evacuated.

12. This Regulation comes into force 18 months after the date of its publication in the *Gazette officielle du Québec*.

103454

Draft Regulations

Draft Regulation

An Act respecting the Caisse de dépôt et placement du Québec
(chapter C-2)

Caisse de dépôt et placement du Québec — Terms and conditions of deposits, funds and portfolios

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 of deposits, funds and portfolios of the Caisse de dépôt et placement du Québec, made by the Fund under the Act respecting the Caisse de dépôt et placement du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation creates a cash flow fund separate from the general fund. In addition to the cash flow activities for the purposes of the activities and operations of the Fund, the cash flow fund may make loans to depositors of the Fund. The draft Regulation also establishes the apportionment of the net result of investments with depositors for each fund and portfolio.

Further information may be obtained by contacting Sophie Lussier, Vice-President, Affaires juridiques, Caisse de dépôt et placement du Québec, Édifice Jacques-Parizeau, 1000, place Jean-Paul-Riopelle, Montréal (Québec) H2Z 2B3; telephone: 514 847-2353; fax: 514 847-9380; email: slussier@cdpq.com

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Finance, 12, rue Saint-Louis, 1^{er} étage, Québec (Québec) G1R 5L3.

CARLOS LEITÃO,
Minister of Finance

Regulation respecting the terms and conditions of deposits, funds and portfolios of the Caisse de dépôt et placement du Québec

An Act respecting the Caisse de dépôt et placement du Québec
(chapter C-2, s. 23, pars. *d, e* and *f*)

DIVISION I DEFINITIONS

1. In this Regulation, unless the context indicates otherwise,

“Act” means the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2);

“assets” means investment or categories of investments; (*actif*)

“closing” means the last day of a fiscal period; (*clôture*)

“cost driver” means a factor that is the cause of certain costs associated with an activity justifying matching costs to products or services consuming that activity; (*inducteur de coût*)

“deposit” means all moneys deposited with the Fund; (*dépôt*)

“depositor” means an entity empowered to deposit sums in the Fund under the Act respecting the Caisse de dépôt et placement du Québec; (*déposant*)

“fiscal period” means a period of 1 month or 3 months determined by the Fund for each fund and portfolio; (*exercice*)

«Fund» means the Caisse de dépôt et placement du Québec; (*Caisse*)

“fund” means the general fund, the cash flow fund, an individual fund or a specialized fund; (*fonds*)

“net income to be paid (net loss to be recovered)” means, for a portfolio, the current income, namely, the income from interest, dividends and any other distribution of that nature less the operating costs attributed to the portfolio in accordance with section 3.

For funds, the current income, namely, income from interest, dividends and any other distribution of that nature less the operating costs allocated to the fund in accordance with section 3, the distributions from specialized portfolios and gains and losses on the sale of investments. (*revenu net à verser (perte nette à récupérer)*)

“notice” means a written notice sent by email, fax or the electronic system made available to the depositors; (*avis*)

“opening” means the first day of a fiscal period; (*ouverture*)

“operating costs” means all the costs incurred for the management and administration of assets in the funds and portfolios, including in particular the salaries and social benefits, computer services, external management costs and safekeeping fees; (*charges d'exploitation et d'opération*)

“working day” means any day other than Saturday, Sunday or holidays. (*jour ouvrable*)

DIVISION II

FUNDS

2. The Fund may receive deposits in its various funds.

3. The general fund is a pooled fund in which the Fund may receive participation deposits from its depositors or various funds. The general fund may also receive demand deposits and term deposits from depositors, various funds, portfolios and subsidiaries of the Fund.

The general fund is a fund whose assets may be diversified; it comprises all types or categories of assets.

The general fund may also hold elements of assets benefiting all depositors.

The general fund may carry on operations with other funds, portfolios and subsidiaries of the Fund.

Operating costs are aggregated and accounted for in the general fund then attributed according to the cost drivers appropriate for the investment activities to the various funds, portfolios and subsidiaries of the Fund, as approved by the board of directors.

4. At the closing of the fiscal period of the general fund, the net result of investments related to elements of assets benefiting all depositors is established and the result is apportioned among the depositors in proportion to the value of the participation deposits they hold in all individual and specialized funds of the Fund.

At the closing of the fiscal period, the net result of investments of activities and operations other than activities and operations related to elements of assets benefiting all depositors is also established and, after the allocation of the net result of investments of the cash flow activities, the balance of the net result of investments of the activities of the general fund is apportioned among the depositors of the general fund in proportion to the number of units of participation held by each one in the fund.

The net result of investments is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating costs allocated to the fund in accordance with section 3.

At the opening of the fiscal period that follows, the net income is paid to the depositors or funds or the net loss is recovered from the depositors or individual fund. The same applies to the gains from the sale of investments or the recovered losses from the sale of investments. The payments may be made by issuing units of participation.

5. The cash flow fund carries on cash flow activities for the purposes of the activities and operations of the Fund.

The cash flow fund may receive demand deposits and term deposits from depositors of the various funds, portfolios and subsidiaries of the Fund.

The cash flow fund may carry out operations with other funds, portfolios and subsidiaries of the Fund.

The cash flow fund may carry on loan operations with the depositors of the Fund, including in the form of lines of credit or of overdraft of a current account made from time to time by a depositor. The rate and other terms of the line of credit are than agreed upon in a credit agreement between the Fund and the depositor.

Overdraft of the demand deposit account bears interest at an increased rate determined by the Fund on a day to day basis in keeping with the money market.

At the closing of the fiscal period of the cash flow fund, the net result of investments of the cash flow fund is established and the result is apportioned among the depositors in proportion to the value of the participation deposits they hold in all the general, individual and specialized funds of the Fund.

The net result of investments is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss

on investments and liabilities related to the investments, less operating costs allocated to the fund in accordance with section 3.

6. Individual funds each have a single depositor and their investments are diversified in keeping with individual requirements.

The depositor who has use of an individual fund defines, in the policy on investment, general standards related to the distribution of his or her assets between the categories of assets offered by the Fund.

Such general standards must however at all times be compatible with the objectives, policies, broad guidelines and investment strategies of the Fund and with the standards and procedures approved, from time to time, by the board of directors.

7. The specialized funds are pooled funds in which the Fund may receive participation deposits from its depositors who have a similar profile or similar objectives or who wish to invest in similar categories of assets.

Specialized funds are each made up of investments of any of the categories of assets offered by the Fund.

DIVISION III DEMAND DEPOSITS AND TERM DEPOSITS

8. The equity of a depositor may be transferred from a specialized fund to an individual fund in accordance with the procedures established in Schedule A.

9. The cash flow fund and the general fund may accept demand deposits and term deposits from day to day.

10. Demand deposits bear interest at a variable rate determined by the Fund in keeping with the money market from day to day.

Interest is computed daily. It accrues and is paid into the demand deposit account on a monthly basis.

11. Demand deposits are redeemable by the Fund not later than the working day following receipt of a notice of withdrawal.

12. Term deposits may bear interest at a fixed rate or a variable rate.

The fixed rate is determined on the date of the deposit by the Fund in keeping with the money, bond, equity or any other market or in keeping with the categories of assets or financial instruments described in section 23 or a combination of assets and financial instruments.

The Fund determines the variable rate in keeping with any of the categories of assets or financial instruments described in section 23 or a combination of assets and financial instruments.

Interest is computed on the amount of the deposit using the method described above and is payable at maturity.

13. Term deposits are redeemable by the Fund on the date of maturity.

14. Interest to be paid on term deposits, as well as the principal of matured term deposits, is payable into the depositor's demand deposit account.

DIVISION IV PARTICIPATION DEPOSITS

15. The Fund accepts participation deposits in its general fund, its individual funds and its specialized funds at the opening of their respective fiscal period and effects withdrawals of participation deposits from its funds at the opening of their respective fiscal period.

16. Participation deposits are expressed in units of participation of the fund to which they are assigned. The number of units of participation corresponding to a deposit made into a fund or to a withdrawal from such a fund is equal to the amount of the deposit or withdrawal, divided by the price of the units of participation of the fund.

17. The price of units of participation of the funds is calculated by dividing, at the time of establishing the price, the value of the net equity of each fund by the number of units then outstanding. For the purposes of a withdrawal or deposit, the number of units is the number existing immediately before the withdrawal or deposit operation.

At the time of appraisal of the net equity of a fund, investments are taken at their market value; where there is no market or valid quotation for an asset, the Fund may appraise it on the basis of yield, at book value or at realizable value.

18. At the closing of the fiscal period of an individual fund, after the allocation to the fund of the net result of investments of the cash flow activities and the net result of investments of activities benefiting all depositors, the net result of investments of the fund is established.

The net result of investments of an individual fund is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating costs allocated to the individual fund in accordance with section 3.

At the opening of the fiscal period that follows, the net income is paid to the depositor or the net loss is recovered. The same applies to the gains from the sale of investments or the recovered losses from the sale of investments. The payments may be made by issuing units of participation.

19. At the closing of the fiscal period of a specialized fund, the net result of investments is established and, after allocation to the fund of the net result of investments of the cash flow activities and the result of investments of the activities benefiting all depositors, the balance is apportioned among the depositors of the fund in proportion to the number of units of participation held by each one.

The net result of investments of a specialized fund is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating costs allocated to the specialized fund in accordance with section 3.

At the opening of the fiscal period that follows, the net income is paid to the depositors or the net loss is recovered. The same applies to the gains from the sale of investments or the recovered losses from the sale of investments. The payments may be made by issuing units of participation.

20. Withdrawals of participation deposits must be made by means of a notice of withdrawal sent to the Fund, indicating the amount of the withdrawal and the date of the withdrawal. Following receipt of such notice, the Fund proceeds according to the following terms and the conditions determined by the parties.

On the first day of the fiscal period of an individual fund, a specialized fund or the general fund following the month in which a depositor sent a notice of withdrawal, the Fund cancels a sufficient number of units of participation of the depositor subject to the limits provided for in this section. The proceeds from the cancellation of units of participation is paid on the same day into the demand deposit account.

Despite the preceding paragraphs, the maximum amount of withdrawals of participation deposits that the Fund is required to make monthly for a fiscal period is limited to the sum of \$50,000,000.

The Fund may limit the periods of withdrawals of participation deposits for individual funds, specialized funds or the general fund that hold categories of illiquid assets. The Fund may also limit the amount of withdrawals of participation deposits on any category of assets where the conditions and circumstances of the markets restrict the liquidity of those assets.

Cancellations of units of participation not carried out because of the limits are postponed to the first days of subsequent fiscal periods, as the limits allow.

DIVISION V PORTFOLIOS

21. There are two types of portfolios: portfolios under separate management and specialized portfolios.

22. Portfolios under separate management are portfolios of movable and immovable assets of which the depositor is registered as owner, but of which the Fund accepts the management on the terms and conditions agreed upon with the depositor.

23. The specialized portfolios are pooled investments in which the funds of the Fund may invest.

Specialized portfolios contain one or more securities and may group financial securities, assets, investments, instruments or contracts that the Fund is authorized to hold under the Act.

The offer of specialized portfolios is diversified in keeping with the characteristics of the assets they hold, their yield-risk profile and the terms of their investment policy.

The Fund may particularly offer the following categories of assets or financial instruments through specialized portfolios:

- (1) immovable assets;
- (2) shares, units, securities convertible into shares or other equity securities in corporations, funds or trusts listed or not;
- (3) hypothecs and other debt securities;
- (4) bonds and other fixed income securities of the money market;
- (5) financial instruments, including derivative financial instruments and bonds or other subscription rights;
- (6) assets related to infrastructure.

24. Sections 15, 16, 17 and 20 apply to specialized portfolios to the extent that they are applicable and with the necessary modifications to give them effect.

25. At the closing of the fiscal period of a specialized portfolio, the net result of investments is established and is apportioned among the holders of units of participation in proportion to the number of units of participation held by each one.

The net result of investments of a specialized portfolio is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating costs allocated to the portfolio in accordance with section 3.

At the opening of the fiscal period that follows, the net income is paid to the funds or the net loss is recovered. The payment may be made by issuing units of participation.

DIVISION VI MISCELLANEOUS

26. This Regulation replaces the Regulation respecting the terms and conditions of deposits, funds and portfolios of the Caisse de dépôt et placement du Québec (chapter C-2, r. 0.1).

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

SCHEDULE A (s. 8)

PROCEDURE FOR THE TRANSFER OF THE UNITS HELD BY A DEPOSITOR FROM A SPECIALIZED FUND TO AN INDIVIDUAL FUND

1. In this Schedule,

“depositor’s net assets” means the value of the share of the depositor in the net assets of the specialized fund; (*actif net du déposant*)

“net assets” means aggregate assets at fair value less corresponding liabilities; in the case of a specialized fund, they are equal to the value of the units of participation held by all the depositors in that specialized fund; (*actif net*)

“share”: unless the context indicates otherwise, the share of a depositor is that share represented by the number of units of participation held by such depositor, in relation to the specialized fund’s total number of units. (*part*)

2. For the purpose of transferring a depositor’s net assets from a specialized fund to an individual fund, the following steps must be completed at the opening of a fiscal period:

(1) the value of the specialized fund’s net assets is computed;

(2) the depositor’s net assets are determined;

(3) all the units of participation held by the depositor in the specialized fund are cancelled;

(4) a sum corresponding to the value of the depositor’s net assets following the cancellation of the units of participation is credited to the demand deposit account of the depositor;

(5) units of participation of an individual fund are allocated for the value corresponding to the sum credited to the demand deposit account of the depositor at the closing of the preceding fiscal period.

103455

Draft Regulation

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

Fees for certain legal services rendered to bodies of the Government – advocates and notaries

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the fees for certain legal services rendered to bodies of the Government and amending the Regulation respecting certain service contracts of public bodies, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation applies to every contract related to legal services provided by an advocate or notary to a public body subject to the Act respecting contracting by public bodies (chapter C-65.1) or to a body referred to in section 7 of that Act, except the bodies listed in Schedule I, regardless of the contract’s amount. It does not apply to a contract that was the subject of a call for tenders soliciting a price.

The draft Regulation provides 3 methods to establish the fees of the advocate or notary, that is, the hourly rate method, the percentage method and the lump-sum method, and determines the rules applicable to each. It also provides the terms and conditions applicable to the reimbursement of the expenses incurred by the advocate or notary in the performance of the contract and to the payment of his or her bill of fees and expenses. It also amends the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4) to specify the

rule applicable to departments for entering into a legal service contract that interests them. Lastly, the draft Regulation contains a transitional measure applicable to legal service contracts that will be under way at the time of its coming into force.

The draft Regulation has no impact on the public. It should not have any negative impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Bruno Doutriaux, Director, Direction de la recherche et des accords, Secrétariat du Conseil du trésor, 875, Grande Allée Est, bureau 2.871, Québec (Québec) G1R 5R8; telephone: 418 643-0875, extension 4945; fax: 418 646-4613; email: bruno.doutriaux@sct.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to the Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor, 875, Grande Allée Est, Québec (Québec) G1R 5R8.

PIERRE ARCAND,
*Minister responsible for Government Administration
and Ongoing Program Review
and Chair of the Conseil du trésor*

Regulation respecting the fees for certain legal services rendered to bodies of the Government and amending the Regulation respecting certain service contracts of public bodies

An Act respecting contracting by public bodies (chapter C-65.1, s. 23, pars. 1 and 7, ss. 23.1 and 24)

CHAPTER I SCOPE AND INTERPRETATION

1. Subject to the second paragraph, this Regulation applies to any contract for legal services provided by an advocate or notary to a public body subject to the Act respecting contracting by public bodies (chapter C-65.1), or to a body referred to in section 7 of the Act, except the bodies listed in Schedule I, regardless of the contract's amount.

This Regulation does not apply to a contract that was the subject of a call for tenders soliciting a price.

2. In this Regulation,

(1) “advocate” means a member of the Barreau du Québec;

(2) “notary” means a member of the Chambre des notaires du Québec;

(3) “body” means a public body subject to the Act respecting contracting by public bodies or a body referred to in section 7 of the Act, except the bodies listed in Schedule I.

CHAPTER II ESTABLISHMENT OF FEES

DIVISION I GENERAL

3. The fees of the advocate or notary are established, as the body may choose, on the basis of one of the following methods or a combination thereof:

- (1) the hourly rate method;
- (2) the percentage method;
- (3) the lump-sum method.

DIVISION II HOURLY RATE METHOD

4. The hourly rate method consists in computing the advocate's or notary's fees in relation to the time devoted to performing the contract by the advocate or notary and, if applicable, the persons who are requested by the advocate or notary to collaborate in the contract by reason of their position.

The hourly rates applicable to determine the fees vary according to the position, class and experience of each person working to perform the contract and may not exceed those provided for in Schedule II.

DIVISION III PERCENTAGE METHOD

5. The percentage method consists in computing the advocate's or notary's fees according to a percentage of the amount obtained from a third person in the performance of the contract.

The percentage is agreed upon between the parties to the contract or set by the body. In the latter case, in the case of a public body, the percentage must be set before the

public body solicits the services of an advocate or notary pursuant to section 23 of the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4).

DIVISION IV LUMP-SUM METHOD

6. The lump-sum method consists in determining the advocate's or notary's fees according to a lump sum, which is computed from an estimate of the number of hours required to perform the contract, on the basis of the hourly rates provided for in Schedule II.

The lump sum is agreed upon between the parties to the contract or set by the body. In the latter case, in the case of a public body, the lump sum must be set before the public body solicits the services of an advocate or notary pursuant to section 23 of the Regulation respecting certain service contracts of public bodies.

The lump sum may include all or part of the expenses provided for in Chapter III which would be otherwise reimbursed in addition to the fees.

7. Where the lump-sum method is used, the contract must specify the services to be rendered, the expected results and the planned timetable.

CHAPTER III REIMBURSEMENT OF EXPENSES

8. Only the expenses, including travelling expenses, that are required to perform the contract and are authorized by the body may be reimbursed to the advocate or notary.

9. Expenses, including travelling expenses, are reimbursed on the terms and conditions stipulated in the contract, subject to the following and, where applicable, to what is provided for in section 10:

(1) the reimbursement must exclude the amount of taxes eligible for a refund or a credit to which the advocate or notary is entitled under a fiscal law;

(2) the reimbursement of expenses incurred by the advocate or notary to hire an external expert to assist in the performance of the contract is conditional on the prior written acceptance of the body;

(3) the body determines the supporting documents to be provided by the advocate or notary.

10. In the case of a contract of a public body referred to in subparagraph 1 or 2 of the first paragraph of section 4 of the Act respecting contracting by public bodies, travelling expenses incurred for the performance of the contract by

the advocate or notary and, if applicable, the persons who are requested by the advocate or notary to collaborate in the contract by reason of their position are reimbursed in accordance with the *Directive concernant les frais de déplacement des personnes engagées à honoraires par des organismes publics* made by the Conseil du trésor (C.T. 212379 dated 26 March 2013 and its amendments).

11. The body may elect to reimburse all or part of the expenses, including travelling expenses, according to a lump sum determined from an estimate of the expenses that would be reimbursed pursuant to the rules of this Chapter. If applicable, sections 8 to 10 apply to any expense that is not included in the lump sum.

CHAPTER IV PAYMENT

12. An advocate or notary is paid according to the progress of the work covered by the contract following the presentation of his or her bill of fees and expenses on a monthly basis or at another frequency stipulated in the contract.

A public body referred to in subparagraph 1 of the first paragraph of section 4 of the Act respecting contracting by public bodies may not pay the fees indicated in the bill before they are approved by the Minister of Justice.

CHAPTER V MISCELLANEOUS, TRANSITIONAL AND FINAL

13. Section 36 of the Regulation respecting certain service contracts of public bodies is amended

(1) by striking out “or 2”;

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

“The consent mentioned in the first paragraph, given prior to entering into the legal service contract pertains to the choice of advocate or notary and to the fees that will be granted to him or her pursuant to the Regulation respecting the fees for certain legal services rendered to bodies of the Government and amending the Regulation respecting certain service contracts of public bodies made by Order in Council (*insert the number and date of the Order in Council making this Regulation*).”

14. The parties to a legal service contract entered into before (*insert the date of coming into force of this Regulation*) and in respect of which the Conseil du trésor authorized, pursuant to the second paragraph of section 25 of the Act respecting contracting by public bodies, an hourly rate greater than what is provided by the Tariff of fees for professional services provided to the Government by advocates or notaries (chapter C-65.1, r. 11) may,

despite the decision by the Conseil du trésor, agree on a new hourly rate applicable to legal services provided under that contract after (*insert the date of the day that precedes the date of coming into force of this Regulation*) to the extent that the new rate does not exceed the rates provided for in Schedule II to this Regulation.

15. This Regulation replaces the Tariff of fees for professional services provided to the Government by advocates or notaries.

16. This Regulation comes into force on (*insert the date of the fifteenth day following the date of publication of this Regulation in the Gazette officielle du Québec*).

SCHEDULE I

(ss. 1 and 2)

Excluded bodies

- Caisse de dépôt et placement du Québec;
- Hydro-Québec;
- Investissement Québec;
- Société des alcools du Québec;
- Société des loteries du Québec;
- Société Innovatech du Grand Montréal;
- Société Innovatech du Sud du Québec;
- Société Innovatech Québec et Chaudière-Appalaches;
- Société Innovatech Régions ressources.

SCHEDULE II

(ss. 4 and 6)

Hourly rates according to the position, class and experience of the person working on the performance of a legal service contract

| POSITION and CLASS | EXPERIENCE ¹ | MAXIMUM HOURLY RATE (\$) |
|--------------------|-------------------------|--------------------------|
| ADVOCATE OR NOTARY | | |
| —Class 4 | More than 15 years | 300 |
| —Class 3 | 11 to 15 years | 250 |
| —Class 2 | 6 to 10 years | 200 |
| —Class 1 | 0 to 5 years | 135 |

| POSITION and CLASS | EXPERIENCE ¹ | MAXIMUM HOURLY RATE (\$) |
|--|-------------------------|--------------------------|
| LIBRARIAN ² | | |
| —Class 4 | More than 15 years | 125 |
| —Class 3 | 11 to 15 years | 110 |
| —Class 2 | 6 to 10 years | 100 |
| —Class 1 | 0 to 5 years | 85 |
| PARALEGAL | | |
| —Class 4 | More than 15 years | 85 |
| —Class 3 | 11 to 15 years | 75 |
| —Class 2 | 6 to 10 years | 70 |
| —Class 1 | 0 to 5 years | 60 |
| ARTICLING LAW STUDENT ³ | | 55 |
| LAW STUDENT | | |
| —at the École du Barreau or university (master's degree in notarial law) | | 50 |
| —university (undergraduate or other master's level) | | 45 |

Notes

1 The number of years of experience indicated, for an advocate or notary, is the total number of years on the roll of the Barreau du Québec or the Chambre des notaires du Québec. For a librarian or paralegal, the number of years of experience is the number of years worked in that capacity.

2. A librarian must hold a relevant master's degree, or a relevant bachelor's degree obtained before 1971, failing which the hourly rate applicable to his or her services is the rate for a paralegal, depending on the class corresponding to his or her experience.

3. Articling law students are future advocates and notaries who have completed their academic training and who serve an on-the-job training period under the supervision of an articling supervisor.

103456

Draft Regulation

Funeral Operations Act
(2016, chapter 1)

Funeral operations — New

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting certain information and documents of the funeral industry, appearing below, may be made by the Minister of Health and Social Services on the expiry of 45 days following this publication.

The draft Regulation determines, along with the terms of transmission, the information that funeral services business licensees must send to the Minister where they enter into a contract with another business of that type to offer funeral services not specified in the licence. The draft Regulation also determines who is responsible for providing to body transportation service providers a document specifying, if applicable, that the body presents a public health hazard and preventive measures to be taken.

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

Further information may be obtained by contacting Martin Simard, deputy director-general of coordination and civil security, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 3^e étage, Québec (Québec) G1S 2M1; telephone: 418 266-6822; email: martin.simard@msss.gouv.qc.ca

Any person wishing to comment on the Draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

GAETAN BARRETTE,
*Minister of Health and
Social Services*

Regulation respecting certain information and documents of the funeral industry

Funeral Operations Act
(2016, chapter 1, ss. 17 and 66)

CHAPTER I

CONTRACTS BETWEEN FUNERAL SERVICES BUSINESS LICENSEES

1. A funeral services business licensee who retains the services of another funeral services business licensee to offer funeral services not specified in the licensee's own licence must so inform the Minister in writing indicating

(1) the name and business number of the business whose services were retained; and

(2) the services that will be performed by that other business.

The licensee must also inform the Minister in writing of any change to such a contract.

2. The information must be sent not later than 30 days after the signing of the contract.

CHAPTER II

DOCUMENT SPECIFYING THAT A BODY PRESENTS A PUBLIC HEALTH HAZARD

3. A document specifying that a body presents a public health hazard provided for in subparagraph 2 of the first paragraph of section 66 of the Funeral Operations Act must be completed by the person who draws up the attestation of death.

That person must indicate

(1) the nature of the hazard that the body presents to public health; and

(2) the preventive measures to be taken, where applicable.

CHAPTER III

FINAL

4. This Regulation comes into force on 1 January 2019.

103458

Draft Regulation

Funeral Operations Act
(2016, chapter 1)

Regulation

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

The purpose of the draft Regulation is to prescribe rules applicable for obtaining a funeral services business licence or an embalmer's licence. It also determines the qualifications necessary for funeral services directors to be appointed by a funeral services business. The draft Regulation details the continuing education requirements for funeral services directors and licensed embalmers.

The draft Regulation provides for the content and form of, and terms governing preservation of, where applicable, the funeral operations register, the burial register, the register of unclaimed bodies held by the Minister and the register of unclaimed bodies held by an educational institution, the keeping of which is provided for in the Funeral Operations Act (2016, chapter 1).

To ensure public health and the respect of the dignity of deceased persons, the draft Regulation also determines standards and practice conditions applicable to embalming, the presentation and viewing of bodies or ashes, the preservation of bodies, cemeteries, columbariums and mausoleums, interment and disinterment of bodies and their cremation and transportation.

To protect public health, the draft Regulation prescribes certain rules applicable to the washing of a body in the context of a funeral rite or practice and prescribes or prohibits certain funeral practices where the deceased person had any of the diseases and infections provided for in the Regulation.

Lastly, the draft Regulation provides a few miscellaneous and final provisions.

The draft Regulation will have an impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Martin Simard, deputy director-general of coordination and civil security, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 3^e étage, Québec (Québec) G1S 2M1; telephone: 418 266-6822; email: martin.simard@msss.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,
*Minister of Health and
Social Services*

Regulation respecting the application of the Funeral Operations Act

Funeral Operations Act
(2016, chapter 1, ss. 7, 11, 16, 21, 33, 36, 38, 46, 48, 61, 63, 65, 69, 79, 81, 82, 88 and 97)

CHAPTER I FUNERAL SERVICES BUSINESS LICENCE AND EMBALMER'S LICENCE

DIVISION I FUNERAL SERVICES BUSINESS LICENCE

§1. *Qualifications of an applicant*

1. A funeral services business licence may only be issued to a person who

(1) operates at least 1 embalming room, crematorium or room permanently set up for the viewing of bodies or human ashes;

(2) has a liability insurance contract for at least \$1,000,000 per claim that complies with the requirements prescribed by section 2; and

(3) has not had the licence revoked in the 5 years preceding the application.

Where the applicant is a natural person, the person must be 18 years of age or over.

2. The liability insurance contract of a funeral services business licensee must

(1) cover in particular the liability of the licensee for damages attributable to a fault or negligence committed in the operation of the funeral services business; and

(2) include a provision requiring the insurer to notify the Minister within 10 working days following the termination, cancellation or modification of the liability insurance contract reducing coverage below \$1,000,000.

3. A funeral services business licensee must keep in force the liability insurance contract during the term of the licence.

In the event that, during the term of a licence, the liability insurance contract no longer meets the requirement of paragraph 2 of section 1 and section 2, the licensee may not continue operations before the licensee enters into a new liability insurance contract meeting the requirements prescribed by this Regulation.

§2. Licence application

4. Every funeral services business licence application must be made in writing using the form prescribed by the Minister and must contain the following information and documents:

(1) if the licence is in the name of a natural person, the name, sex and date of birth of the applicant or, in other cases, the corporate name and Québec business number of the business concerned;

(2) the contact information of the applicant;

(3) the address of each funeral facility of the business associated with the funeral operations to be carried out therein;

(4) proof of the liability insurance required under section 2;

(5) in the case of a legal person or other partnership, a resolution of the board of directors or the internal management board, as the case may be, authorizing the filing of the licence application and designating the funeral services director;

(6) in the case of an application for the operation of a crematorium, a copy of the authorization issued in accordance with section 22 of the Environment Quality Act (chapter Q-2);

(7) the name, sex and date of birth of the person who will act as funeral services director.

Every application of the modification of a licence must also contain

(1) a description of the modifications sought; and

(2) the reasons justifying the modifications.

5. Every application for the modification or renewal of a licence must be made in writing using the form prescribed by the Minister and must contain the information and documents provided for in section 4.

Information and documents previously provided to the Minister need not be re-filed if the applicant attests to their accuracy.

6. The annual fees exigible for the issue or renewal of a funeral services business licence are \$525 for each funeral facility operated by a funeral services business.

The fees, non-refundable, are payable on the anniversary date of the issue or renewal of the licence.

7. The fees exigible to modify a licence to add funeral facilities are the same as those provided for in section 6 and are not calculated proportionately to the remaining period before the expiry of the licence.

§3. Documents to be kept by a licensee

8. A funeral services business licensee must keep the following documents for 5 years:

(1) tracking records for rental caskets, where applicable;

(2) contracts entered into with subcontractors for the provision of funeral services, including transportation and preservation of bodies, where applicable;

(3) with respect to each body:

(a) a copy of the attestation of death, except in the case of a non-living product of conception, or a copy of the coroner's authorization to dispose of the body;

(b) a copy of the document specifying, where applicable, that the body presents a public health hazard;

(c) a copy of the authorization of the coroner or deputy coroner in a case referred to in section 130.

§4. Qualifications of a funeral services director

9. A funeral services director appointed by a funeral services business must have the following qualifications and

(1) be 18 years of age or over;

(2) be domiciled in Québec;

(3) not have been found guilty of an indictable offence or other offence relating to funeral operations and not have been found guilty of an offence under the Funeral Operations Act (2016, chapter 1) or its regulations in the last 5 years, unless a pardon has been obtained; and

(4) at the time of the appointment, have shown a sufficient knowledge of the Québec legal framework applicable to the funeral sector in one of the following manners:

- (a) by being a licensed embalmer;
- (b) by having been a funeral services director during the 12 preceding months;
- (c) by the successful completion of a written examination in the last 5 years.

10. A natural person may be appointed funeral services director despite paragraph 4 of section 9 if, on 31 December 2018, the person held a valid funeral director licence issued by the Minister under section 33 of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2), for as long as the person acts for and in the name of the funeral services business for which the person acted on 31 December 2018.

11. A funeral services director may be called upon to show a sufficient knowledge of the Québec legal framework applicable to the funeral sector by an examination where the Minister has reasonable grounds to believe that the director does not have or no longer has the knowledge necessary to carry out operations.

DIVISION II EMBALMER'S LICENCE

§1. *Qualifications of the applicant*

12. An embalmer's licence may only be issued to a natural person who

- (1) is 18 years of age or over;
- (2) is domiciled in Canada;
- (3) holds a college diploma in embalming techniques from an educational institution recognized by the Minister of Education and Higher Education, a diploma of the Institut de Thanatologie du Québec, created under section 10 of the Québec funeral directors and embalmers Act (S.Q. 1960-61, chapter 152), or an accreditation or licence to carry on embalming operations in another province or a territory of Canada; and
- (4) did not have his or her licence revoked in the 5 years preceding the application.

In addition, to obtain a first embalmer's licence, the holder of an accreditation or licence allowing the holder to practise such activities in another province or a territory

of Canada must show through a written examination sufficient knowledge of the Québec legal framework applicable to embalming.

A person who was not a licensed embalmer in the 5 years preceding the person's application, except in the case of a person having obtained a diploma of college studies in embalming technique within that period, must also show through a written examination sufficient knowledge of the Québec legal framework applicable to embalming.

13. A natural person may obtain an embalmer's licence despite subparagraph 3 of the first paragraph of section 12 if, on 31 December 2018, the person held a valid embalmer's licence issued by the Minister under section 32 of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2) and section 103 of the Regulation respecting the application of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2, r. 1), as they read on that date.

14. A licensed embalmer may be called upon to show through a written examination sufficient knowledge of the Québec legal framework applicable to embalming where the Minister has reasonable grounds to believe that the licensed embalmer does not have or no longer has the knowledge necessary for embalming.

§2. *Licence application*

15. Every application for an embalmer's licence must be made in writing using the form prescribed by the Minister and must contain

- (1) the name, contact information, date of birth and sex of the applicant;
- (2) the name and contact information of the funeral services businesses for which the applicant's services are required;
- (3) the number of embalming carried out by the applicant since the beginning of the calendar year, where applicable; and
- (4) an attestation that the applicant obtained a diploma of college studies in embalming techniques, where applicable.

An applicant who has an accreditation or licence for embalming issued by another province or a territory of Canada must provide, in replacement of the document referred to in subparagraph 4 of the first paragraph,

(1) a true copy of the accreditation or licence issued by the regulatory body of the province or territory of origin; and

(2) a certificate, letter or other proof, issued by the regulatory body of the province or territory of origin where the applicant is accredited, confirming that the recognition is in good standing at that place.

16. Every application for the issue or renewal of a licence must be made in writing using the form prescribed by the Minister and contain the information and documents provided for in section 15.

Documents previously provided to the Minister need not be re-filed if the applicant attests to their accuracy.

17. The fees, non-refundable, exigible for the issue or renewal of an embalmer's licence are \$209.

CHAPTER II CONTINUING EDUCATION

DIVISION I CONTINUING EDUCATION REQUIREMENT

18. Licensed embalmers and funeral services directors must, unless exempted under Division III of this Chapter, devote at least 9 hours of continuing education per 3-year reference period.

The first reference period begins on 1 January 2020.

A person who exercises the functions of funeral services director while being a licensed embalmer must comply with the number of hours provided for in the first paragraph and not double that number.

19. The training recognized for calculating the continuing education hours required under this Regulation is the training that meets the following conditions:

(1) it is offered by an educational institution recognized by the Minister of Education and Higher Education, by a private organization recognized by the Minister of Health and Social Services or as part of a symposium, convention, conference or seminar organized by them;

(2) its content is recognized by the Minister of Health and Social Services.

20. The Minister may, if the Minister considers that a change or deficiency affecting funeral operations justifies it, impose to all licensed embalmers, funeral services directors or some of them specific training. For that purpose, the Minister

(1) sets the duration of the training and the prescribed time to undergo the training; and

(2) determines the object and form of the training and the providers qualified to offer the training.

The hours devoted to that specific training are taken into consideration in the calculation of continuing education hours required under this Regulation.

DIVISION II CONTROL METHODS AND PENALTIES

21. Licensed embalmers and funeral services directors must provide a continuing education declaration, not later than 90 days after the end of the reference period, using the form prescribed by the Minister. The declaration must contain the training activities taken, the dates on which they were offered, the information on the providers and the number of hours completed.

22. The Minister may require any document or information allowing to verify that the licensed embalmer or the funeral services director met the continuing education requirements.

23. The Minister sends to the licensed embalmer or the funeral services director who has not met continuing education requirements, a notice indicating the requirements that were not met and informing the embalmer or director that he or she has 45 days from the date on which the notice is received to remedy the situation.

The hours of continuing education accumulated following that failure may only be recorded for the year of the reference period concerned by the failure.

24. The Minister sends to the licensed embalmer or the funeral services director who has not remedied the failure specified in the notice sent under section 23 a final notice informing the embalmer or director that he or she has an additional period of 15 days following the date on which the notice to remedy the failure is received and the sanction to which the embalmer or director is subject if the failure is not remedied.

25. Where a licensed embalmer has not remedied the failure specified in the notice sent under section 24, the Minister suspends the embalmer's licence. The Minister so notifies the licensee in writing.

26. Where a funeral services director has not remedied the failure specified in the notice sent under section 24, the Minister sends a written notice to the funeral services business employing the director to require the

designation, within 10 days after the reception of the notice, of a new funeral services director, failing which the funeral services business licence will be suspended.

27. Licensed embalmers or funeral services directors must keep supporting documents allowing the Minister to verify that they meet the continuing education requirements or have been exempted at least 3 years as of the end of the reference period to which they refer.

DIVISION III EXEMPTIONS

28. Despite section 18, a licensed embalmer or a funeral services director may apply for an exemption from the continuing education hours if the embalmer or director

(1) has obtained an embalmer's licence or has been appointed funeral services director after the beginning of a reference period;

(2) is on maternity or paternity leave or parental leave within the meaning of the Act respecting labour standards (chapter N-1.1); or

(3) is unable to attend a continuing education activity because of a serious extended illness or other exceptional circumstances.

The embalmer or the director may apply for an exemption by sending to the Minister a written application specifying the reasons for the application and any supporting document.

The Minister sends the decision to the embalmer or the director within 60 days following the date on which the application is received.

The requirement set out in section 18 may be reduced to 15 minutes for each month during which the embalmer or the director is unable to carry out the operations.

As soon as the impossibility ceases, the embalmer or the director must so notify the Minister in writing.

CHAPTER III REGISTERS

DIVISION I FUNERAL OPERATIONS REGISTER

§1. *General*

29. Funeral services businesses must keep a funeral operations register including, with respect to each body, a general portion and one or more specific portions.

Where a business takes charge of a body, the business completes the general portion and all the specific portions of the register applying to the funeral operations carried out with respect to the body. The business attaches to the register copies of the specific portions that are given, where applicable.

Where a funeral services business provides services to another funeral services business, that business completes the general portion and the specific portions applicable to the services offered and gives a copy to the business who takes charge of the body.

30. The information contained in the register must be kept for at least 5 years from the end of the provision of services.

31. If the funeral services business ceases operations, it must give its funeral operations register to another funeral services business.

The funeral services business must so inform the Minister and provide the Minister with a copy on request.

§2. *Content*

32. The general portion of the register must contain

(1) the name, address and licence number of the funeral services business responsible for the register;

(2) the name, sex, date of birth and the date and time of death of the deceased person;

(3) the number of the attestation of death or the coroner's record number indicated in the authorization to dispose of the body.

33. The specific portion related to the transportation for the initial taking in charge of the body must contain

(1) the place, date and time of taking in charge of the body;

(2) the name of the person that carried out the transportation; and

(3) if transportation is carried out by a transportation services provider, the name of the business responsible for the transportation.

34. The specific portion related to embalming must contain and include

(1) the date and times at which embalming began and ended; and

(2) the name, licence number and signature of the licensed embalmer who performed the embalming.

35. The specific portion related to cremation must contain

(1) the date, times at which the process began and ended and the type of cremation performed;

(2) the sequential number of the tag identifying the ashes; and

(3) the name of the person who performed the cremation.

36. The specific portion related to the presentation and viewing of the body must contain

(1) the date and duration of each period of presentation or viewing; and

(2) the place of the presentation or viewing.

37. The specific portion related to the disposal of the body or ashes must contain,

(1) in the case of interment, the name and address of the cemetery and the date of interment;

(2) if the body is sent outside Québec, the destination and date of transfer;

(3) in the case of cremation and the ashes are handed over to a person, the name of that person and the date on which they were handed over; and

(4) in the case of cremation and the ashes are placed in a cemetery or a columbarium, the name and address of the cemetery or columbarium, and the date on which they were placed therein.

38. Where one of the funeral operations provided for in sections 33 to 36 is carried out by or for another funeral services business, the register must contain, in the specific portion concerned, the name and licence number of the funeral services business through which or for which the operation was carried out, as the case may be.

DIVISION II BURIAL REGISTER

39. The burial register must contain

(1) the name and address of the cemetery or columbarium operator and, where applicable, the funeral services business licence number;

(2) the name, sex, date of birth and date of death of the deceased person;

(3) the date and place of the interment of the body or the placing of the ashes; and

(4) the indication that it is an unclaimed body, where applicable.

40. Where a body is temporarily placed in the public vault of a cemetery, the burial register must contain the date of the placement in the public vault and the date of interment.

41. Where ashes kept in a container are moved or where a body is disinterred, the burial register must so specify and indicate the destination.

42. The cemetery or columbarium operator may not dispose of or destroy the burial register under his or her responsibility.

43. If the operations cease, the cemetery or columbarium operator must hand over the burial register to the operator taking charge of the operations.

44. Where a columbarium operator or a funeral services business wishes to dispose of ashes abandoned in accordance with section 52 of the Act, the information related to the ashes, recorded in the burial register, must be provided to the operator taking charge of the ashes.

DIVISION III UNCLAIMED BODY REGISTER HELD BY THE MINISTER

45. The unclaimed body register held by the Minister must contain

(1) the name, sex, date of birth, and the place, date and time of death of the deceased person;

(2) the number of the attestation of death or the coroner's record number indicated on the authorization to dispose of the body;

(3) the reason for which the body has been declared unclaimed;

(4) if a police force searched to find a relative of the deceased person, the name of the police force and the record number;

(5) if a relative declared that he or she does not intend to claim the body, the name of the relative and the date of declaration;

(6) if the body has been donated to an educational institution, the name and address of the institution and the date of taking charge of the body by the institution;

(7) if the body has been handed over to a funeral services business, the name and licence number of the business and the date of taking charge of the body by the business; and

(8) if the body has been claimed by a third person, the name of that person and the date of taking charge of the body by that person.

DIVISION IV REGISTER OF UNCLAIMED BODIES HELD BY AN EDUCATIONAL INSTITUTION

46. The register of unclaimed bodies held by an educational institution must contain

(1) the name, sex, date of birth and date of death of the deceased person;

(2) the date and time of taking charge of the unclaimed body and the number of the attestation of death;

(3) the method for the disposal of the body, namely by cremation or by interment;

(4) if the body is taken in charge by a funeral services business for disposal, the name and licence number of the funeral services business and the date of taking charge of the body by the business; and

(5) if the body is taken in charge by a cemetery operator for disposal, the operator's name and the date of taking charge of the body by the operator.

47. An educational institution may not dispose of or destroy the register of unclaimed bodies under its responsibility.

48. At the Minister's request, the educational institution must send to the Minister a copy of its register.

CHAPTER IV STANDARDS AND PRACTICE CONDITIONS APPLICABLE TO CERTAIN FUNERAL OPERATIONS

DIVISION I GENERAL

49. The facilities and other rooms of a funeral services business must be in good condition and kept spotlessly clean. The same applies to the equipment therein and

the instruments used for funeral operations, including those used in the handling, preparation and preservation of bodies.

Everything that came in contact with the body must be washed and disinfected after each use with a disinfectant recognized in the practices established and determined based on the situation.

50. To prevent any unauthorized access, a funeral services business licensee must control access to the facilities not intended to receive the public and to rooms used for the preservation of bodies.

51. Before proceeding with any operation with respect to a body, a funeral services business licensee must ensure the identity of the body. To that end, the body must have an identification tag that must permanently remain on the body.

52. Every person carrying out any operation on the body, including transportation, must not produce any anatomical biomedical waste and must take the measures necessary to prevent propagation of infection and avoid contamination of the immediate environment by the discharge of body fluids or embalming products.

53. Every person handling a body must apply the appropriate preventive measures to protect public health.

54. Electromagnetic stimulators must be removed from a body before proceeding with embalming, interment or cremation, unless the stimulators have been subjected to tests for which the manufacturer ensures the safety with respect to explosion or contamination risks.

Every electromagnetic stimulator removed from a body must be disposed of in the same manner as non anatomic biomedical waste in accordance with the provisions that apply.

DIVISION II EMBALMING

§1. Hygiene and protection standards

55. A licensed embalmer and the staff assisting the embalmer must adopt basic practices in prevention of chemical, biological and radiological risks. Where a special situation requires it, additional precautions must be put in place.

56. Embalming must be performed using a product designed for that purpose and recognized in the practices established in embalming.

57. If organs or any other part of the human body must be removed from the body during embalming, they must be placed in an impervious container and then replaced in the body.

58. Blood and other biological liquids from the body must be discharged into a sewer system.

The same applies to waste water resulting from embalming operations.

§2. Conditions in which embalming must be performed

59. Where the condition of the body allows and the deceased person did not carry any of the diseases and infections listed in Schedule I, the body may be embalmed.

60. No embalming may be performed before the attestation of death has been drawn up and 6 hours have elapsed since the declaration of death.

61. Funeral services businesses must ensure that a licensed embalmer has access to the documents or information related to the causes of death.

62. Licensed embalmers and the staff assisting them must perform their work in private, and with due care and attention required to prevent any danger of contamination. They must avoid mutilating the body of a deceased person and must not uselessly impair the person's physical integrity.

To perform their work, they must have at their disposal the necessary equipment and protective clothing recognized in the established practices for embalming.

§3. Layout, equipment and hygiene standards applicable to embalming rooms

63. Every embalming room must have at least 13 square metres of floor space per embalming table and must be isolated by walls or rigid partitions.

64. The interior of embalming rooms must not be visible from the outside where operations are performed therein.

65. Wall coverings, floors and furniture of embalming rooms must be made of non-porous materials easy to clean and disinfect.

The ceiling of embalming rooms must be made of washable or easily replaceable materials.

66. Embalming rooms must have a minimum general light intensity of 500 lux.

67. Embalming rooms must be mechanically ventilated and designed to control the various contaminants and odours present in the air.

68. Embalming rooms must include

(1) 1 faucet supplied with hot and cold water, under pressure and in a quantity sufficient for the operations performed therein and for cleaning the room;

(2) at least 1 floor drain for discharging waste water;

(3) at least 1 embalming table that has a non-porous surface easy to wash and disinfect;

(4) 1 eyewash station; and

(5) cabinets or chests for storing all the embalming material, instruments and products.

Where the room is equipped with a hydro-aspirator, the latter must have its own faucet.

69. In an embalming room, each embalming table must have

(1) 1 independent water faucet;

(2) 1 sink with a non-porous surface easy to wash and disinfect the size of which allows the cleaning of the instruments and allows operations, and supplied with hot and cold water.

70. Every hydro-aspirator or pump used to pump secretions and human biological liquids may not be used for other purposes.

71. Embalming rooms must only be used for embalming or the washing of bodies in the context of a funeral rite or practice.

72. After each use of embalming rooms, the material, instruments and surfaces must be washed and disinfected with an antiseptic solution recognized in established practices.

73. Embalming rooms must be fitted with equipment used for their cleaning. In addition to being accessible and usable at all times, the equipment must only be used for cleaning those rooms.

DIVISION III
PRESENTATION AND VIEWING OF BODIES
OR ASHES

§1. Hygiene and protection standards

74. To decide if it is possible to allow the presentation or viewing of a body, with or without the possibility of physical contact between the body and the public, a funeral services business must take into consideration

- (1) the condition of the body;
- (2) the cause of death and the preparation of the body; and
- (3) public health hazard.

75. For the presentation or viewing of a body, the body must be clothed or covered with a sheet leaving only the face uncovered.

76. The casket in which a body is placed for a presentation or viewing must be rigid to ensure safe handling. The funeral services business must take the necessary measures to prevent any discharge of blood or other biological liquids.

§2. Conditions related to the presentation and viewing of unembalmed bodies

77. An unembalmed body may only be presented or a viewing be held in accordance with the terms of this subdivision.

78. In the first 24 hours after death, an unembalmed body may only be presented or a viewing be held once, for a maximum period of 3 hours, provided that the eyes and mouth are closed.

Where physical contact with the body is possible, a licensed embalmer must perform asepsis of the body and the wounds and lesions must be covered with waterproof fabric.

79. More than 24 hours but less than 48 hours after death, an unembalmed body may only be presented or a viewing be held if the body has been kept at a temperature of 4°C or less for a period of at least 3 hours and provided that the eyes and mouth are closed.

During that period, the funeral services business may present the body or hold a viewing of the body, taken directly from the refrigerated space, for 2 maximum periods of 3 hours. Those 2 periods must be interrupted by 1 period of at least 3 hours of refrigeration of the body at a temperature of 4°C or less.

Where physical contact with the body is possible, a licensed embalmer must perform asepsis of the body and the wounds and lesions must be covered with waterproof fabric.

80. More than 48 hours after death, an unembalmed body may not be presented or a viewing may not be held.

Within a maximum period of 30 days after death, an unembalmed body, kept at a temperature of 4°C or less, and placed in an impervious container itself placed in a closed casket, may be placed, after removal from the refrigerated space, in the presence of the public for a period of not more than 3 hours.

§3. Conditions related to the presentation and viewing of embalmed bodies

81. An embalmed body may only be presented or a viewing be held in accordance with the terms of this subdivision.

82. A body embalmed using a preservative containing formaldehyde, or other equivalent product having the same preservation properties, may be presented or a viewing be held within a maximum period of 7 days after embalming.

Where the body has been embalmed using a disinfectant without a preservative agent, the period is 7 days after death.

83. A body embalmed using a preservative and kept at a temperature of 4°C or less may, up to the thirtieth day after death, be presented or a viewing be held for a maximum period of 3 consecutive days.

84. More than 30 days after death and not more than 60 days after death, a body embalmed using a preservative and kept at a temperature of 4°C or less and placed in a closed casket may not be presented or a viewing may not be held, but the body may be placed, after removal from the refrigerated space, in the presence of the public for a period of not more than 3 hours.

More than 7 days after death and not more than 60 days after death, the same applies to a body embalmed using a disinfectant without a preservative agent and kept at a temperature of 4°C or less where the body is placed in an impervious container.

§4. Layout, equipment and hygiene standards applicable to rooms

85. Rooms laid out for the presentation or viewing of bodies or ashes must be equipped with a hand sanitizer dispenser and, where applicable, be easily accessible by a casket.

§5. Standards for rental caskets and conditions for their use

86. Only a casket designed specifically to be reused may be offered for rental and be used for the viewing of more than 1 body.

The funeral services business must enter, on an accessible surface of the casket, an identification number.

87. The funeral services business must keep a tracking record for each rental casket. The record must contain the identification number of the casket, the date of on which it is put into use, the date of each use and the date on which it is put out of use.

88. The part of the casket that is in contact with the body must be made of an interchangeable material. The surfaces and fabric in contact with the body must be completely replaced and disposed of adequately after each use.

89. Measures must be taken to prevent discharges in the part of the casket that is not interchangeable.

90. The internal and external walls of the casket must be washed after each use.

91. The casket must be kept in good condition. Where the casket is damaged or soiled in an unrecoverable manner, the funeral services business must dispose of it.

DIVISION IV
PRESERVATION OF BODIES

§1. Hygiene and protection standards

92. The preservation of a body must be performed in a manner that allows the collection of body fluids or embalming products and the prevention of contamination of the immediate environment by discharges.

93. Bodies must be placed on a table or a stretcher that has a non-porous surface or in a casket.

§2. Standards for the preservation of unembalmed bodies

94. Twenty-four hours after death, an unembalmed body must be kept at a temperature of 4°C or less.

95. An unembalmed body kept at a temperature of 4°C or less must, not later than 48 hours after death, be placed in an impervious container.

Not later than 60 days after death, such a body must be kept at a temperature of 0°C or less.

§3. Standards for the preservation of embalmed bodies

96. Not later than 7 days after embalming, a body embalmed using a preservative must be kept at a temperature of 4°C or less.

Not later than 60 days after death, such a body must be kept at a temperature of 0°C or less.

97. Not later than 7 days after death, a body embalmed using a disinfectant without a preservative agent must be placed in an impervious container and kept at a temperature of 4°C or less.

Not later than 60 days after death, such a body must be kept at a temperature of 0°C or less.

§4. Standards for refrigerated spaces

98. Refrigerated spaces must be used exclusively for the preservation of bodies and the temporary storage of biomedical waste.

99. Refrigerated spaces must allow bodies to be kept at a temperature of 4°C or less. The spaces must be equipped with a temperature indicator visible from the outside.

100. The interior walls and storage surfaces of refrigerated spaces must be made of non-porous materials easy to clean and disinfect.

101. Storage surfaces must be washed and disinfected with an antiseptic solution after each use.

§5. Standards for public vaults

102. A body may only be placed in a public vault as of 1 November of one year to 14 May of the following year. Bodies placed in a public vault must be cremated or interred before 15 May.

103. Bodies placed in a public vault must be placed in a casket. They must be embalmed or preserved in an impervious container in order to collect liquids.

DIVISION V
CEMETERIES, COLUMBARIUMS AND MAUSOLEUMS

§1. Standards for cemeteries

104. An application to establish or change the size or use of a cemetery provided for in section 43 of the Act must be accompanied by a copy of the authorization issued under section 22 of the Environment Quality Act (chapter Q-2).

105. Ashes contained in a container may only be placed in the ground in a cemetery.

106. The premises and facilities forming a cemetery, including the rooms used for the preservation of bodies, must be kept in good condition and spotlessly clean.

§2. Standards for columbariums

107. Columbariums must be kept in good condition and spotlessly clean.

108. In columbariums, ashes placed in niches must be in a container.

109. A columbarium operator, a cemetery operator or a funeral services business that temporarily stores ashes kept in a container until interment or the handing over to the person authorized to dispose of them must be kept in a manner to ensure that the dignity of the deceased person is respected, in a clean and easily accessible place.

§3. Standards for mausoleums

110. Mausoleums must be kept in good condition and spotlessly clean.

DIVISION VI
INTERMENT AND DISINTERMENT OF BODIES

§1. General

111. A person who proceeds with an interment or a disinterment must do so while avoiding damages to the other graves of the cemetery or other crypts of the mausoleum.

112. Except in the case of work to be performed in a cemetery, archaeological disinterment performed by the holder of an archaeological research permit issued under the Cultural Heritage Act (chapter P-9.002), are excluded from the application of the Act and this Regulation.

§2. Standards and conditions for interment

113. For every interment, the body must be placed in a casket or wrapped in a shroud to prevent discharges and allow safe handling of the body.

114. The casket or shroud containing the body placed in a grave must be covered by at least 1 metre of soil.

§3. Standards and conditions for disinterment

115. Disinterments must be made by a funeral services business or a cemetery operator, and they must be supervised by a licensed embalmer.

116. If the casket or shroud used for the interment cannot adequately contain the human remains disinterred, all the remains must be placed in a container identifying the body.

DIVISION VII
CREMATION OF BODIES

§1. General

117. No cremation may take place before the attestation of death has been drawn up and 6 hours have elapsed since the declaration of death.

118. Not more than 1 body may be cremated at a time in a cremation chamber.

119. Where all the ashes from the cremation of a body are placed in a single container, an identification tag on which the name of the business that carried out the cremation and the sequential number of the tag must be placed in the container.

If such ashes are placed in more than 1 container, the business must affix on each container an identifying label which contains the name of the business that carried out the cremation and the sequential number of the identification tag.

§2. Hygiene and protection standards

120. The cremation of a body must not produce any anatomic biomedical waste.

In addition, the cremation must be carried out in a manner that completely eliminates all organs and soft tissue, to the centre of bones and skull.

121. In the case of flame cremation, the body must be placed in a cremation container made of the appropriate combustible materials designed to support the weight of the body.

122. In the case of alkaline hydrolysis cremation, the body must be wrapped in a shroud used specifically for that process.

123. Bodies that have a probable diagnosis of Creutzfeldt Jakob disease, active tuberculosis or any of the diseases and infections listed in Schedule I cannot be subject to alkaline hydrolysis cremation.

§3. Layout and equipment standards for crematoriums

124. Crematoriums must be laid out and operated to prevent any danger of contamination.

125. Crematoriums must include a space specifically laid out for handling ashes.

126. The equipment used for the cremation of bodies must be used only for that purpose.

DIVISION VIII **TRANSPORTATION OF BODIES**

§1. General

127. Transportation by stretcher and transportation of a body must be carried out using the equipment designed for that purpose, such as a stretcher, a casket or a spine board.

128. Where a body is in a road vehicle laid out for the transportation of bodies for non-ceremonial purposes, the body must never be left without supervision.

129. A body transported by public transportation must be placed in an impervious container. The person in charge of the transportation is responsible for

(1) ensuring that a copy of the attestation of death is affixed to the container containing the body; and

(2) controlling access to the container to prevent any unauthorized access to the body.

§2. Body entering or leaving Québec

130. Nobody other than a funeral services business authorized by a coroner or a deputy coroner may make arrangements for the transportation into Québec of the body of a person who died outside Québec or for the transportation of a body out of Québec.

131. A funeral services business who applies for the authorization to transport out of Québec a disinterred body must file with the application a certified true copy of the order or judgment authorizing the disinterment of the body.

§3. Equipment, hygiene and protection standards for road vehicles laid out for the transportation of bodies

132. This subdivision does not apply to hearses used only to transport bodies for ceremonial purposes.

133. Road vehicles laid out to transport bodies must only be used for funeral operations.

134. Vehicles must be laid out so that it is not possible to see, from the exterior, the area where the body is placed and to allow the anchoring of the equipment used

for the transportation of bodies. In addition, the floor of the vehicles must be non porous and easy to wash and disinfect.

Vehicles must be kept in good working condition, maintained regularly and kept clean.

135. The compartment in which the body is placed must be equipped with an air conditioning system that must be activated when the temperature exceeds 20°C inside that part of the vehicle.

136. Vehicles must contain stretcher transportation equipment designed for that purpose, leakproof sheets or opaque plastic shrouds, gloves and a disinfectant.

137. Before transporting with a stretcher and transporting an unembalmed body, the body's respiratory tract must be covered.

When handling a body, it is necessary to wear gloves and use the necessary protection equipment.

DIVISION IX **WASHING OF A BODY IN THE CONTEXT OF A FUNERAL RITE OR PRACTICE**

138. Where the condition of the body allows and the deceased person did not carry any of the diseases and infections listed in Schedule I, the washing of the body in the presence of relatives or close relations of the deceased person is allowed in the context of a funeral rite or practice.

139. The washing of a body in the context of a funeral rite or practice must be supervised by a funeral services business in a room laid out for that purpose or in an embalming room.

Where the washing is carried out in an embalming room, no embalming or washing of another body may be carried out at the same time.

140. Where a body is not embalmed, the washing in the context of a funeral rite or practice may only take place after a licensed embalmer has disinfected the body, closed the natural orifices with absorbent cotton soaked in disinfectant and covered the wounds and lesions with waterproof fabric. The licensed embalmer must be present to ensure preventive measures are complied with.

141. After the washing of a body in the context of a funeral rite or practice, the material, instruments and surfaces used must be cleaned and disinfected with an antiseptic solution recognized in the established practice.

CHAPTER V BODY PRESENTING A PUBLIC HEALTH HAZARD

142. Where a deceased person carried any of the diseases and infections listed in Schedule I, a funeral services business may not take charge of, transport, handle, operate or dispose of the body without having first received the authorization and directives of the regional public health director.

The body may not be placed in a public vault and flame cremation or interment must be carried out as soon as possible according to the directives of the regional public health director.

CHAPTER VI MISCELLANEOUS

143. No person may take photographs or record the image of a body, except during the presentation or viewing, if the photograph or recording is taken or made by a relative or a person who obtained the written consent of a relative.

Dissemination of the images is prohibited, except if a relative has consented to it in writing.

144. A columbarium operator or a funeral services business disposing of abandoned ashes in accordance with section 52 of the Act must identify the containers in which the ashes have been placed.

145. The funeral services business taking charge of a body that has been used for teaching or research by an educational institution must inter or proceed with the cremation of the body as soon as possible.

146. Where at least 60 days have elapsed since a person's death, the Minister may authorize the cremation of the body while the body is waiting to be given the status of claimed or unclaimed.

The funeral services business must then keep in an easily accessible location the ashes placed in a container to ensure that the dignity of the deceased person is respected.

147. The costs reimbursed to a funeral services business by the Minister for the management of an unclaimed body are provided for in Schedule II.

The amount remitted to the funeral services business varies depending on the services rendered and the physical characteristics of the body.

148. The municipalities and territories exempted from the application of the Act and regulations thereunder are determined in Schedule III.

149. As of 1 January 2020, the costs provided for in sections 6 and 17 and in Schedule II are adjusted on 1 January of each year according to the percentage increase, in relation to the preceding year, in the Consumer Price Index for Canada published by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-19). For that purpose, the consumer price index for the year is the annual average calculated using the monthly indices for the 12 months ending on 30 September of the preceding year.

If the amounts thus obtained include a fraction of a dollar, the fraction is deleted. The amount is then rounded to the lower 10 dollars, where the last digit is lower than 5, or the higher 10 dollars, in other cases.

The Minister informs the public of the result of the adjustment made under this Division in Part 1 of the *Gazette officielle du Québec* or by any other appropriate means.

CHAPTER VII OFFENCES

150. Every person who contravenes any of sections 49 to 58, 60 to 76, 78 to 80, 82 to 103, 105 to 111, 113 to 122, 124 to 130, 133 to 137, 139 to 141 and 143 to 146 is guilty of an offence and is liable to a fine of \$500 to \$1,500 in the case of a natural person or a fine of \$1,500 to \$4,500 in other cases.

151. Every person who contravenes any of sections 59, 123, 138 and 142 is guilty of an offence and is liable to a fine of \$2,500 to \$12,500 in the case of a natural person or a fine of \$7,500 to \$37,500 in other cases.

CHAPTER VIII TRANSITIONAL AND FINAL

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

(1) sections 3, 8, 11, 14, 18 to 63, 69 to 98, 101 to 124, 126 to 133 and 136 to 151, which come into force on 1 January 2019; and

(2) sections 64 to 68, 99, 100, 125, 134 and 135, which come into force on 1 January 2022.

SCHEDULE I*(sections 59, 123, 138, and 142)*LIST OF DISEASES AND INFECTIONS
PRESENTING A PUBLIC HEALTH HAZARD

Cholera;

Middle East respiratory syndrome coronavirus
(MERS-CoV);Viral haemorrhagic fevers such as Marburg virus,
Ebola, Lassa fever and Crimean Congo fever;

Anthrax;

Plague;

Smallpox;

Any other disease resulting in a health emergency identified by the national public health director, including infectious agents associated to bioterrorism or cases of human influenza caused by a new virus subtype or a new strain with pandemic potential.

SCHEDULE II*(sections 147 and 149)*COSTS REIMBURSED TO A FUNERAL
SERVICES BUSINESS BY THE MINISTER FOR
THE MANAGEMENT OF UNCLAIMED BODIES

1. In the case of the body of a child under 1 year of age, the costs allocated for an unclaimed body are

- (1) \$141 for the taking charge and preservation;
- (2) \$180 for the preparation and disposal; and
- (3) \$20 as administrative costs.

In other cases, the costs are

- (1) \$240 for the taking charge and preservation;
- (2) \$340 for the preparation and disposal; and
- (3) \$20 as administrative costs.

2. Where the body is very tall or has an exceptional weight that requires special measures, the following additional amounts may be allocated:

- (1) \$51 where the services of an additional team must be retained for transportation by stretcher and the transportation of the body;

(2) \$80\$ for the use of the appropriate cremation container.

3. An additional amount may be allocated in exceptional situations. That amount, for the transportation of a body outside the boundaries of a municipality, is \$1.10 per kilometre travelled with the body in the vehicle.

SCHEDULE III*(section 148)*LIST OF EXEMPTED MUNICIPALITIES
AND TERRITORIES

Akulivik, 99125 and 99883

Aupaluk, 99105 and 99891

Baie-d'Hudson, 99904

Blanc-Sablon, 98005

Bonne-Espérance, 98010

Chisasibi, 99055 and 99814

Côte-Nord-du-Golfe-du-Saint-Laurent, 98015

Eastmain, 99045 and 99810

Fermont, 97035

Gros-Mécatina, 98014

Inukjuak, 99085 and 99879

Ivujivik, 99140 and 99885

Kangihsualujjuaq, 99090 and 99894

Kangihsujuaq, 99130 and 99888

Kangirsuk, 99110 and 99890

Kiggaluk, 99875

Killiniq, 99896

Kuujjuaq, 99095 and 99893

Kuujjuarapik, 99075 and 99877

La Romaine, 98804

Nemaska, 99040 and 99808

Pakuashipi, 98802

Puvirnituq, 99120

Quaqtaq, 99115 and 99889

Rivière-Koksoak, 99902

Saint-Augustin, 98012

Salluit, 99135 and 99887

Tasiujaq, 99100 and 99892

Umiujaq, 99080 and 99878

Waskaganish, 99035 and 99806

Wemindji, 99050 and 99812

Whapmagoostui, 99070 and 99816

Other unorganized territories, 99910, 99914, 99916,
99918, 99920, 99922 and 99924

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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