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Laws and Regulations

Volume 152

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Regulations and other Acts

Gouvernement du Québec

O.C. 397-2020, 1 April 2020

An Act respecting financial assistance
for education expenses
(chapter A-13.3)

Certain financial assistance measures for borrowers under the Act owing to the COVID-19 pandemic

Regulation respecting certain financial assistance
measures for borrowers under the Act respecting
financial assistance for education expenses owing to
the COVID-19 pandemic

WHEREAS, under subparagraphs 14, 15 and 16 of section 57 of the Act respecting financial assistance for education expenses (chapter A-13.3), the Government may, by regulation, on the recommendation of the Minister of Education and Higher Education :

— fix the rate of interest to be applied to the balance of a guaranteed loan and the terms and conditions of payment of interest to the financial institution;

— prescribe the terms and conditions of repayment of a guaranteed loan, require the capitalization of the interest accrued for any period determined by the Government and provide for the cases where a borrower is in default and the consequences of the default;

— define, for the purposes of sections 24 and 25, “precarious financial situation”, determine the borrower’s obligations that are to be assumed by the Minister in such a situation and, for the purposes of section 25, determine the time when repayment of a loan must begin and the terms and conditions applicable to such repayment;

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

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reasons justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances warrants the absence of prior publication and such coming into force of the Regulation respecting certain financial assistance measures for borrowers under the Act respecting financial assistance for education expenses owing to the COVID-19 pandemic :

— the economic consequences caused by the COVID-19 pandemic, the resulting layoffs and the difficulty for borrowers to meet their student debt repayment obligations requires this measure be implemented as soon as 1 April 2020;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT the Regulation respecting certain financial assistance measures for borrowers under the Act respecting financial assistance for education expenses owing to the COVID-19 pandemic, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting certain financial assistance measures for borrowers under the Act respecting financial assistance for education expenses owing to the COVID-19 pandemic

An Act respecting financial assistance for education expenses
(chapter A-13.3, s. 57, par. 1, subpars. 14, 15 and 16)

DIVISION I
GENERAL

1. The Minister pays to the financial institution, on behalf of the borrower, the interest on the balance of the guaranteed loan and any capitalized interest, accumulated during the period beginning on 1 April 2020 and ending on 30 September of the same year, at the rate provided for in section 73 of the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1).

The requirement for a borrower to enter into a repayment agreement pursuant to section 68 of the Regulation respecting financial assistance for education expenses is suspended for the period referred to in the first paragraph.

Every repayment agreement entered into between a borrower and a financial institution under the Regulation respecting financial assistance for education expenses is suspended for the period referred to in the first paragraph.

As of 1 April 2020, the period for which a borrower has been recognized as a borrower in a precarious financial situation under section 75 or 76 of the Regulation respecting financial assistance for education expenses is suspended until 30 September 2020. That period begins to run again on 1 October 2020.

DIVISION II
FINAL

2. This Regulation applies despite any inconsistent provision of the Regulation respecting financial assistance for education expenses.

3. This Regulation comes into force on 1 April 2020.

Orders-in-Council

Gouvernement du Québec

O.C. 388-2020, 29 March 2020

Renewal of the public health emergency in accordance with section 119 of the Public Health Act and certain measures to protect the health of the population

WHEREAS the World Health Organization declared a COVID-19 pandemic on 11 March 2020;

WHEREAS, pursuant to section 118 of the Public Health Act (chapter S-2.2), the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

WHEREAS this pandemic constitutes a real and grave threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, pursuant to the first paragraph of section 119 of the Act, the public health emergency declared by the Government is in effect for a maximum period of 10 days, on the expiry of which it may be renewed for additional maximum periods of 10 days or, with the assent of the National Assembly, for maximum periods of 30 days;

WHEREAS, pursuant to section 121 of the Act, the declaration of a public health emergency and all renewals come into force as soon as they are expressed;

WHEREAS during the public health emergency, despite any provisions to the contrary, the Government or the Minister of Health and Social Services, if she has been so empowered, may, without delay and without further formality, apply one of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

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

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020;

WHEREAS, by orders in council 222-2020 dated 20 March 2020 and 223-2020 dated 24 March 2020, the Government took certain measures to protect the population;

WHEREAS, by Ministerial Order 2020-003 dated 14 March 2020, Ministerial Order 2020-004 dated 15 March 2020, Ministerial Order 2020-005 dated 17 March 2020, Ministerial Order 2020-006 dated 19 March 2020, Ministerial Order 2020-007 dated 21 March 2020, Ministerial Order 2020-008 dated 22 March 2020, Ministerial Order 2020-009 dated 23 March 2020, Ministerial Order 2020-010 dated 27 March 2020 and Ministerial Order 2020-011 dated 28 March 2020, the Minister also took certain measures to protect the population;

WHEREAS it is expedient to renew the public health emergency for a period of 10 days and specify certain measures to protect the population;

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

THAT the public health emergency be renewed until 7 April 2020;

THAT the measures provided for by orders in council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020 and 223-2020 dated 24 March 2020, and by ministerial orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020 and 2020-011 dated 28 March 2020, except to the extent that they were amended by these orders in council or ministerial orders, continue to apply until 7 April 2020 or until the Government or the Minister of Health and Social Services amends them or terminates them;

THAT the Minister of Health and Social Services is empowered to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act.

YVES OUELLET,
Clerk of the Conseil exécutif

104341

Ministerial Orders

M.O., 2020

Order 2020-010 of the Minister of Health and Social Services dated 27 March 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING Order in Council 222-2020 dated 20 March 2020 renewing the public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the measures set out in Order in Council 177-2020 and the orders made pursuant to it continue to apply until 29 March 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them, save exception;

CONSIDERING Order in Council 223-2020 dated 24 March 2020 which provides various measures to protect the health of the population;

CONSIDERING that that Order in Council empowers the Minister of Health and Social Services to amend the Schedule to that Order in Council to add or remove priority services or to make a clarification;

CONSIDERING that the Minister of Health and Social Services amended the Schedule to that Order in Council by Ministerial Order 2020-010 dated 27 March 2020;

CONSIDERING that that Order in Council empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT the Schedule to Order in Council 223-2020 dated 24 March 2020 be amended by replacing paragraph *c* of the heading “**3. Government services and other priority activities**” by the following paragraph:

“c. Distance learning given by any institution offering higher education, vocational training or adult education programs”;

THAT the conclusions of a decision or order made by the Superior Court ordering any supervised visit between child and parent, grandparents or any other person be suspended, insofar as the body responsible for the supervision is of the opinion, in light of the recommendations for public health, that the conclusions cannot be applied in a manner that protects the health of the population in the context of the COVID-19 pandemic. The body must, when possible, consider other safe visiting procedures using any means it deems opportune, including technological means. It must allow the conclusions to be carried out as soon as it is feasible to apply them without constituting a threat to the health of the population;

THAT a notary be authorized to remotely close a notarial act *en minute* using technological means, on the following conditions:

- (1) the officiating notary must be able to see and hear each party;
- (2) each party or intervenor must be able to see and hear the officiating notary;
- (3) where the context requires, the witnesses must be able to see and hear the parties and the officiating notary;
- (4) the signatories and the officiating notary must be able to see the notarial act or, as applicable, the part of the notarial act concerning them;

(5) the signatories other than the notary must affix their signature using technological means enabling them to be identified and confirming their consent; and

(6) the notary must affix his or her digital official signature;

THAT a notary using technological means be required to ensure the integrity and confidentiality of the documents shared and the process leading to the signing of the notarial act, and be also required to maintain the integrity of the notarial act throughout its life cycle, in particular for the purpose of ensuring its preservation;

THAT the board of directors of the Ordre des notaires du Québec, in addition, be able to establish and publish, on the Order's website, any other of the standards provided for in section 98 of the Notaries Act (chapter N-3), to the extent that the standards concern such a notarial act.

Québec, 27 March 2020

DANIELLE McCANN,
Minister of Health and Social Services

104340

M.O., 2020

Order 2020-011 of the Minister of Health and Social Services dated 28 March 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING subparagraph 4 of the first paragraph of section 123 of that Act which provides that notwithstanding any provision to the contrary, while the public health emergency is in effect, the Minister, if the Minister has been so empowered, may, without delay and without further formality, to protect the health of the population,

prohibit entry into all or part of the area concerned or allow access to an area only to certain persons and subject to certain conditions, or order, for the time necessary where there is no other means of protection, the evacuation of persons from all or any part of the area or their confinement and, if the persons affected have no other resources, provide for their lodging, feeding, clothing and security needs;

CONSIDERING that the territory of the health regions has been delimited pursuant to section 339 of the Act respecting health services and social services (chapter S-4.2) and section 43 of the Act respecting health services and social services for Cree Native persons (chapter S-5);

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING Order in Council 222-2020 dated 20 March 2020 renewing the public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the measures set out in Order in Council 177-2020 and the orders made pursuant to it continue to apply until 29 March 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them, save exception;

CONSIDERING Order in Council 223-2020 dated 24 March 2020 which provides various measures to protect the health of the population;

CONSIDERING that that Order in Council authorizes the Minister of Health and Social Services to amend the Schedule to the Order in Council to add or delete priority services or to make clarifications;

CONSIDERING that the Minister of Health and Social Services amended the Schedule to that Order in Council by Order 2020-010 dated 27 March 2020;

CONSIDERING that that Order in Council empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Order 2020-10 dated 27 March 2020, be further amended

(1) by inserting the following paragraphs after paragraph 1 of the heading “**3. Government services and other priority activities**”:

“1.1. Production and distribution of medications, vaccines and medical equipment for veterinary medicine

“1.2. Laboratories and animal health research centres”;

(2) by replacing paragraph *m* of the heading “**3. Government services and other priority activities**” by the following paragraph:

“m. Care for live animals kept in captivity”;

(3) by inserting “, fisheries and commercial aquaculture” in paragraph *a* of the heading “**5. Priority manufacturing activities**” after “market-garden vegetable production”;

(4) by adding “, rental car firms” at the end of paragraph *h* of the heading “**11. Priority services in the field of transportation and logistics**”;

THAT access to the Bas-Saint-Laurent, Saguenay—Lac-Saint-Jean, Abitibi-Témiscamingue, Côte-Nord, Nord-du-Québec, Gaspésie — Îles-de-la-Madeleine, Nunavik and Terres-Cries-de-la-Baie-James health regions be restricted to the following persons:

(1) persons who have their principal residence there;

(2) persons who transport goods into those regions to enable priority services provided for in the Schedule to Order in Council 223-2020 dated 24 March 2020 or in any other Order in Council or Ministerial Order amending the Schedule to continue to be offered;

(3) persons whose travel is necessary for humanitarian purposes;

(4) persons whose travel is necessary to obtain care or services required by their state of health or to provide such care or services to a person requiring them;

(5) persons who work or practise their profession in work environments offering priority services provided for in the Schedule to Order in Council 223-2020 dated 24 March 2020 or in any other Order in Council or Ministerial Order amending the Schedule;

(6) persons who must enter the health region to comply with an order contained in a decision or judgment of a court;

(7) persons who arrive directly from an access-restricted region;

THAT the persons entering any of those regions to return to their principal residence, except persons who travelled outside for reasons described in paragraphs 3 to 6 and persons who are in a situation described in paragraph 7, self-isolate for a period of 14 days upon their return to the region;

THAT, despite the foregoing, any person showing COVID-19-related symptoms, in particular cough, fever, difficulty breathing, sore throat or loss of sense of smell, be prohibited from entering any of those regions;

THAT, despite the foregoing, a director of public health, a person authorized to act on the director’s behalf or a physician be able to authorize a person to access those regions on the conditions the authorizing person determines.

Québec, 28 March 2020

DANIELLE McCANN,
Minister of Health and Social Services

104339

M.O., 2020

Order 2020-012 of the Minister of Health and Social Services dated 30 March 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020 and until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020;

CONSIDERING that Order in Council 388-2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT pharmacies, grocery stores and other food retailers, as well as stores not located in a mall that offer grocery or pharmacy services may, from Monday to Saturday inclusively, extend the hours of admission of the public beyond the legal periods in order to meet the needs of their customers and have the number of employees needed at work to attend to operations;

THAT all retail commercial establishments be closed to the public on Sunday, except for pharmacies, convenience stores, service stations, restaurants for drive-through, take-out and delivery, as well as grocery stores for orders placed online or by telephone and delivery.

Québec, 30 March 2020

DANIELLE MCCANN
Minister of Health and Social Services

104345

Order 4267 of the Chief Justice of Québec and the Minister of Justice dated 27 March 2020

Code of Civil Procedure
(chapter C-25.01)

CONCERNING the notification of a document by a technological means during the period of the public health emergency declared on 13 March 2020

THE CHIEF JUSTICE OF QUÉBEC AND THE MINISTER OF JUSTICE, JOINTLY,

CONSIDERING the first paragraph of article 27 of the Code of Civil Procedure (chapter C-25.01) that states that, in a state of emergency declared by the Government, the Chief Justice of Québec and the Minister of Justice may jointly suspend or extend a prescription or procedural period for a specified time, or authorize the use of another means of communication in the manner they specify;

CONSIDERING the second paragraph of the said article that states that their decision takes effect immediately;

CONSIDERING article 85 of the Youth Protection Act (chapter P-34.1), which specifies that Book I of the Code of Civil Procedure applies to applications referred to in chapter V of the said Act;

CONSIDERING order in council 177-2020 dated 13 March 2020, which declares a public health emergency throughout Québec for a period of 10 days;

CONSIDERING order in council 222-2020 dated 20 March 2020, which renews the public health emergency throughout Québec for a period of 10 days;

ORDER AS FOLLOWS:

Until the expiry of the public health emergency provided for in order in council 222-2020 dated 20 March 2020, service of pleadings by bailiff may also be made by a technological means in accordance with the rules set out in article 133 of the Code of Civil Procedure; the certificate of service must, in addition to the information required under article 119 of the Code, contain the information referred to in the second paragraph of article 134 of the Code.

Under article 133 of the Code of Civil Procedure, during the period referred to in the first paragraph, a party not represented by a lawyer or a notary may not unreasonably refuse to receive a document by a technological means.

If the addressee does not have a technological means at his disposal to receive notification of a document, the other methods of notification provided for in the Code of Civil Procedure may still be used.

If the public health emergency provided for in order in council 222-2020 dated 20 March 2020 is renewed, the measures set out in this order shall be renewed for the same period.

This order takes effect immediately.

Montréal, 27 March 2020

SONIA LEBEL,
Minister of Justice

NICOLE DUVAL HESLER,
Chief Justice of Québec

104342

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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