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DU Québec

Part

2

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Laws and Regulations

Volume 152

Summary

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Regulations and other Acts
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Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
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Regulations and other Acts

Gouvernement du Québec

O.C. 384-2020, 25 March 2020

Approval of the Complementary Agreement relating to integration of Kahnawà:ke workers into the Québec construction industry entered into between the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec, exclusion of the Agreement from the application of section 3.12 of the Act respecting the Ministère du Conseil exécutif and exclusion from the application of sections 3.8, 3.12 and 3.49 of that Act, from the class of agreements amending the Complementary Agreement and from the class of administrative agreements referred to in section 20.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry

WHEREAS, under the first paragraph of section 20.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the purpose of Division I.1 of Chapter III of that Act is to authorize the implementation of any agreement relating to any matter within the scope of the Act between the Government and the Mohawks of Kahnawà:ke represented by the Mohawk Council of Kahnawà:ke and permitting the application of a special plan or regime;

WHEREAS the Agreement on Labour Matters between the Mohawk Council of Kahnawà:ke and the Gouvernement du Québec was approved by Décret 730-2014 dated 24 July 2014 and was entered into on 18 September 2014;

WHEREAS the Agreement on Labour Matters provides for the development and implementation of a special labour regime to satisfy mutual interests, including implementation of measuring concerning employment conditions of Kahnawà:ke construction industry workers;

WHEREAS, under section 10 of the Agreement on Labour Matters, the parties commit to working together to facilitate integration of those Kahnawà:ke workers wishing to enter into the construction industry outside the Territory to which the agreement applies, in accordance with the applicable rules of the Québec Regime, including to obtain certification from the Commission de la construction du Québec;

WHEREAS, under the first paragraph of section 4 of the Act respecting labour relations, vocational training and workforce management in the construction industry, the function of the Commission de la construction du Québec is to administer that Act and in particular see to it that the collective agreement in force under the Act is respected, to verify the qualifications of the workers of the construction industry and to administer supplemental fringe benefit plans in accordance with the Act;

WHEREAS the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec wish to enter into the Complementary Agreement relating to integration of Kahnawà:ke workers into the Québec construction industry;

WHEREAS the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec wish to subsequently enter into agreements amending the Complementary Agreement;

WHEREAS the Complementary Agreement and agreements amending the Complementary Agreement are agreements concerning Indigenous affairs referred to in section 3.48 of the Act respecting the Ministère du Conseil exécutif (chapter M-30);

WHEREAS, under the first paragraph of section 3.49 of that Act, an agreement referred to in section 3.48 must, to be valid, be approved by the Government and signed by the Minister Responsible for Indigenous Affairs;

WHEREAS, for the purposes of the Complementary Agreement, the Mohawks of Kahnawà:ke are represented by the Mohawk Council of Kahnawà:ke which is a federal public agency within the meaning of section 3.6.2 of that Act;

WHEREAS the Commission de la construction du Québec is a Québec public agency within the meaning of section 3.6.2 of that Act;

WHEREAS the Complementary Agreement and the agreements amending the Complementary Agreement are also Canadian intergovernmental agreements within the meaning of section 3.6.2 of that Act;

WHEREAS, under the first paragraph of section 3.8 of that Act, Canadian intergovernmental agreements must, to be valid, be approved by the Government and be signed by the Minister Responsible for Canadian Relations and the Canadian Francophonie;

WHEREAS, under the first paragraph of section 3.12 of that Act, no public agency may, without the prior written authorization of the Minister Responsible for Canadian Relations and the Canadian Francophonie, enter into any agreement with another government in Canada or one of its departments or government agencies, or with a federal public agency;

WHEREAS, under paragraph 4 of section 13 of the Act respecting the Ministère du Travail (chapter M-32.2), the Minister of Labour, Employment and Social Solidarity may in particular, for the purposes of the performance of his functions and the administration of the Acts under his authority, enter into agreements, in accordance with law, with any government, department or body;

WHEREAS section 20.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry provides that the Commission de la construction du Québec may enter into an administrative agreement with the Mohawk Council of Kahnawà:ke to facilitate the application of an agreement under section 20.1;

WHEREAS the Commission de la construction du Québec and the Conseil Mohawk de Kahnawà:ke also wish to enter into administrative agreements within the meaning of section 20.6 of that Act to facilitate the application of the Complementary Agreement and the agreements amending the Complementary Agreement;

WHEREAS the administrative agreements are also agreements referred to in section 3.48 of the Act respecting the Ministère du Conseil exécutif as well as agreements referred to in sections 3.8 and 3.12 of that Act;

WHEREAS, under the first paragraph of section 3.13 of the Act respecting the Ministère du Conseil exécutif, the Government, to such extent and subject to such conditions as it determines, may exempt the whole or a part of an agreement or class of agreements which it designates from the application of Division II of that Act;

WHEREAS, under section 3.52 of that Act, the Government, to such extent and subject to such conditions as it determines, may respectively exempt the whole or a part of an agreement or class of agreements which it designates from the application of Division III.2 of that Act;

WHEREAS it is expedient to exclude the Complementary Agreement from the application of section 3.12 of that Act;

WHEREAS it is expedient to exclude the class of agreements amending the Complementary Agreement from the application of sections 3.8, 3.12 and 3.49 of that Act;

WHEREAS it is expedient to exclude the class of administrative agreements from the application of sections 3.8, 3.12 and 3.49 of that Act to the extent that the administrative agreements implement the Complementary Agreement or an agreement amending the Complementary Agreement and give effect to such an agreement;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity, the Minister Responsible for Indigenous Affairs and the Minister Responsible for Canadian Relations and the Canadian Francophonie:

THAT the Complementary Agreement relating to integration of Kahnawà:ke workers into the Québec construction industry entered into between the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec, which will be substantially consistent with the draft agreement annexed to the Minister's recommendation for this Order in Council, be approved;

THAT the Complementary Agreement relating to integration of Kahnawà:ke workers into the Québec construction industry entered into between the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec be excluded from the application of section 3.12 of the Act respecting the Ministère du Conseil exécutif (chapter M-30);

THAT the class of agreements amending the Complementary Agreement be excluded from the application of sections 3.8, 3.12 and 3.49 of that Act;

THAT the class of administrative agreements referred to in section 20.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) also be excluded from the application of sections 3.8, 3.12 and 3.49 of the Act respecting the Ministère du Conseil exécutif to the extent that the administrative agreements implement the Complementary Agreement or an agreement amending the Complementary Agreement and give effect to such an agreement.

YVES OUELLET,
Clerk of the Conseil exécutif

104328

Gouvernement du Québec

O.C. 385-2020, 25 March 2020

Approval of the Complementary Agreement defining cooperation between the Commission de la construction du Québec and the Kahnawà:ke Labour Office concerning the construction industry on the Territory entered into between the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec, exclusion of the Agreement from the application of section 3.12 of the Act respecting the Ministère du Conseil exécutif and exclusion from the application of sections 3.8, 3.12 and 3.49 of that Act, from the class of agreements amending the Complementary Agreement and from the class of administrative agreements referred to in section 20.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry

WHEREAS, under the first paragraph of section 20.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the purpose of Division I.1 of Chapter III of that Act is to authorize the implementation of any agreement relating to any matter within the scope of the Act between the Government and the Mohawks of Kahnawà:ke represented by the Mohawk Council of Kahnawà:ke and permitting the application of a special plan or regime;

WHEREAS the Agreement on Labour Matters between the Mohawk Council of Kahnawà:ke and the Gouvernement du Québec was approved by Décret 730-2014 dated 24 July 2014 and was entered into on 18 September 2014;

WHEREAS the Agreement on Labour Matters provides for the development and implementation of a special labour regime to satisfy mutual interests, including implementation of measures concerning the employment conditions of Kahnawà:ke construction industry workers;

WHEREAS, under the first paragraph of section 4 of the Act respecting labour relations, vocational training and workforce management in the construction industry, the function of the Commission de la construction du Québec is to administer that Act and in particular see to it that the collective agreement in force under the Act is respected, to verify the qualifications of the workers of the construction industry and to administer supplemental fringe benefit plans in accordance with the Act;

WHEREAS the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec wish to enter into the Complementary Agreement defining cooperation between the Commission de la construction du Québec and the Kahnawà:ke Labour Office concerning the construction industry on the Territory;

WHEREAS the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec wish to subsequently enter into agreements amending the Complementary Agreement;

WHEREAS the Complementary Agreement and agreements amending the Complementary Agreement are agreements concerning Indigenous affairs referred to in section 3.48 of the Act respecting the Ministère du Conseil exécutif (chapter M-30);

WHEREAS, under the first paragraph of section 3.49 of that Act, an agreement referred to in section 3.48 must, to be valid, be approved by the Government and signed by the Minister Responsible for Indigenous Affairs;

WHEREAS, for the purposes of the Complementary Agreement, the Mohawks of Kahnawà:ke are represented by the Mohawk Council of Kahnawà:ke which is a federal public agency within the meaning of section 3.6.2 of that Act;

WHEREAS the Commission de la construction du Québec is a Québec public agency within the meaning of section 3.6.2 of that Act;

WHEREAS the Complementary Agreement and the agreements amending the Complementary Agreement are Canadian intergovernmental agreements within the meaning of section 3.6.2 of that Act;

WHEREAS, under the first paragraph of section 3.8 of that Act, Canadian intergovernmental agreements must, to be valid, be approved by the Government and be signed by the Minister Responsible for Canadian Relations and the Canadian Francophonie;

WHEREAS, under the first paragraph of section 3.12 of that Act, no public agency may, without the prior written authorization of the Minister Responsible for Canadian Relations and the Canadian Francophonie, enter into any agreement with another government in Canada or one of its departments or government agencies, or with a federal public agency;

WHEREAS, under paragraph 4 of section 13 of the Act respecting the Ministère du Travail (chapter M-32.2), the Minister of Labour, Employment and Social Solidarity may, for the purposes of the performance of his functions and the administration of the Acts under his authority, enter into agreements, in accordance with law, with any government, department or body;

WHEREAS section 20.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry provides that the Commission de la construction du Québec may enter into an administrative agreement with the Mohawk Council of Kahnawà:ke to facilitate the application of an agreement under section 20.1;

WHEREAS the Commission de la construction du Québec and the Conseil Mohawk de Kahnawà:ke also wish to enter into administrative agreements within the meaning of section 20.6 of that Act to facilitate the application of the Complementary Agreement and the agreements amending the Complementary Agreement;

WHEREAS the administrative agreements are also agreements referred to in section 3.48 of the Act respecting the Ministère du Conseil exécutif as well as agreements referred to in sections 3.8 and 3.12 of that Act;

WHEREAS, under the first paragraph of section 3.13 of the Act respecting the Ministère du Conseil exécutif, the Government, to such extent and subject to such conditions as it determines, may exempt the whole or a part of an agreement or class of agreements which it designates from the application of Division II of that Act;

WHEREAS, under section 3.52 of that Act, the Government, to such extent and subject to such conditions as it determines, may respectively exempt the whole or a part of an agreement or class of agreements which it designates from the application of Division III.2 of that Act;

WHEREAS it is expedient to exclude the Complementary Agreement from the application of section 3.12 of that Act;

WHEREAS it is expedient to exclude the class of agreements amending the Complementary Agreement from the application of sections 3.8, 3.12 and 3.49 of that Act;

WHEREAS it is expedient to exclude the class of administrative agreements from the application of sections 3.8, 3.12 and 3.49 of that Act to the extent that the administrative agreements implement the Complementary Agreement or an agreement amending the Complementary Agreement and give effect to such an agreement;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity, the Minister Responsible for Indigenous Affairs and the Minister Responsible for Canadian Relations and the Canadian Francophonie:

THAT the Complementary Agreement defining cooperation between the Commission de la construction du Québec and the Kahnawà:ke Labour Office concerning the construction industry on the Territory entered into between the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec, which will be substantially consistent with the draft agreement annexed to the Minister's recommendation for this Order in Council, be approved;

THAT the Complementary Agreement defining cooperation between the Commission de la construction du Québec and the Kahnawà:ke Labour Office concerning the construction industry on the Territory entered into between the Mohawk Council of Kahnawà:ke, the Kahnawà:ke Labour Office, the Gouvernement du Québec and the Commission de la construction du Québec be excluded from the application of section 3.12 of the Act respecting the Ministère du Conseil exécutif (chapter M-30);

THAT the class of agreements amending the Complementary Agreement be excluded from the application of sections 3.8, 3.12 and 3.49 of that Act;

THAT the class of administrative agreements referred to in section 20.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) also be excluded from the application of sections 3.8, 3.12 and 3.49 of the Act respecting the Ministère du Conseil exécutif to the extent that the administrative agreements implement the Complementary Agreement or an agreement amending the Complementary Agreement and give effect to such an agreement.

YVES OUELLET,
Clerk of the Conseil exécutif

104329

Gouvernement du Québec

O.C. 389-2020, 1 April 2020

An Act respecting the Pension Plan
of Management Personnel
(chapter R-12.1)

Special provisions in respect of classes of employees designated under section 23 of the Act — Amendment

Amendment to the Special provisions in respect of
classes of employees designated under section 23 of
the Act respecting the Pension Plan of Management
Personnel

WHEREAS, under the first paragraph of section 23 of the
Act respecting the Pension Plan of Management Personnel
(chapter R-12.1), the Government may establish, despite
any inconsistent provision of that Act, except those pro-
vided for in Chapter VIII, special provisions with respect
to classes of employees it designates;

WHEREAS the Government made the Special provi-
sions in respect of classes of employees designated under
section 23 of the Act respecting the Pension Plan of
Management Personnel (chapter R-12.1, r. 2);

WHEREAS it is expedient to amend those provisions;

WHEREAS, under the second paragraph of section 23
of the Act respecting the Pension Plan of Management
Personnel, an order under the first paragraph of section 23
may come into force 12 months or less before it is made;

IT IS ORDERED, therefore, on the recommendation of the
Minister Responsible for Government Administration and
Chair of the Conseil du trésor:

THAT the amendment to the Special provisions in respect
of classes of employees designated under section 23 of the
Act respecting the Pension Plan of Management Personnel
(chapter R-12.1), attached to this Order in Council, be
made;

THAT this Order in Council came into force on 31 July
2019.

YVES OUELLET,
Clerk of the Conseil exécutif

Amendment to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the pension plan of management personnel

An Act respecting the Pension Plan
of Management Personnel
(chapter R-12.1, s. 23, 1st and 2nd par.)

1. The Special provisions in respect of classes of
employees designated under section 23 of the Act respect-
ing the Pension Plan of Management Personnel (chapter
R-12.1, r. 2) is amended in Schedule II by replacing “24”
in paragraph 13 by “46”.

104348

Gouvernement du Québec

O.C. 409-2020, 1 April 2020

Professional Code
(chapter C-26)

Architectes — Compensation procedure of the Ordre des architectes du Québec

Regulation respecting the compensation procedure of
the Ordre des architectes du Québec

WHEREAS, under the first paragraph of section 89 of
the Professional Code (chapter C-26), the members of a
professional order may not, in the practice of their pro-
fession, hold funds or property, including advances on
fees, on behalf of a client or another person, unless it is
expressly authorized by the board of directors of the order
by regulation;

WHEREAS, under the first and second paragraphs of
section 89.1 of the Code, a board of directors of a profes-
sional order that makes a regulation under section 89 of
the Code authorizing the members of the order to hold
funds or property must determine by regulation the com-
pensation procedure, and if appropriate, conditions for the
setting up of a compensation fund and rules for the admin-
istration and investment of the sums making up the fund;

WHEREAS, in the Règlement sur la détention de sommes
par les architectes approved by the Office des professions
du Québec on 24 January 2020, the board of directors of
the Ordre des architectes du Québec authorizes its mem-
bers to hold funds;

WHEREAS the board of directors of the Ordre des architectes du Québec made the Regulation respecting the compensation procedure of the Ordre des architectes du Québec on 12 July 2019;

WHEREAS, pursuant to section 95 of the Professional Code, subject to sections 95.0.1 and 95.2 of the Code, every regulation adopted by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the compensation procedure of the Ordre des architectes du Québec was published in Part 2 of the *Gazette officielle du Québec* of 18 September 2019 with a notice that it could be examined by the Office and then submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 24 January 2020 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the compensation procedure of the Ordre des architectes du Québec, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the compensation procedure of the Ordre des architectes du Québec

Professional Code
(chapter C-26, s. 89.1)

1. A claimant may be compensated in accordance with this procedure following the use by an architect of funds for purposes other than those for which they were entrusted to the architect under a regulation of the Ordre des architectes du Québec made under section 89 of the Professional Code (chapter C-26).

2. The board of directors forms a committee charged with examining claims and decide claims.

The committee is composed of at least 3 members, 1 elected director and 1 director appointed to the board of directors.

3. To be admissible, a claim must

(1) be sent in writing to the Order within 12 months of the claimant becoming aware that the funds have been used by the architect for purposes other than those for which they were entrusted to the architect;

(2) be accompanied by proof of the steps taken with the architect to recover the funds;

(3) state the facts in support of the claim and be accompanied by all relevant documents;

(4) indicate the amount claimed.

The period referred to in subparagraph 1 of the first paragraph may be extended by the committee if the claimant shows that, for a reason beyond the claimant's control, the claimant was unable to file the claim within that period.

4. A request made to the Order with regard to facts likely to give rise to a claim is deemed to be a claim if the request is filed within the period referred to in subparagraph 1 of the first paragraph of section 3.

The claim becomes admissible where the conditions set out in subparagraphs 2 to 4 of that first paragraph are met.

5. The secretary of the Order sends every admissible claim to the committee and the architect within 15 days following the date on which the claim becomes admissible.

6. The secretary of the Order informs the architect and the claimant of the date of the meeting during which the claim will be examined and of their right to make representations.

7. The committee decides whether it is expedient to accept a claim in whole or in part. Where applicable, it fixes the indemnity.

The substantiated decision is final.

8. The maximum amount that may be paid for the period covering the fiscal year of the Order is

- (1) \$10,000 for a claimant in respect of an architect;
- (2) \$50,000 for all the claimants in respect of an architect;
- (3) \$100,000 for all the claimants.

Where all the claims filed for the period covering the fiscal year of the Order exceeds \$100,000, the amount paid to each claimant is paid in proportion to the amount of each claim.

9. Where the claimant is in a vulnerable situation, in particular because of age, physical or psychological state or social condition, the committee may, exceptionally and after having obtained the approval of the board of directors, pay an amount greater than those provided for in section 8.

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

104349

Gouvernement du Québec

O.C. 410-2020, 1 April 2020

Professional Code
(chapter C-26)

Specialist's certificates of professional orders — Diplomas issued by designated educational institutions — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (chapter C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the fourth paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, in accordance with subparagraph 7 of the fourth paragraph of section 12 of the Code, the Office advised the Government, after consultation, in particular with the educational institutions and the orders concerned, the Bureau de coopération interuniversitaire and the Minister of Education and Higher Education;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 2 October 2019 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and the advice of the Ordre des comptables professionnels agréés du Québec, the Ordre des conseillers et conseillères d'orientation du Québec, the Ordre des psychoéducateurs et psychoéducatrices du Québec and the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec for the provisions that concern each of them;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(chapter C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended in section 1.15

(1) by replacing “to the social worker’s permit issued” in the portion before paragraph *a* by “to the permits listed below, issued”;

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

“(1) social worker’s permit.”;

(3) by adding the following at the end:

“(o) Baccalauréat en travail social (B.T.S.) from the Université du Québec given at the Université du Québec à Rimouski;

(2) marriage and family therapist’s permit:

(a) Master of Science, Applied (M.Sc.A.) in Couple and Family Therapy from McGill University.”

2. Section 1.23 is amended by replacing “éducation (M.Ed.) profil “carrièreologie” (with internship)” in paragraph *d* by “counseling de carrière (M.Ed.), profil intervention and Maîtrise en counseling de carrière (M.A.), profil recherché-intervention”.

3. Section 1.23.1 is amended by replacing “with internships, from Université du Québec en Abitibi-Témiscamingue, Université du Québec en Outaouais and Université du Québec à Trois-Rivières” in paragraph *c* by the following:

“awarded by the Université du Québec, obtained upon completion of one of the following programs:

i. Maîtrise en psychoéducation with internship from the Université du Québec en Abitibi-Témiscamingue;

ii. Maîtrise en psychoéducation with internship or with thesis and internship from the Université du Québec en Outaouais;

iii. Maîtrise en psychoéducation with internship or with thesis and internship from the Université du Québec à Trois-Rivières”.

4. Section 1.25 is amended by replacing “, concentration comptabilité,” in paragraph 6 by “– expertise comptable”.

5. Paragraph 2 of section 1.15, introduced by paragraph 3 of section 1 of this Regulation, does not affect the rights of persons who, on 30 April 2020, have completed all the training and supervision described in section 26 of the Order in Council respecting the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec (chapter C-26, r. 292) or are registered with a person or an organization referred to therein in order to complete that training and supervision.

6. Paragraph *d* of section 1.23, amended by section 2 of this Regulation, remains applicable to persons who, on 30 April 2020, hold the diploma referred to in the amended paragraph or are registered in a program enabling them to obtain that diploma.

7. Paragraph *c* of section 1.23.1, amended by section 3 of this Regulation, remains applicable to persons who, on 30 April 2020, hold the diploma referred to in the amended paragraph or are registered in a program enabling them to obtain that diploma.

8. Paragraph 6 of section 1.25, amended by section 4 of this Regulation, remains applicable to persons who, on 30 April 2020, hold the diploma referred to in the amended paragraph or are registered in a program enabling them to obtain that diploma.

9. This Regulation comes into force on 30 April 2020.

104350

Gouvernement du Québec

O.C. 442-2020, 8 April 2020

Civil Code of Québec

An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23)

Various measures in matters of divided co-ownership insurance

Certain transitional measures for the carrying out of the Act

—Amendment

Regulation to establish various measures in matters of divided co-ownership insurance and to amend the Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions

WHEREAS, under article 1064.1 of the Civil Code, enacted by section 637 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23), each co-owner must take out third person liability insurance the minimum compulsory amount of which is determined by government regulation;

WHEREAS, under the second paragraph of article 1072 of the Civil Code, as amended by section 640 of that Act and by section 40 of the Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs (2019, chapter 28), the Government determines, by regulation, the terms according to which the co-owners' minimum contribution to the self-insurance fund is determined;

WHEREAS, under the first paragraph of article 1073 of the Civil Code, amended by section 641 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, the syndicate of co-owners must in particular take out insurance in an amount to cover the reconstruction of the immovable in accordance with the applicable standards, usage and good practice, and that amount must be evaluated at least every five years by a member of a professional order designated by government regulation;

WHEREAS, under the third paragraph of article 1073 of the Civil Code, amended by section 641 of that Act, an insurance contract entered into by a syndicate of co-owners covers, by operation of law, at least the risks prescribed by government regulation, unless the policy or a rider sets out, expressly and in clearly legible characters, which of those risks are excluded;

WHEREAS, under the first paragraph of section 652 of that Act, amended by section 73 of the Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs, the first regulation made under article 1064.1 of the Civil Code comes into force on the date that is six months after the date of its publication in the *Gazette officielle du Québec*;

WHEREAS, under the second paragraph of that section 652, the first regulation made under the second paragraph of article 1072 of the Civil Code comes into force on the date that is 24 months after the date of its publication in the *Gazette officielle du Québec*, while the first regulation made under the third paragraph of article 1073 of the Code as amended comes into force on the date that is 12 months after the date of its publication in the *Gazette officielle du Québec*;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to establish various measures in matters of divided co-ownership insurance was published in the *Gazette officielle du Québec* on 17 July 2019 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under the first paragraph of section 810 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, the Government may, by a regulation made before 13 June 2020, enact any other transitional measure necessary for the carrying out of that Act;

WHEREAS, under the second paragraph of section 810 of that Act, such a regulation is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) and, despite section 17 of that latter Act, the Government may set the date of coming into force of the regulation on any day later than the date of assent to the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions;

WHEREAS the Government made the Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions by Order in Council 1474-2018 dated 19 December 2018;

WHEREAS the Government amended the Regulation by Order in Council 553-2019 dated 5 June 2019;

WHEREAS it is expedient to further amend the Regulation;

WHEREAS it is expedient to make the Regulation to establish various measures in matters of divided co-ownership insurance and to amend the Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance;

THAT the Regulation to establish various measures in matters of divided co-ownership insurance and to amend the Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, attached hereto, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to establish various measures in matters of divided co-ownership insurance and to amend the Regulation respecting certain transitional measures for the carrying out of the act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions

Civil Code of Québec
(arts. 1064.1, 1072 and 1073)

An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions
(2018, chapter 23, ss. 637, 640, 641, 652 and 810)

**DIVISION I
SPECIAL PROVISIONS**

1. The minimum amount of the liability insurance that, under article 1064.1 of the Civil Code, each co-owner of an immovable held in divided co-ownership must take out is one million dollars (\$1,000,000) if the immovable has fewer than 13 fractions used or that may be used as dwellings or to operate an enterprise, and two million dollars (\$2,000,000) if it has 13 or more fractions.

2. The minimum contribution of the co-owners of an immovable held in divided co-ownership to the self-insurance fund established under article 1071.1 of the Civil Code is determined on a yearly basis when the sums to be paid into the contingency fund are determined, in the following manner:

(1) where the capitalization of the self-insurance fund is less than or equal to half of the highest deductible amount of the insurance taken out by the syndicate of co-owners, the contribution is equal to half of that deductible;

(2) where the capitalization of the fund is greater than half of the highest deductible amount of the insurance taken out by the syndicate, the contribution is equal to the amount resulting from the difference between that deductible and the capitalization of the fund; and

(3) where the capitalization of the fund is greater than or equal to the highest deductible amount of the insurance taken out by the syndicate, no contribution is required.

For the purposes of the first paragraph, the deductible applicable to damage caused by an earthquake or by flooding, if that protection is provided for on the insurance contract, is not taken into account.

3. Only a member of the Ordre professionnel des évaluateurs agréés du Québec may be entrusted with evaluating the amount of the insurance taken out by the syndicate of co-owners that is required to cover the reconstruction of the immovable held in divided co-ownership in keeping with the requirements of the first paragraph of article 1073 of the Civil Code.

4. The risks that a property insurance contract taken out by a syndicate of co-owners must cover in accordance with the third paragraph of article 1073 of the Civil Code are the following: theft, fire, lightning, storms, hail, explosions, water leak damage, sewer backup and overflows from appliances connected to water distribution piping within the building, strikes, riots or civil disturbances, the impact of an aircraft or vehicle, and vandalism or malicious acts.

**DIVISION II
AMENDING, TRANSITIONAL AND FINAL
PROVISIONS**

5. The Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, made by Order in Council 1474-2018 dated 19 December 2018 and amended by Order in Council 553-2019 dated 5 June 2019, is further amended by inserting the following after section 10:

“**10.1.** The provision introduced by subparagraph *c* of paragraph 1 of section 641 of chapter 23 of the statutes of 2018 into the first paragraph of article 1073 of the Civil Code requiring an evaluation, at least every five years by a member of a professional order designated by the Government, of the amount of the insurance to be taken out by a syndicate of co-owners to cover the reconstruction of the immovable held in divided co-ownership becomes effective, in respect of a co-ownership for which such an amount was evaluated by a member of a professional order within the four years preceding 15 April 2020, five years after the date of the evaluation.”

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

Despite the foregoing, section 1 takes effect on 15 October 2020, sections 3 and 4 take effect on 15 April 2021 and section 2 takes effect on 15 April 2022.

In addition, despite the second paragraph, as regards co-owners having taken out liability insurance in force on 15 October 2020, section 1 applies only as of the expiry of the coverage period for the insurance if that occurs within 12 months following that date. If the coverage period expires after 15 October 2021, section 1 applies as of that later date.

Similarly, as regards syndicates of co-owners having taken out property insurance in force on 15 April 2021, section 4 applies only as of the expiry of the coverage period for the insurance if that occurs within 12 months following that date. If the coverage period expires after 15 April 2022, section 4 applies as of that later date.

104351

Gouvernement du Québec

O.C. 454-2020, 8 April 2020

An Act respecting labour standards
(chapter N-1.1)

Labour standards
— **Amendment**

Regulation to amend the Regulation respecting labour standards

WHEREAS, under the first paragraph of section 40 of the Act respecting labour standards (chapter N-1.1), the Government may, by regulation, determine the minimum wage payable to an employee;

WHEREAS, under paragraph 1 of section 89 of the Act, the Government may, by regulation, fix labour standards respecting the minimum wage, which may be established on a time basis, a production basis or any other basis;

WHEREAS, under the first paragraph of section 91 of the Act, the standards contemplated in section 89 may vary according to the field of activity and the type of work;

WHEREAS the Government made the Regulation respecting labour standards (chapter N-1.1, r. 3);

WHEREAS it is expedient to make the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting labour standards was published in Part 2 of the *Gazette officielle du Québec* of 26 December 2019 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS that period has expired and it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting labour standards, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting labour standards**

An Act respecting labour standards
(chapter N-1.1, s. 40, 1st par., s. 89, par. 1, and
s. 91, 1st par.).

1. The Regulation respecting labour standards (chapter N-1.1, r. 3) is amended in section 3 by replacing “\$12.50” by “\$13.10”.

2. Section 4 is amended by replacing “\$10.05” by “\$10.45”.

3. Section 4.1 is amended

(1) by replacing “\$3.71” in subparagraph 1 of the first paragraph by “\$3.89”;

(2) by replacing “\$0.99” in subparagraph 2 of the first paragraph by “\$1.04”.

4. This Regulation comes into force on 1 May 2020.

104352

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

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