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Part 2
LAWS AND REGULATIONS

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Summary

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Part 2 – LAWS AND REGULATIONS

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(1) Acts assented to;

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(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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O.C. 869-2021, 23 June 2021

Act respecting hours and days of admission to commercial establishments
(chapter H-2.1)

Periods of admission to commercial establishments — Amendment

Regulation to amend the Regulation respecting periods of admission to commercial establishments

WHEREAS, under section 4.1 of the Act respecting hours and days of admission to commercial establishments (chapter H-2.1), the Government may, by regulation, change the hours or days of admission specified in section 2, 3 or 3.1 or determine special periods of admission to certain commercial establishments, which may vary according to criteria established by regulation and have precedence over sections 5 to 10;

WHEREAS the Government made the Regulation respecting periods of admission to commercial establishments (chapter H-2.1, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting periods of admission to commercial establishments was published in Part 2 of the *Gazette officielle du Québec* of 10 March 2021, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therfore, on the recommandation of the the Minister of Economy and Innovation:

THAT the Regulation to amend the Regulation respecting periods of admission to commercial establishments, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting periods of admission to commercial establishments

Act respecting hours and days of admission to commercial establishments
(chapter H-2.1, s. 4.1)

1. The Regulation respecting periods of admission to commercial establishments (chapter H-2.1, r. 1) is amended by inserting the following after section 6:

"DIVISION III.1
COMMERCIAL ESTABLISHMENTS THAT OFFER AUDIO RECORDINGS FOR SALE

6.2. Despite sections 2 and 3 of the Act, the public may be admitted to a commercial establishment offer audio recordings as principal products for sale between 8 a.m. and 11 p.m., every day of the year.

The periods of admission referred to in the first paragraph have precedence over sections 5 to 10 of the Act.".

2. This regulation comes into force tthe fifteenth day following the date its publication at the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 877-2021, 23 June 2021

Environment Quality Act
(chapter Q-2)

Traceability of excavated contaminated soils

Regulation respecting the traceability of excavated contaminated soils

WHEREAS, under subparagraph 3 of the first paragraph of section 95.1 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination and the release into the environment of any class of contaminants for all or part of the territory of Québec;

WHEREAS, under subparagraph 7 of the first paragraph of section 95.1 of the Act, the Government may make regulations to define environmental protection and quality standards for all or part of the territory of Québec;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister by any person or municipality carrying on an activity governed by the Act or the regulations, determine their form and content and the conditions governing their preservation and sending;

WHEREAS, under section 115.27 of the Act, the Government or the Minister may, in a regulation made under the Act, specify in particular that a failure to comply with the regulation may give rise to a monetary administrative penalty and set forth the amounts;

WHEREAS, under the first paragraph of section 115.34 of the Act, the Government or, as applicable, the Minister may in particular determine the regulatory provisions made under the Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government or the Minister;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the traceability of excavated contaminated soils was published in Part 2 of the *Gazette officielle du Québec* of 24 April 2019 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the Regulation respecting the traceability of excavated contaminated soils, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the traceability of excavated contaminated soils

Environment Quality Act
(chapter Q-2, s. 95.1, 1st par., subpars. 3, 7 and 21, ss. 115.27 and 115.34)

CHAPTER I
GENERAL

1. The purpose of this Regulation is to limit and control the contamination caused or likely to be caused by excavated contaminated soils, through the implementation of traceability measures to ensure that such soils are discharged in a site where they may be received.

2. This Regulation applies to soils containing contaminants from human activities, whatever the concentration value of the contaminants.

Sediments extracted from a lake or watercourse, including the estuary and Gulf of St. Lawrence and the oceans surrounding Québec, are considered to be soils to which the first paragraph applies if they contain such contaminants.

This Regulation does not apply to excavated contaminated soils transported to, or by, an aircraft.

3. In the case of soils to which this Regulation and any of sections 8 to 10 of the Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46) apply or, if the latter Regulation does not apply, in the case of soils to which this Regulation applies that are in a situation similar to a situation described in those sections, this Regulation applies to such soils only from the time

(1) those sections no longer apply to the soils or the conditions of those sections are no longer met, or the soils are no longer in a situation similar to a situation described in those sections; and

(2) the soils are transported to be discharged in a site other than their site of origin.

If soils referred to in section 2 are transported from their site of origin to a facility dedicated exclusively to the processing of the soils and operated in accordance with an authorization issued pursuant to section 22 of the Environment Quality Act (chapter Q-2), referred to hereafter as "the Act", this Regulation applies only from the time the soils are transported from that facility to be discharged in a site other than their site of origin.

4. In this Regulation,

"linear infrastructure" means

(1) a road infrastructure or a railway;

(2) an oil pipeline;

(3) a natural gas supply or distribution pipeline;

(4) a power or telecommunications transmission or distribution line; or

(5) a water management or treatment facility referred to in section 32 of the Act; (*infrastructure linéaire*)

"project owner" means any person, municipality or department that requests the construction, alteration or dismantling of a linear infrastructure, and finances and sets the deadlines for the work; (*maître d'ouvrage*)

"receiving site" means any site situated in Québec in which contaminated soils are temporarily or permanently discharged; (*lieu récepteur*)

"receiving site manager" and "manager of a receiving site" mean the operator of a receiving site or, if the site is not operated, any other site manager; (*responsable d'un lieu récepteur*)

"site of origin" means the land from which the contaminated soils are excavated. (*terrain d'origine*)

5. Every owner of excavated contaminated soils, every project owner for work to excavate contaminated soils on a linear infrastructure and, if soils are excavated following an accidental discharge of hazardous materials, the party causing the discharge, may authorize another person to satisfy any requirement which, under this Regulation, must be satisfied using the computer system prescribed for that purpose by the Minister or any requirement under the first paragraph of section 22, subject to the exceptions mentioned in the third paragraph of that section.

6. Every manager of a receiving site in which contaminated soils are discharged temporarily is required, before the soils may leave the site, to satisfy the requirements of section 12, with the necessary modifications.

If soils are returned to their site of origin by a receiving site manager, the recipient of the returned soils must, when they arrive, satisfy the requirements of section 19, with the necessary modifications.

Despite the first paragraph, if the receiving site manager refuses to receive contaminated soils, the requirements of the first paragraph must be satisfied by the recipient of the returned soils along with the requirements under the second paragraph.

The first paragraph does not apply if the receiving site is a ship or a train.

7. All information and documents required under this Regulation must be provided to the Minister using the computer system prescribed by the Minister.

Any signature required under this Regulation must be affixed electronically.

CHAPTER II
TRACEABILITY OF EXCAVATED CONTAMINATED SOILS

DIVISION I
REGISTRATION

8. If contaminated soils are to be transported, before the soils may leave their site of origin, registration is mandatory for,

(1) if the quantity of soils to be transported is greater than 200 metric tonnes,

(a) the owner of the soils or, if the soils are excavated during work on a linear infrastructure, the project owner for the work or, if the soils are excavated following an accidental discharge of hazardous materials, the party causing the discharge; and

(b) the carrier of the soils;

(2) any person authorized under section 5 or under the second paragraph;

(3) the manager of a receiving site in which the soils are to be discharged, except if that site is a ship or a train; and

(4) any person qualified to provide an attestation referred to in the first paragraph of section 16.

In other cases, registration in the computer system is not mandatory. However, if a quantity of contaminated soils equal to or less than 200 metric tonnes is to be transported, authorization must be given to another person to satisfy the requirements which, under this Regulation, must be satisfied using the computer system if the owner of the soils or, if the soils are excavated during work on a linear infrastructure, the project owner for the work or, if

the soils are excavated following an accidental discharge of hazardous materials, the party causing the discharge, is not registered in the computer system.

A receiving site manager referred to in subparagraph 3 of the first paragraph must be registered not less than 72 hours before the soils are transported.

9. The following information must be provided for registration in the computer system:

(1) in the case of a natural person, the person's name and professional address or, if none, the person's personal address;

(2) in the case of a business corporation, a partnership or any other group of persons, or in the case of a trust, the name it uses to identify itself in connection with activities related to excavation work, its address, its legal form and the Québec business number assigned to it following registration under the Act respecting the legal publicity of enterprises (chapter P-44.1); and

(3) in other cases, its name and address and, if applicable, its legal form.

A registrant in the computer system must also give consent so that all information and documents provided to the Minister to comply with this Regulation may be communicated if necessary for the purposes of this Regulation.

10. The receiving site manager must also, to complete the registration,

(1) indicate in the computer system if the activities at the site are exempted or not from the requirement to obtain an authorization under section 22 of the Act;

(2) if covered by any of the following documents, provide the Minister with a copy of the document:

(a) an authorization issued under section 22 of the Act permitting operation of the site or, if the site is not operated, permitting the manager to allow transported soils to be discharged at the site;

(b) a declaration of compliance filed under section 31.0.6 of the Act for the discharge of contaminated soils at the receiving site; or

(c) any rehabilitation plan approved by the Minister containing a measure concerning discharge of contaminated soils at the receiving site.

11. Any change to the information or documents provided pursuant to section 9 or 10 must be communicated to the Minister within seven days of knowledge of the change and the provider of the information or documents must give consent so they may be communicated if necessary for the purposes of this Regulation.

DIVISION II
TRACKING OF SOILS

12. All transportation of contaminated soils must, before the soils may leave their site of origin, be logged on a tracking slip on which the following information must be entered:

(1) the address of the site of origin or, if none, the cadastral designation or geographic coordinates of the site, and in the two latter cases the name of the municipality in which it is situated;

(2) where applicable, the name of the project for which the soils have been excavated;

(3) the name and professional address of the person completing the tracking slip or, if none, the person's personal address;

(4) if not the owner of the site, the name and address of the owner;

(5) the name and address of the carrier of the soils;

(6) the name of the driver of the vehicle used to transport the soils;

(7) the registration number of the vehicle used to transport the soils and, where applicable, that of its trailer or semi-trailer;

(8) the highest of the following concentration values that apply to the contaminants present in the soils, the concentration values in subparagraph *a* being the lowest and the concentration values in subparagraph *d* being the highest:

(a) the values below or equal to those listed in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

(b) the values above those listed in Schedule I to the Land Protection and Rehabilitation Regulation but below or equal to those listed in Schedule II to that Regulation;

(c) the values above those listed in Schedule II to the Land Protection and Rehabilitation Regulation but below those listed in Schedule I of the Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18); and

(d) the values equal to or above those listed in Schedule I to the Regulation respecting the burial of contaminated soils;

(9) the categories to which the contaminants present in the soils belong, among those indicated on the tracking slip, whose concentration values correspond to the values entered under subparagraph 8;

(10) the quantity of soils to be transported, expressed in metric tonnes;

(11) the date of transportation of the soils and the time at which the carrier of the soils left the site of origin; and

(12) the name, if any, of the receiving site for the soils and its address or, if none, the cadastral designation or geographic coordinates of the site, and in the two latter cases the name of the municipality in which it is situated.

Every tracking slip must be signed and dated and include a statement that the information it contains is complete and accurate.

13. If contaminated soils to be transported were excavated during work on a linear infrastructure, the information required by subparagraph 4 of the first paragraph of section 12 need not be entered on the tracking slip.

If contaminated soils to be transported were excavated following an accidental discharge of hazardous materials or were discovered unexpectedly, only the information required by subparagraphs 1 to 3, 5 to 7 and 10 to 12 of the first paragraph of section 12, as well as the contaminant discharged, must be entered on the tracking slip.

14. The requirement to complete the tracking slip for contaminated soils before they may leave their site of origin is to be satisfied by

(1) the owner of the soils transported;

(2) if the soils were excavated during work on a linear infrastructure, the project owner for the work; or

(3) if the soils were excavated following an accidental discharge of hazardous materials, the party causing the discharge.

15. If contaminated soils are to be transported, the first transportation must, so that the soils may leave their site of origin, be reported in a notice to the Minister indicating the total estimated quantity of soils to be transported. The notice must be given by the signatory of the tracking slip under section 14.

16. If the total estimated quantity of soils to be transported is greater than 200 metric tonnes, the signatory of the tracking slip under section 14 must also provide the Minister, within fifteen days after the last transportation of soils, with an attestation from a qualified person stating that all the soils excavated have been recorded on a tracking slip.

A person that is neither the signatory of the tracking slip, the natural person who completed the tracking slip, the soil excavator, or one of their employees, is qualified to provide the attestation referred to in the first paragraph if the person is

(1) a member of a professional order governed by the Professional Code (chapter C-26) with not less than three years experience in site characterization and site rehabilitation; or

(2) the holder of a post-secondary diploma in a scientific discipline with not less than five years experience in site characterization and site rehabilitation.

17. If more than 200 metric tonnes of contaminated soils are to be transported, a carrier of the soils must, before they may leave their site of origin or a receiving site where they were discharged, indicate on the tracking slip for the soils that they have been loaded onto the vehicle used for their transportation and enter the telephone number of the device used pursuant to section 24, if such a number exists.

The tracking slip must be signed and dated and include a statement that the information entered under the first paragraph and subparagraphs 5 to 7, 10 and 11 of the first paragraph of section 12 is complete and accurate.

This section does not apply if the soils are transported from a receiving site and are discharged at a site with the same address as the receiving site.

18. If more than 200 metric tonnes of contaminated soils are to be transported, the receiving site manager must, before the soils may leave their site of origin, and in addition to the manager's other requirements under the preceding provisions, provide the Minister with confirmation that the manager has agreed with the signatory of the tracking slip for the soils under section 14 that the soils may be discharged at the receiving site.

19. The receiving site manager must, before contaminated soils may be discharged, enter on the tracking slip for the soils

(1) the registration number of the vehicle used to transport the soils and that of any trailer or semi-trailer;

(2) the date and time at which the carrier of the soils arrived at the receiving site;

(3) whether the soils will be reclaimed at the receiving site or eliminated, when both options are available; and

(4) the name of the person completing the tracking slip.

The receiving site manager must also enter on the tracking slip the quantity of soils expressed in metric tonnes as soon as the soils have been discharged.

The tracking slip must be signed and dated and include a statement that the information entered under the first and second paragraphs and under subparagraphs 5, 6 and 12 of the first paragraph of section 12 is complete and accurate.

This section does not apply if the receiving site is a ship or a train.

20. A carrier of contaminated soils cannot discharge the soils at a receiving site until the site manager has satisfied the requirements of the first paragraph of section 19, except if the receiving site is a ship or a train.

21. A receiving site manager refusing to receive contaminated soils must state that fact on the tracking slip for the soils along with the reason for the refusal.

The signatory of the new tracking slip before the soils may leave the receiving site must also enter the statement referred to in the first paragraph along with the reason for the receiving site manager's refusal to receive the soils.

This section does not apply if the receiving site is a ship or a train.

22. If contaminated soils are discharged outside Québec, the signatory of the tracking slip for the soils under the first paragraph of section 6 or section 14, as applicable, must be present on the arrival of the carrier at the place in which the soils are discharged and obtain a signed and dated document from the manager of the place confirming receipt of the soils and the quantity involved. The document must then be provided by the signatory to the Minister within 24 hours after the soils are discharged.

The signatory must also enter on the tracking slip the registration number of the vehicle used to transport the soils and that of any trailer or semi-trailer, the date and time at which the carrier of the soils arrived at the place in which the soils are discharged, the name of the manager of the place and the quantity of soils entered by the manager on the document referred to in the first paragraph. The tracking slip must be signed and dated and include a statement that the information it contains is complete and accurate.

A person authorized under section 5 to satisfy the requirements of the first and second paragraphs may not be the manager of the place in which the soils are discharged, or an employee of the manager.

23. If contaminated soils are discharged onto a ship or a train, the signatory of the tracking slip for the soils under the first paragraph of section 6, if the soils were transported from another receiving site, or under section 14 if the soils were transported directly from their site of origin, must enter on the tracking slip before the soils are discharged onto the ship or train,

(1) the identification number of the ship or train transporting the soils;

(2) the date and time at which, when the soils left the other receiving site or their site of origin, they were scheduled to be discharged onto the ship or train;

(3) the site at which the soils will be discharged from the ship or train;

(4) the date and time at which, when the soils left the other receiving site or their site of origin, the ship or train was scheduled to arrive at the site referred to in paragraph 3; and

(5) the name and address of the new carrier of the soils.

DIVISION III
TRACKING OF SOILS DURING TRANSPORTATION

24. If more than 200 metric tonnes of contaminated soils are to be transported, the carrier of the soils must, during transportation, whether from their site of origin or from a receiving site where they were discharged, use a device, compatible with the computer system prescribed by the Minister, that throughout the entire transportation time transmits the geographic position of the location of the soils to the system, even if the soils are discharged outside Québec.

The first paragraph does not apply if the soils are transported by ship or train or transported from a receiving site and discharged at a site with the same address as the receiving site.

CHAPTER III
PENALTIES

DIVISION I
MONETARY ADMINISTRATIVE PENALTIES

25. A monetary administrative penalty of $500 in the case of a natural person and $2,500 in other cases may be imposed for

(1) failing to comply with the 72-hour minimum requirement for registration in the computer system, in contravention of the third paragraph of section 8;

(2) failing to give the consent required by the second paragraph of section 9 and by section 11;

(3) failing to provide a copy of a document required by paragraph 2 of section 10;

(4) failing to provide the Minister with the confirmation required by section 18; or

(5) failing to sign or date any document that must be signed pursuant to this Regulation.

26. A monetary administrative penalty of $750 in the case of a natural person and $3,500 in other cases may be imposed for

(1) failing to provide the Minister with the notice referred to in section 15 or providing the notice after the first transportation of soils;

(2) providing the Minister with the attestation required by the first paragraph of section 16 given by a person who does not satisfy either of the conditions set out in the second paragraph of that section, failing to provide the attestation or failing to provide it within the required time; or

(3) failing to provide the Minister with the document required by the first paragraph of section 22 or failing to provide it within the required time.

27. A monetary administrative penalty of $1,000 in the case of a natural person and $5,000 in other cases may be imposed for

(1) failing to provide any information required by the first paragraph of section 9, paragraph 1 of section 10, the first paragraph of section 12, the second paragraph of section 13, the first paragraph of section 17, the first or second paragraph of section 19, section 21, the second paragraph of section 22 or section 23, or that is necessary for the purposes of those sections, or failing to comply with the time limit or time set for doing so;

(2) failing to comply with the requirements of section 11 concerning changes to the information or documents provided under section 9 or 10, or failing to do so within the required time;

(3) failing to provide the statement referred to in the second paragraph of section 12, the second paragraph of section 17, the third paragraph of section 19 or the second paragraph of section 22;

(4) failing to comply with the prohibition set out in section 20; or

(5) contravention of section 24.

28. A monetary administrative penalty of $1,500 in the case of a natural person and $7,500 in other cases may be imposed for

(1) completing a tracking slip without being contemplated by section 14 or without being authorized to do so under section 5;

(2) transporting contaminated soils or causing contaminated soils to be transported before entering the information required by the first paragraph of section 17 on a tracking slip; or

(3) authorizing the manager of a place in which contaminated soils are discharged outside Québec or any employee of the manager to satisfy the requirements of the first and second paragraphs of section 22, in contravention of the third paragraph of that section.

29. A monetary administrative penalty of $2,000 in the case of a natural person and $10,000 in other cases may be imposed for

(1) failing to complete the tracking slip referred to in section 12, in contravention of the first or second paragraph of section 6 or the first paragraph of section 12 and section 14;

(2) in contravention of the first paragraph of section 7, failing to use the computer system prescribed by the Minister to provide the information and documents required under this Regulation;

(3) not being registered in the computer system prescribed by the Minister before contaminated soils are transported, in contravention of the first paragraph of section 8; or

(4) failing, if not registered in the system prescribed by the Minister, to authorize another person to satisfy the requirements which, under this Regulation, must be satisfied using the computer system, in contravention of the second paragraph of section 8.

30. A monetary administrative penalty of $250 in the case of a natural person and $1,000 in other cases may be imposed for failure to comply with a provision of this Regulation for which no monetary administrative penalty is otherwise provided.

DIVISION II
PENAL SANCTIONS

31. Anyone that

(1) fails to comply with the 72-hour minimum requirement for registration in the computer system, in contravention of the third paragraph of section 8;

(2) fails to give the consent required by the second paragraph of section 9 and by section 11;

(3) fails to provide a copy of a document required by paragraph 2 of section 10;

(4) fails to provide the Minister with the confirmation required by section 18; or

(5) fails to sign or date any document that must be signed pursuant to this Regulation, is liable to a fine of not less than $2,500 and not more than $250,000 in the case of a natural person or to a fine of not less than $7,500 and not more than $1,500,000 in other cases.

32. Anyone that

(1) fails to provide the Minister with the notice referred to in section 15 or provides the notice after the first transportation of soils;

(2) provides the Minister with the attestation required by the first paragraph of section 16 given by a person who does not satisfy either of the conditions set out in the second paragraph of that section, fails to provide the attestation or fails to provide it within the required time; or

(3) fails to provide the Minister with the document required by the first paragraph of section 22 or fails to provide it within the required time,

is liable to a fine of not less than $4,000 and not more than $250,000 in the case of a natural person or to a fine of not less than $12,000 and not more than $1,500,000 in other cases.

33. Anyone that

(1) fails to provide any information required by the first paragraph of section 9, paragraph 1 of section 10, the first paragraph of section 12, the second paragraph of section 13, the first paragraph of section 17, the first or second paragraph of section 19, section 21, the second paragraph of section 22 or section 23, or that is necessary for the purposes of those sections, or fails to comply with the time limit or time set for doing so;

(2) fails to comply with the requirements of section 11 concerning changes to the information or documents provided under section 9 or 10, or fails to do so within the required time;

(3) fails to provide the statement referred to in the second paragraph of section 12, the second paragraph of section 17, the third paragraph of section 19 or the second paragraph of section 22;

(4) fails to comply with the prohibition set out in section 20; or

(5) contravenes section 24,

is liable to a fine of not less than $5,000 and not more than $500,000 in the case of a natural person or to a fine of not less than $15,000 and not more than $3,000,000 in other cases.

34. Anyone that

(1) completes a tracking slip without being contemplated by section 14 or without being authorized to do so under section 5;

(2) transports contaminated soils or causes contaminated soils to be transported before entering the information required by the first paragraph of section 17 on a tracking slip; or

(3) authorizes the manager of a place in which contaminated soils are discharged outside Québec or any employee of the manager to satisfy the requirements of the first and second paragraphs of section 22, in contravention of the third paragraph of that section,

is liable to a fine of not less than $8,000 and not more than $500,000 in the case of a natural person or to a fine of not less than $24,000 and not more than $3,000,000 in other cases.

35. Anyone that

(1) fails to complete the tracking slip referred to in section 12, in contravention of the first or second paragraph of section 6 or the first paragraph of section 12 and section 14;

(2) in contravention of the first paragraph of section 7, fails to use the computer system prescribed by the Minister to provide the information and documents required under this Regulation;

(3) is not registered in the computer system prescribed by the Minister before contaminated soils are transported, in contravention of the first paragraph of section 8; or

(4) fails, if not registered in the system prescribed by the Minister, to authorize another person to satisfy the requirements which, under this Regulation, must be satisfied using the computer system, in contravention of the second paragraph of section 8,

is liable to a fine of not less than $10,000 and not more than $1,000,000 in the case of a natural person or to a fine of not less than $30,000 and not more than $6,000,000 in other cases.

36. Anyone that contravenes any other requirement imposed by this Regulation is liable, where no other penalty is provided for by this Division or by the Act, to a fine of not less than $1,000 and not more than $100,000 in the case of a natural person or, in other cases, to a fine of not less than $3,000 and not more than $600,000.

CHAPTER IV
FINAL

37. This Regulation comes into force on 1 November 2021.

Until 31 December 2021, it applies only to the transportation, from the site of origin, of a quantity of contaminated soils equal to or greater than 5,000 metric tonnes, excavated during work that began on or after 1 November 2021.

As of 1 January 2022, it also applies to the transportation,

(1) from the site of origin, of any quantity of contaminated soils equal to or greater than 1,000 metric tonnes, excavated during work under way before that date, on that date or after that date and that is, as the case may be,

(a) covered by a contract by mutual agreement entered into after the date on which this Regulation is made;

(b) covered by a contract entered into following a public call for tenders or a call for tenders from the private sector, made using a notice published after the date on which this Regulation is made, or an invitation to tender made after that date; or

(c) not covered by a contract; and

(2) from a receiving site,

(a) of any quantity of contaminated soils equal to or greater than 1,000 metric tonnes to which this Regulation applies under section 3, from the same site of origin and excavated during work under way before 1 January 2022, on that date or after that date and that is covered by a case referred to in any of subparagraphs *a* to *c* of subparagraph 1;

(b) of contaminated soils, regardless of the quantity of soils to be transported and the date on which they were discharged at that site, in other cases.

A copy of every contract, notice and invitation to tender referred to in subparagraph 1 of the third paragraph, on which the date of signing and the signatures of the co-contractors in the case of a contract, the date of publication in the case of a notice, and the date on the invitation in the case of an invitation to tender must appear legibly, must be sent to the Minister on request.

As of 1 January 2023, this Regulation applies to all transportation of excavated contaminated soils on or after that date, regardless of the date on which the excavation work began.

Subparagraph *b* of subparagraph 1 of the first paragraph of section 8 and sections 17, 20 and 24 apply only as of 1 January 2023, regardless of the date on which the work to excavate the soils transported began.

105152

Gouvernement du Québec

O.C. 879-2021, 23 June 2021

Educational Childcare Act
(chapter S-4.1.1)

Educational Childcare
— Amendment

Regulation to amend the Educational Childcare Regulation

WHEREAS, under subparagraph 13.1 of the first paragraph of section 106 of the Educational Childcare Act (chapter S-4.1.1), the Government may, by regulation, for part or all of Québec, set the ratio of staff to qualified staff present during the provision of childcare services to be respected by a childcare provider;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Educational Childcare Regulation was published in Part 2 of the *Gazette officielle du Québec* of 24 March 2021 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Educational Childcare Regulation, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Educational Childcare Regulation

Educational Childcare Act
(chapter S-4.1.1, s. 106, 1st par., subpar. 13.1)

1. The Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended by adding "However, until 9 months have elapsed since the last day of the public health emergency declared by Order in Council 177-2020 dated 13 March 2020, the permit holder must ensure that at least 1 childcare staff member out of 3 is qualified and present each day with the children while childcare is being provided and, for the next 12 months, at least 1 childcare staff member out of 2 is qualified and present each day with the children while childcare is being provided." at the end of the first paragraph of section 23.

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

105154

M.O., 2021-07

Order number V-1.1-2021-07 of the Minister of Finance dated 23 June 2021

Securities Act
(chapter V-1.1)

Concerning the Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators

WHEREAS paragraphs 1, 3, 8, 9.1, 9.2.1, 9.3, 9.5, 9.6, 11, 19, 19.1, 19.3, 19.5, 26, 32, 32.0.1 and 34 of section 331.1 of the Securities Act (chapter V-1.1) provide that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the Bulletin de l'Autorité des marchés financiers, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

Whereas the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

Whereas, in accordance with section 331.2 of the said Act, the draft Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators was published in the Bulletin de l'Autorité des marchés financiers, vol. 16, no. 10 of 14 March 2019, with a notice that it could be approved by the Minister of Finance on the expiry of 90 days following that publication;

Whereas the Autorité des marchés financiers made, on 11 June 2021, by the decision no. 2021-PDG-0029, the Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators;

Whereas there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators appended hereto.

23 June 2021

ERIC GIRARD
Minister of Finance

REGULATION 25-102 RESPECTING DESIGNATED BENCHMARKS AND BENCHMARK ADMINISTRATORS

Securities Act
(chapter V-1.1, s. 331.1, par. (1), (3), (9.2.1), (9.3), (9.5), (9.6), (11), (19), (19.1), (19.3), (19.5), (26), (32), (32.0.1) and (34), and s. 331.2)

Note: The text box in this Regulation located after subsection 1(6) refers to terms defined in securities legislation. This text box does not form part of this Regulation.

PART 1
DEFINITIONS AND INTERPRETATION

Definitions and interpretation

1. (1) In this Regulation,

"benchmark individual" means any DBA individual who participates in the provision of, or overseeing the provision of, a designated benchmark;

"board of directors" includes, in the case of a person that does not have a board of directors, a group that acts in a capacity similar to a board of directors;

"contributing individual" means an individual who contributes input data, as an employee or agent, on behalf of a benchmark contributor;

"CSAE 3000" means Canadian Standard on Assurance Engagements 3000 *Attestation Engagements Other than Audits or Reviews of Historical Financial Information*, as amended from time to time;

"CSAE 3001" means Canadian Standard on Assurance Engagements 3001 *Direct Engagements*, as amended from time to time;

"CSAE 3530" means Canadian Standard on Assurance Engagements 3530 *Attestation Engagements to Report on Compliance*, as amended from time to time;

"CSAE 3531" means Canadian Standard on Assurance Engagements 3531 *Direct Engagements to Report on Compliance*, as amended from time to time;

"DBA individual" means an individual who is

(a) a director, officer or employee of a designated benchmark administrator, or

(b) an agent of a designated benchmark administrator who performs services on behalf of the designated benchmark administrator;

"designated benchmark" means a benchmark that is designated for the purposes of this Regulation by a decision of the securities regulatory authority;

"designated benchmark administrator" means

(a) in Québec, a benchmark administrator that is subject to securities legislation by a decision of the securities regulatory authority, and

(b) in every other jurisdiction, a benchmark administrator that is designated for the purposes of this Regulation by a decision of the securities regulatory authority;

"designated critical benchmark" means a benchmark that is designated for the purposes of this Regulation as a "critical benchmark" by a decision of the securities regulatory authority;

"designated interest rate benchmark" means a benchmark that is designated for the purposes of this Regulation as an "interest rate benchmark" by a decision of the securities regulatory authority;

"designated regulated-data benchmark" means a benchmark that is designated for the purposes of this Regulation as a "regulated-data benchmark" by a decision of the securities regulatory authority;

"expert judgment" means the discretion exercised by

(a) a designated benchmark administrator with respect to the use of input data in determining a benchmark, and

(b) a benchmark contributor with respect to input data;

"input data" means data in respect of any measurement of one or more assets, interests or elements, including, but not limited to, the value or price of the asset, interest or element, if that data is contributed, or otherwise obtained, by a designated benchmark administrator for the purpose of determining a designated benchmark;

"ISAE 3000" means International Standard on Assurance Engagements 3000 (Revised), *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*, as amended from time to time;

"limited assurance report on compliance" means

(a) a public accountant's limited assurance report, on management's statement that a person complied with the applicable subject requirements, if the report is prepared in accordance with CSAE 3000 and CSAE 3530 or ISAE 3000, or

(b) a public accountant's limited assurance report, on the compliance of a person with the applicable subject requirements, if the report is prepared in accordance with CSAE 3001 and CSAE 3531 or ISAE 3000;

"management's statement" means a statement of management of a designated benchmark administrator or a benchmark contributor, as applicable;

"methodology" means a document describing how a designated benchmark administrator determines a designated benchmark;

"reasonable assurance report on compliance" means

(a) a public accountant's reasonable assurance report, on management's statement that a person complied with the applicable subject requirements, if the report is prepared in accordance with CSAE 3000 and CSAE 3530 or ISAE 3000, or

(b) a public accountant's reasonable assurance report, on the compliance of a person with the applicable subject requirements, if the report is prepared in accordance with CSAE 3001 and CSAE 3531 or ISAE 3000;

"subject requirements" means

(a) paragraphs 32(1)(a) and (b),

(b) paragraphs 33(1)(a) and (b),

(c) paragraphs 36(1)(a) and (b),

(d) paragraphs 37(1)(a) and (b), and

(e) paragraphs 38(1)(a), (b) and (c);

"transaction data" means the data in respect of a price, rate, index or value representing transactions

(a) between persons each of which is not an affiliated entity of one another, and

(b) occurring in an active market subject to competitive supply and demand forces.

(2) Terms defined in Regulation 21-101 respecting Marketplace Operation (chapter V-1.1, r. 5) and used in this Regulation have the respective meanings ascribed to them in that Regulation.

(3) For the purposes of this Regulation, input data is considered to have been contributed to a designated benchmark administrator if

(a) it is not reasonably available to

(i) the designated benchmark administrator, or

(ii) another person, other than the benchmark contributor, for the purpose of providing the input data to the designated benchmark administrator, and

(b) it is provided to the designated benchmark administrator or the other person referred to in subparagraph (a)(ii) for the purpose of determining a benchmark.

(4) For the purposes of this Regulation, a designated benchmark administrator is considered to have provided a designated benchmark if any of the following apply:

(a) the administrator collects, analyzes, processes or otherwise uses the input data for the purposes of determining the benchmark;

(b) the administrator determines the benchmark through the application of the methodology applicable to the benchmark;

(c) the administrator administers any other arrangements for determining the benchmark.

(5) Subject to subsections (6), (7) and (8), Appendix A contains definitions of terms used in this Regulation.

(6) Subsection (5) does not apply in Alberta, New Brunswick, Nova Scotia, Ontario or Saskatchewan.

Note: In Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan, the terms in Appendix A are defined in securities legislation.

(7) In British Columbia, the definitions of "benchmark" and "benchmark contributor" in the Securities Act (R.S.B.C. 1996, c. 418) apply to this Regulation.

(8) In Québec, the definitions of "benchmark" and "benchmark administrator" in the Securities Act (chapter V-1.1) apply to this Regulation.

(9) In this Regulation, a person is an affiliated entity of another person if either of the following applies:

(a) one is the subsidiary of the other;

(b) each is a subsidiary of, or controlled by, the same person.

(10) For the purposes of paragraph (9)(b), a person (first person) controls another person (second person) if any of the following apply:

(a) the first person beneficially owns, or controls or directs, directly or indirectly, securities of the second person carrying votes that, if exercised, would entitle the first person to elect a majority of the directors of the second person, unless that first person holds the voting securities only to secure an obligation;

(b) the second person is a partnership, other than a limited partnership, and the first person holds more than a 50% interest in the partnership;

(c) the second person is a limited partnership and the general partner of the limited partnership is the first person;

(d) the second person is a trust and the first person is a trustee of the trust.

PART 2
DELIVERY REQUIREMENTS

Information on a designated benchmark administrator

2. (1) In this section, the following terms have the same meaning as in section 1.1 of Regulation 52-107 respecting Acceptable Accounting Principles and Auditing Standards (chapter V-1.1, r. 25):

(a) "accounting principles";

(b) "auditing standards";

(c) "U.S. GAAP";

(d) "U.S. PCAOB GAAS".

(2) In this section, "parent issuer" means an issuer in respect of which a designated benchmark administrator is a subsidiary.

(3) A designated benchmark administrator must deliver to the regulator, except in Québec, or securities regulatory authority

(a) information that a reasonable person would consider describes the designated benchmark administrator's organization, structure and administration of benchmarks, including, for greater certainty, a description of its policies and procedures required under this Regulation, conflicts of interest and potential conflicts of interest, any person referred to in section 13 to which a designated benchmark administrator has outsourced a function, service or activity in the provision of a designated benchmark, benchmark individuals, the officer referred to in section 6 and sources of revenue, and

(b) annual financial statements for the designated benchmark administrator's most recently completed financial year that include all of the following:

(i) a statement of comprehensive income, a statement of changes in equity and a statement of cash flows for

(A) the most recently completed financial year, and

(B) the financial year, if any, immediately preceding the most recently completed financial year;

(ii) a statement of financial position at the end of each of the periods referred to in subparagraph (i);

(iii) notes to the annual financial statements.

(4) For the purposes of paragraph (3)(b), if a designated benchmark administrator is a subsidiary of a parent issuer, the designated benchmark administrator may instead deliver consolidated annual financial statements, for the most recently completed financial year of the parent issuer, that include all of the following:

(a) a statement of comprehensive income, a statement of changes in equity and a statement of cash flows for

(i) the most recently completed financial year, and

(ii) the financial year, if any, immediately preceding the most recently completed financial year;

(b) a statement of financial position at the end of each of the periods referred to in paragraph (a);

(c) notes to the annual financial statements.

(5) The annual financial statements delivered under paragraph (3)(b) or subsection (4) must be audited.

(6) The notes to the annual financial statements delivered under paragraph (3)(b) or subsection (4) must identify the accounting principles used to prepare the annual financial statements.

(7) The annual financial statements delivered under paragraph (3)(b) or subsection (4) must

(a) be prepared in accordance with one of the following accounting principles:

(i) Canadian GAAP applicable to publicly accountable enterprises;

(ii) Canadian GAAP applicable to private enterprises, if

(A) the financial statements consolidate any subsidiaries and account for significantly influenced investees and joint ventures using the equity method, and

(B) the designated benchmark administrator or parent issuer, as applicable, is a “private enterprise” as defined in the Handbook;

(iii) IFRS;

(iv) U.S. GAAP,

(b) be audited in accordance with one of the following auditing standards:

(i) Canadian GAAS;

(ii) International Standards on Auditing;

(iii) U.S. PCAOB GAAS, and

(c) be accompanied by an auditor's report that,

(i) if subparagraph (b)(i) or (ii) applies, expresses an unmodified opinion,

(ii) if subparagraph (b)(iii) applies, expresses an unqualified opinion, and

(iii) identifies the auditing standards used to conduct the audit.

(8) The information required under subsection (3) must be provided for the periods set out in, and be prepared in accordance with, Form 25-102F1 and must be delivered

(a) on or before the 30th day after the designated benchmark administrator is designated, and

(b) no later than 90 days after the end of each completed financial year of the designated benchmark administrator.

(9) If any of the information delivered by a designated benchmark administrator under paragraph (3)(a) becomes inaccurate, and a reasonable person would consider the inaccuracy to be significant, the designated benchmark administrator must promptly deliver a completed amended Form 25-102F1 that includes the accurate information.

Information on a designated benchmark

3. (1) A designated benchmark administrator must, for each designated benchmark that it administers, deliver to the regulator, except in Québec, or securities regulatory authority

(a) information about the provision and distribution of the designated benchmark, including, for greater certainty, its procedures, methodologies and distribution model, and

(b) the code of conduct, if any, for the benchmark contributors.

(2) The information required under subsection (1) must be provided for the periods set out in, and be prepared in accordance with, Form 25-102F2 and must be delivered

(a) on or before the 30th day after the designated benchmark is designated, and

(b) no later than 90 days after the end of each completed financial year of the designated benchmark administrator.

(3) If any of the information delivered by a designated benchmark administrator under paragraph (1)(a) in respect of a designated benchmark it administers becomes inaccurate, and a reasonable person would consider the inaccuracy to be significant, the designated benchmark administrator must promptly deliver a completed amended Form 25-102F2 that includes the accurate information.

Submission to jurisdiction and appointment of agent for service of process

4. (1) A designated benchmark administrator must, if the designated benchmark administrator is incorporated or organized under the laws of a foreign jurisdiction, submit to the non-exclusive jurisdiction of the judiciary and quasi-judicial and other administrative bodies of the local jurisdiction and appoint an agent for service of process in Canada in a jurisdiction in which the designated benchmark administrator is designated.

(2) The submission to jurisdiction and appointment required under subsection (1) must be prepared in accordance with Form 25-102F3 and must be delivered on or before the 30th day after the designated benchmark administrator is designated.

(3) A designated benchmark administrator, or a benchmark administrator referred to in subsection (4), must deliver an amended Form 25-102F3 containing updated information at least 30 days before the effective date of any change that would result in a change to the information provided in the Form.

(4) Subsection (3) applies to a benchmark administrator until the date that is 6 years after the date on which the benchmark administrator ceases to be a designated benchmark administrator.

PART 3
GOVERNANCE

Accountability framework requirements

5. (1) A designated benchmark administrator must establish, document, maintain and apply an accountability framework of policies and procedures that are reasonably designed to

(a) ensure and evidence compliance with securities legislation relating to benchmarks, and

(b) for each designated benchmark it administers, ensure and evidence that the designated benchmark administrator follows the methodology applicable to the designated benchmark.

(2) An accountability framework referred to in subsection (1) must specify how the designated benchmark administrator complies with each of the following:

(a) Part 7;

(b) subsection 2(5), paragraph 18(1)(c), sections 32 and 36 and subsection 39(7) as they relate to internal review or audit, a public accountant's limited assurance report on compliance or a reasonable assurance report on compliance;

(c) the policies and procedures referred to in section 12.

Compliance officer

6. (1) A designated benchmark administrator must designate an officer to be responsible for monitoring and assessing compliance by the designated benchmark administrator and its DBA individuals with securities legislation relating to benchmarks.

(2) A designated benchmark administrator must not prevent or restrict the officer referred to in subsection (1) from directly accessing the designated benchmark administrator's board of directors or a member of the board of directors.

(3) An officer referred to in subsection (1) must do all of the following:

(a) monitor and assess compliance by the designated benchmark administrator and its DBA individuals with the accountability framework referred to in section 5, the control framework referred to in section 8 and securities legislation relating to benchmarks;

(b) at least once every 12 months, submit a report to the designated benchmark administrator's board of directors that describes

(i) the officer's activities referred to in paragraph (a),

(ii) compliance by the designated benchmark administrator and its DBA individuals with the accountability framework referred to in section 5, the control framework referred to in section 8 and securities legislation relating to benchmarks, and

(iii) whether the designated benchmark administrator has followed the methodology applicable to each designated benchmark it administers;

(c) submit a report to the designated benchmark administrator's board of directors as soon as reasonably possible if the officer becomes aware of any circumstances indicating that the designated benchmark administrator or its DBA individuals might not be in compliance with securities legislation relating to benchmarks and any of the following apply:

(i) a reasonable person would consider that the suspected non-compliance, if actual, poses a significant risk of financial loss to a benchmark user or to any other person;

(ii) a reasonable person would consider that the suspected non-compliance, if actual, poses a significant risk of harm to the integrity of capital markets;

(iii) a reasonable person would consider that the suspected non-compliance, if actual, is part of a pattern of non-compliance.

(4) An officer referred to in subsection (1) must not participate in any of the following:

(a) the provision of a designated benchmark;

(b) the determination of compensation for any DBA individuals, other than for a DBA individual who reports directly to the officer.

(5) An officer referred to in subsection (1) must certify that a report submitted under paragraph (3)(b) is accurate and complete.

(6) A designated benchmark administrator must not provide a payment or other financial incentive to an officer referred to in subsection (1), or any DBA individual who reports directly to the officer, if the payment or other financial incentive would create a conflict of interest.

(7) A designated benchmark administrator must establish, document, maintain and apply policies and procedures reasonably designed to ensure compliance with subsection (6).

(8) A designated benchmark administrator must deliver to the regulator, except in Québec, or securities regulatory authority, promptly after it is submitted to the board of directors, a report referred to in paragraph (3)(b) or (c).

Oversight committee

7. (1) In this section, "oversight committee" means the committee referred to in subsection (2).

(2) A designated benchmark administrator must establish and maintain a committee to oversee the provision of a designated benchmark.

(3) The oversight committee must not include any individual who is a member of the board of directors of the designated benchmark administrator.

(4) The oversight committee must provide a copy of its recommendations on benchmark oversight to the board of directors of the designated benchmark administrator.

(5) A designated benchmark administrator must establish, document, maintain and apply policies and procedures regarding the structure and mandate of the oversight committee.

(6) The board of directors of a designated benchmark administrator must appoint the members of the oversight committee.

(7) A designated benchmark administrator must not distribute information relating to a designated benchmark unless its board of directors has

(a) approved the policies and procedures referred to in subsection (5), and

(b) approved the procedures referred to in paragraph (8)(d).

(8) The oversight committee must, for each designated benchmark that the designated benchmark administrator administers, do all of the following:

(a) review the methodology of the designated benchmark at least once every 12 months and consider if any changes to the methodology are required;

(b) oversee any changes to the methodology of the designated benchmark, including requesting that the designated benchmark administrator consult with benchmark contributors or benchmark users on any significant changes to the methodology of the designated benchmark;

(c) oversee the management and operation of the designated benchmark, including the designated benchmark administrator's control framework referred to in section 8;

(d) review and approve procedures for any cessation of the designated benchmark, including procedures governing consultations about a cessation of the designated benchmark;

(e) oversee any person referred to in section 13 to which a designated benchmark administrator has outsourced a function, service or activity in the provision of the designated benchmark, including calculation agents and dissemination agents;

(f) assess any report resulting from an internal review or audit, or any public accountant's limited assurance report on compliance or reasonable assurance report on compliance;

(g) monitor the implementation of any remedial actions relating to an internal review or audit, or any public accountant's limited assurance report on compliance or reasonable assurance report on compliance;

(h) keep minutes of its meetings;

(i) if the designated benchmark is based on input data from a benchmark contributor,

(i) oversee the designated benchmark administrator's establishment, documentation, maintenance and application of the code of conduct referred to in section 23,

(ii) monitor each of the following:

(A) the input data;

(B) the contribution of input data by the benchmark contributor;

(C) the actions of the designated benchmark administrator in challenging or validating contributions of input data,

(iii) take reasonable measures regarding any breach of the code of conduct referred to in section 23 to mitigate the impact of the breach and prevent additional breaches in the future, if a reasonable person would consider that the breach is significant, and

(iv) promptly notify the board of directors of the designated benchmark administrator of any breach of the code of conduct referred to in section 23, if a reasonable person would consider that the breach is significant.

(9) If the oversight committee becomes aware that the board of directors of the designated benchmark administrator has acted or intends to act contrary to any recommendations or decisions of the oversight committee, the oversight committee must record that fact in the minutes of its next meeting.

(10) If the oversight committee becomes aware of any of the following, the oversight committee must promptly report it to the regulator, except in Québec, or securities regulatory authority:

(a) any misconduct by the designated benchmark administrator in relation to the provision of a designated benchmark, if a reasonable person would consider that the misconduct is significant;

(b) any misconduct by a benchmark contributor in respect of a designated benchmark that is based on input data from the benchmark contributor, if a reasonable person would consider that the misconduct is significant;

(c) any input data that

(i) a reasonable person would consider is anomalous or suspicious, and

(ii) is used in determining the benchmark or is contributed by a benchmark contributor.

(11) The oversight committee, and each of its members, must carry out its, and their, actions and duties under this Regulation with integrity.

(12) A member of the oversight committee must disclose in writing to the committee the nature and extent of any conflict of interest the member has in respect of the designated benchmark or the designated benchmark administrator.

Control framework

8. (1) In this section, "control framework" means the policies, procedures and controls referred to in subsections (2), (3) and (4).

(2) A designated benchmark administrator must establish, document, maintain and apply policies, procedures and controls that are reasonably designed to ensure that a designated benchmark is provided in accordance with this Regulation.

(3) Without limiting the generality of subsection (2), a designated benchmark administrator must ensure that its control framework includes controls relating to all of the following:

(a) management of operational risk, including any risk of financial loss, disruption or damage to the reputation of the designated benchmark administrator from any failure of its information technology systems;

(b) business continuity and disaster recovery plans;

(c) contingency procedures in the event of a disruption to the provision of the designated benchmark or the process applied to provide the designated benchmark.

(4) A designated benchmark administrator must establish, document, maintain and apply policies, procedures and controls reasonably designed to

(a) ensure that benchmark contributors comply with the code of conduct referred to in section 23 and the standards for input data in the methodology of the designated benchmark,

(b) monitor input data before any publication relating to the designated benchmark, and

(c) validate input data after publication to identify errors and anomalies.

(5) A designated benchmark administrator must promptly provide written notice to the regulator, except in Québec, or securities regulatory authority describing any security incident or any systems issue relating to a designated benchmark it administers, if a reasonable person would consider that the security incident or systems issue is significant.

(6) A designated benchmark administrator must review and update its control framework on a reasonably frequent basis and at least once every 12 months.

(7) A designated benchmark administrator must make its control framework available, on request and free of charge, to any benchmark user.

Governance requirements

9. (1) A designated benchmark administrator must establish and document its organizational structure.

(2) The organizational structure referred to in subsection (1) must establish well-defined roles and responsibilities for each person involved in the provision of a designated benchmark administered by the designated benchmark administrator.

(3) A designated benchmark administrator must establish, document, maintain and apply policies and procedures reasonably designed to ensure that each of its benchmark individuals

(a) has the necessary skills, knowledge, experience, reliability and integrity for the duties assigned to the individual, and

(b) is subject to adequate management and supervision.

(4) A designated benchmark administrator must ensure that any information published by the benchmark administrator relating to a designated benchmark is approved by a manager of the designated benchmark administrator.

Conflicts of interest

10. (1) A designated benchmark administrator must establish, document, maintain and apply policies and procedures that are reasonably designed to

(a) identify and eliminate or manage conflicts of interest involving the designated benchmark administrator and its managers, benchmark contributors, benchmark users, DBA individuals and any affiliated entity of the designated benchmark administrator,

(b) ensure that the exercise of expert judgment by the benchmark administrator or DBA individuals is independently and honestly exercised,

(c) protect the integrity and independence of the provision of a designated benchmark,

(d) ensure that an officer referred to in section 6, or any DBA individual who reports directly to the officer, does not receive compensation or other financial incentive from which conflicts of interest arise or that otherwise adversely affect the integrity of the benchmark determination, and

(e) ensure that each of its benchmark individuals is not subject to undue influence, undue pressure or conflicts of interest, including, for greater certainty, ensuring that each of the benchmark individuals

(i) is not subject to compensation or performance evaluations from which conflicts of interest arise or that otherwise adversely affect the integrity of the benchmark determination,

(ii) does not have any financial interests, relationships or business connections that adversely affect the integrity of the designated benchmark administrator,

(iii) does not contribute to a determination of a designated benchmark by way of engaging in bids, offers or trades on a personal basis or on behalf of market participants, except as permitted under the policies and procedures of the designated benchmark administrator, and

(iv) is subject to policies and procedures to prevent the exchange of information that might affect a designated benchmark with the following, except as permitted under the policies and procedures of the designated benchmark administrator:

(A) any other DBA individual if that individual is involved in an activity that results in a conflict of interest or a potential conflict of interest,

(B) a benchmark contributor or any other person.

(2) A designated benchmark administrator must establish, document, maintain and apply policies and procedures that are reasonably designed to keep separate, operationally, the business of a designated benchmark administrator relating to the designated benchmark it administers, and its benchmark individuals, from any other business activity of the designated benchmark administrator if the designated benchmark administrator becomes aware of a conflict of interest or a potential conflict of interest involving the business of the designated benchmark administrator relating to any designated benchmark.

(3) A designated benchmark administrator must promptly publish a description of a conflict of interest, or a potential conflict of interest, in respect of a designated benchmark

(a) if a reasonable person would consider the risk of harm to any person arising from the conflict of interest, or the potential conflict of interest, is significant, and

(b) on becoming aware of the conflict of interest, or the potential conflict of interest, including, for greater certainty, a conflict or potential conflict arising from the ownership or control of the designated benchmark administrator.

(4) A designated benchmark administrator must ensure that the policies and procedures referred to in subsection (1)

(a) take into account the nature and categories of the designated benchmarks it administers and the risks that each designated benchmark poses to capital markets and benchmark users,

(b) protect the confidentiality of information provided to or produced by the designated benchmark administrator, subject to the disclosure requirements under Part 5, and

(c) identify and eliminate or manage conflicts of interest, including, for greater certainty, those that arise as a result of

(i) expert judgment or other discretion exercised in the benchmark determination process,

(ii) the ownership or control of the designated benchmark administrator or any affiliated entity of the designated benchmark administrator, and

(iii) any other person exercising control or direction over the designated benchmark administrator in relation to determining the designated benchmark.

(5) If a designated benchmark administrator fails to apply or follow a policy or procedure referred to in subsection (4), and a reasonable person would consider the failure to be significant, the designated benchmark administrator must promptly provide written notice of the significant failure to the regulator, except in Québec, or securities regulatory authority.

Reporting of contraventions

11. (1) A designated benchmark administrator must establish, document, maintain and apply systems and controls reasonably designed to detect and promptly report to the regulator, except in Québec, or securities regulatory authority any conduct by a DBA individual or a benchmark contributor that might involve the following:

(a) manipulation or attempted manipulation of a designated benchmark;

(b) provision or attempted provision of false or misleading information in respect of a designated benchmark.

(2) A designated benchmark administrator must establish, document, maintain and apply policies and procedures for its DBA individuals to report any contravention of securities legislation relating to benchmarks to the officer referred to in section 6.

(3) A designated benchmark administrator must promptly provide written notice to the regulator, except in Québec, or securities regulatory authority describing any conduct that it, or any of its DBA individuals, becomes aware of that might involve the following:

(a) manipulation or attempted manipulation of a designated benchmark;

(b) provision or attempted provision of false or misleading information in respect of a designated benchmark.

Complaint procedures

12. (1) A designated benchmark administrator must establish, document, maintain, apply and publish policies and procedures reasonably designed to ensure that the designated benchmark administrator receives, investigates and resolves complaints relating to a designated benchmark, including, for greater certainty, complaints in respect of each of the following:

(a) whether a determination of a designated benchmark accurately and reliably represents that part of the market or economy the benchmark is intended to represent;

(b) whether a determination of a designated benchmark was made in accordance with the methodology of the designated benchmark;

(c) the methodology of a designated benchmark or any proposed change to the methodology.

(2) A designated benchmark administrator must do all of the following:

(a) provide a written copy of the complaint procedures at no cost to any person on request;

(b) investigate a complaint in a timely and fair manner;

(c) communicate the outcome of the investigation of a complaint to the complainant within a reasonable period;

(d) conduct the investigation of a complaint independently of persons who might have been involved in the subject matter of the complaint.

Outsourcing

13. (1) A designated benchmark administrator must not outsource a function, service or activity relating to the administration of a designated benchmark in such a way as to significantly impair any of the following:

(a) the designated benchmark administrator's control over the provision of the designated benchmark;

(b) the ability of the designated benchmark administrator to comply with securities legislation relating to benchmarks.

(2) A designated benchmark administrator that outsources a function, service or activity in the provision of a designated benchmark must establish, document, maintain and apply policies and procedures reasonably designed to ensure that

(a) the person performing the function or activity or providing the service has the ability, capacity, and any authorization required by law, to perform the outsourced function or activity, or provide the service, reliably and effectively,

(b) the designated benchmark administrator maintains records documenting the identity and the tasks of the person performing the function or activity or providing the service and that those records are available in a manner that permits them to be provided to the regulator or, in Québec, the securities regulatory authority, in a reasonable period,

(c) the designated benchmark administrator and the person to which a function, service or activity is outsourced enter into a written agreement that

(i) imposes service level requirements on the person,

(ii) allows the designated benchmark administrator to terminate the agreement when appropriate,

(iii) requires the person to disclose to the designated benchmark administrator any development that may have a significant impact on the person's ability to perform the

outsourced function or activity, or provide the outsourced service, in compliance with applicable law,

(iv) requires the person to cooperate with the regulator, except in Québec, or securities regulatory authority regarding a compliance review or investigation involving the outsourced function, service or activity,

(v) allows the designated benchmark administrator to directly access

(i) the books, records and other documents related to the outsourced function, service or activity, and

(ii) the business premises of the person, and

(vi) requires the person to keep sufficient books, records and other documents to record its activities relating to the designated benchmark and to provide the designated benchmark administrator with copies of those books, records and other documents on request,

(d) the designated benchmark administrator takes reasonable measures if the administrator becomes aware of any circumstances indicating that the person to which a function, service or activity is outsourced might not be performing the outsourced function or activity, or providing the outsourced service, in compliance with this Regulation or with the agreement referred to in paragraph (c),

(e) the designated benchmark administrator conducts reasonable supervision of the outsourced function, service or activity and manages any risks to the designated benchmark administrator or to the accuracy or reliability of the designated benchmark resulting from the outsourcing,

(f) the designated benchmark administrator retains the expertise that a reasonable person would consider necessary to conduct reasonable supervision of the outsourced function, service or activity and to manage any risks to the designated benchmark administrator or to the accuracy or reliability of the designated benchmark resulting from the outsourcing, and

(g) the designated benchmark administrator takes steps, including developing contingency plans, that a reasonable person would consider necessary to avoid or mitigate operational risk related to the person performing the function or activity or providing the service.

(3) A designated benchmark administrator that outsources a function, service or activity in the provision of a designated benchmark must ensure that the regulator, except in Québec, or securities regulatory authority has reasonable access to

(a) the applicable books, records and other documents of the person performing the function or activity or providing the service, and

(b) the applicable business premises of the person performing the function or activity or providing the service.

PART 4
INPUT DATA AND METHODOLOGY

Input data

14. (1) A designated benchmark administrator must establish, document, maintain and apply policies and procedures reasonably designed to ensure that all of the following are satisfied in respect of input data used in the provision of a designated benchmark:

(a) the input data, in aggregate, is sufficient to provide a designated benchmark that accurately and reliably represents that part of the market or economy the designated benchmark is intended to represent;

(b) the input data will continue to be reliably available;

(c) if appropriate transaction data is available to satisfy paragraphs (a) and (b), the input data is transaction data;

(d) if appropriate transaction data is not available to satisfy paragraphs (a) and (b), the designated benchmark administrator uses, in accordance with the methodology of the designated benchmark, relevant and appropriate estimated prices, quotes or other values as input data;

(e) the input data is capable of being verified as being accurate, reliable and complete.

(2) A designated benchmark administrator must establish, document, maintain and apply policies, procedures and controls that are reasonably designed to ensure that input data for a designated benchmark is accurate, reliable and complete and that include all of the following:

(a) criteria for determining who may act as benchmark contributors and contributing individuals;

(b) a process for determining benchmark contributors and contributing individuals;

(c) a process for assessing a benchmark contributor's compliance with the code of conduct referred to in section 23;

(d) a process for applying measures that a reasonable person would consider appropriate in the event of a benchmark contributor failing to comply with the code of conduct referred to in section 23;

(e) if appropriate, a process for stopping a benchmark contributor from contributing further input data;

(f) a process for verifying input data to ensure its accuracy, reliability and completeness.

(3) If a reasonable person would consider that the input data results in a designated benchmark that does not accurately and reliably represent that part of the market or economy the designated benchmark is intended to represent, the designated benchmark administrator must do either of the following:

(a) within a reasonable time, change the input data, the benchmark contributors or the methodology of the designated benchmark in order to ensure that the designated benchmark accurately and reliably represents that part of the market or economy the designated benchmark is intended to represent;

(b) cease to provide the designated benchmark.

(4) A designated benchmark administrator must promptly provide written notice to the regulator, except in Québec, or securities regulatory authority if the designated benchmark administrator is required to take an action under paragraph (3)(a) or (b).

(5) A designated benchmark administrator must publish both of the following:

(a) the policies and procedures referred to in subsection (1) regarding the types of input data, the priority of use of the different types of input data and the exercise of expert judgment in the determination of a designated benchmark;

(b) the methodology of the designated benchmark.

Contribution of input data

15. (1) For the purpose of paragraph 14(1)(a) in respect of a designated benchmark that is based on input data from benchmark contributors, the designated benchmark administrator must obtain, if a reasonable person would consider it to be appropriate, input data from a representative sample of benchmark contributors.

(2) A designated benchmark administrator must not use input data from a benchmark contributor if

(a) a reasonable person would consider that the benchmark contributor has breached the code of conduct referred to in section 23, and

(b) a reasonable person would consider that the breach is significant.

(3) If the circumstances referred to in subsection (2) occur, and if a reasonable person would consider it to be appropriate, a designated benchmark administrator must obtain alternative representative data in accordance with the policies and procedures referred to in subsection 16(3).

(4) If input data is contributed from any front office of a benchmark contributor, or of an affiliated entity of a benchmark contributor, that performs any activities that relate to or might affect the input data, the designated benchmark administrator must

(a) obtain information from other sources, if reasonably available, that confirms the accuracy, reliability and completeness of the input data in accordance with its policies and procedures, and

(b) ensure that the benchmark contributor has in place internal oversight and verification procedures that a reasonable person would consider adequate.

(5) In this section, "front office" means any department, division or other internal grouping of a benchmark contributor, or any employee or agent of a benchmark contributor, that performs any pricing, trading, sales, marketing, advertising, solicitation, structuring or brokerage activities on behalf of the benchmark contributor.

Methodology

16. (1) A designated benchmark administrator must not follow a methodology for determining a designated benchmark unless all of the following apply:

(a) the methodology is sufficient to provide a designated benchmark that accurately and reliably represents that part of the market or economy the designated benchmark is intended to represent;

(b) the methodology identifies how and when expert judgment may be exercised in the determination of the designated benchmark;

(c) the accuracy and reliability of the methodology, with respect to determinations made under it, is capable of being verified, including, if appropriate, by back-testing;

(d) the methodology is reasonably designed to ensure that a determination under the methodology can be made in all reasonable circumstances, without compromising the accuracy and reliability of the methodology;

(e) a determination under the methodology is capable of being verified as being accurate, reliable and complete.

(2) A designated benchmark administrator must not implement a methodology for a designated benchmark unless the methodology,

(a) when it is prepared, takes into account all of the applicable characteristics of that part of the market or economy the designated benchmark is intended to represent,

(b) if applicable, determines what constitutes an active market for the purposes of the designated benchmark, and

(c) establishes the priority to be given to different types of input data.

(3) A designated benchmark administrator must establish, document, maintain, apply and publish policies and procedures that

(a) identify the circumstances in which the quantity or quality of input data falls below the standards necessary for the methodology to provide a designated benchmark that accurately and reliably represents that part of the market or economy the designated benchmark is intended to represent, and

(b) indicate whether and how the designated benchmark is to be determined in those circumstances.

Proposed significant changes to methodology

17. (1) In this section, "significant change" means a change that a reasonable person would consider to be significant.

(2) A designated benchmark administrator must not implement a significant change to a methodology for determining a designated benchmark, unless all of the following apply:

(a) the designated benchmark administrator has published notice of the proposed significant change to the methodology of a designated benchmark;

(b) the designated benchmark administrator has provided a means for benchmark users and other members of the public to comment on the proposed significant change and its effect on the designated benchmark;

(c) the designated benchmark administrator has published

(i) any comments received, unless the commenter has requested that its comments be held in confidence,

(ii) the name of each commenter, unless a commenter has requested that its name be held in confidence, and

(iii) the designated benchmark administrator's response to the comments that are published;

(d) the designated benchmark administrator has published notice of implementation of any significant change to the methodology of the designated benchmark.

(3) For the purposes of subsection (2),

(a) the notice under paragraph (2)(a) must be published on a date that provides benchmark users and other members of the public with reasonable time to consider and comment on the proposed change,

(b) the publication of comments under paragraph (2)(c) may permit a part of a written comment to be excluded from publication if both of the following apply:

(i) the designated benchmark administrator considers that disclosure of that part of the comment would be seriously prejudicial to the interests of the designated benchmark administrator or would contravene privacy laws;

(ii) the designated benchmark administrator includes, with the publication, a description of the nature of the comment, and

(c) the notice under paragraph (2)(d) must be published sufficiently before the effective date of the change to provide benchmark users and other members of the public with reasonable time to consider the implementation of the significant change.

PART 5
DISCLOSURE

Disclosure of methodology

18. (1) A designated benchmark administrator must publish all of the following in respect of the methodology of a designated benchmark:

(a) the information that

(i) a reasonable benchmark contributor might need in order to carry out its responsibilities as a benchmark contributor, and

(ii) a reasonable benchmark user might need in order to evaluate whether the designated benchmark accurately and reliably represents that part of the market or economy the designated benchmark is intended to represent;

(b) an explanation of all of the elements of the methodology, including, for greater certainty, the following:

(i) a description of the designated benchmark and of that part of the market or economy the designated benchmark is intended to represent;

(ii) the currency or other unit of measurement of the designated benchmark;

(iii) the criteria used by the designated benchmark administrator to select the sources of input data used to determine the designated benchmark;

(iv) the types of input data used to determine the designated benchmark and the priority given to each type;

(v) a description of the benchmark contributors and the criteria used to determine the eligibility of a benchmark contributor;

(vi) a description of the constituents of the designated benchmark and the criteria used to select and give weight to them;

(vii) any minimum liquidity requirements for the constituents of the designated benchmark;

(viii) any minimum requirements for the quantity of input data, and any minimum standards for the quality of input data, used to determine the designated benchmark;

(ix) provisions that identify how and when expert judgment may be exercised in the determination of the designated benchmark;

(x) whether the designated benchmark takes into account any reinvestment of dividends paid on securities that are included in the designated benchmark;

(xi) if the methodology may be changed periodically to ensure the designated benchmark continues to accurately and reliably represent that part of the market or economy the designated benchmark is intended to represent, all of the following:

(A) any criteria to be used to determine when such a change is necessary;

(B) any criteria to be used to determine the frequency of such a change;

(C) any criteria to be used to rebalance the constituents of the designated benchmark as part of making such a change;

(xii) the potential limitations of the methodology and details of any methodology to be used in exceptional circumstances, including in the case of an illiquid market or in periods of stress or if transaction data may be inaccurate, unreliable or incomplete;

(xiii) a description of the roles of any third parties involved in data collection for, or in the calculation or dissemination of, the designated benchmark;

(xiv) the model or method used for the extrapolation and any interpolation of input data;

(c) the process for the internal review and approval of the methodology and the frequency of such reviews and approvals;

(d) the process referred to in section 17 for making significant changes to the methodology;

(e) examples of the types of changes that may constitute a significant change to the methodology.

(2) A designated benchmark administrator must provide written notice to the regulator, except in Québec, or securities regulatory authority of a proposed significant change to the methodology of a designated benchmark referred to in section 17 at least 45 days before the significant change is implemented.

(3) Subsection (2) does not apply with respect to a proposal to make a significant change to a methodology of a designated benchmark referred to in section 17 if

(a) the proposal is intended to be implemented within 45 days of the decision to make the change,

(b) the proposal is intended to preserve the integrity, accuracy or reliability of the designated benchmark or the independence of the designated benchmark administrator, and

(c) the designated benchmark administrator promptly, after making the decision to make the significant change, provides written notice to the regulator, except in Québec, or securities regulatory authority of the proposed significant change.

Benchmark statement

19. (1) In this section, "benchmark statement" means a written statement that includes all of the following:

(a) a description of that part of the market or economy the designated benchmark is intended to represent, including, for greater certainty, the following:

(i) the geographical area, if any, of that part of the market or economy the designated benchmark is intended to represent;

(ii) any other information that a reasonable person would consider to be useful to help existing or potential benchmark users to understand the relevant features of that part of the market or economy the designated benchmark is intended to represent, including both of the following, to the extent that accurate and reliable information is available:

(A) information on existing or potential participants in that part of the market or economy the designated benchmark is intended to represent;

(B) an indication of the dollar value of that part of the market or economy the designated benchmark is intended to represent;

(b) an explanation of the circumstances in which the designated benchmark might, in the opinion of a reasonable person, not accurately and reliably represent that part of the market or economy the designated benchmark is intended to represent;

(c) information that sets out all of the following:

(i) the elements of the methodology of the designated benchmark in relation to which expert judgment may be exercised by the designated benchmark administrator or any benchmark contributor;

(ii) the circumstances in which expert judgment would be exercised by the designated benchmark administrator or any benchmark contributor;

(iii) the job title of the individuals who are authorized to exercise expert judgment;

(d) whether the expert judgment referred to in paragraph (c) will be evaluated by the designated benchmark administrator or the benchmark contributor and the parameters that will be used to conduct the evaluation;

(e) notice that factors, including external factors beyond the control of the designated benchmark administrator, could necessitate changes to, or the cessation of, the designated benchmark;

(f) notice that changes to, or the cessation of, the designated benchmark could have an impact on contracts and instruments that reference the designated benchmark or on the measurement of the performance of an investment fund that references the designated benchmark;

(g) an explanation of all key terms used in the statement that relate to the designated benchmark and its methodology;

(h) the rationale for adopting the methodology for determining the designated benchmark;

(i) the procedures for the review and approval of the methodology of the designated benchmark;

(j) a summary of the methodology of the designated benchmark, including, for greater certainty, the following, if applicable:

(i) a description of the types of input data to be used;

(ii) the priority given to different types of input data;

(iii) the minimum data needed to determine the designated benchmark;

(iv) the use of any models or methods of extrapolation of input data;

(v) any criteria for rebalancing the constituents of the designated benchmark;

(vi) any other restrictions or limitations on the exercise of expert judgment;

(k) the procedures that govern the provision of the designated benchmark in periods of market stress or when transaction data might be inaccurate, unreliable or incomplete, and the potential limitations of the designated benchmark during those periods;

(l) the procedures for dealing with errors in input data or in the determination of the designated benchmark, including when a re-determination of the designated benchmark is required;

(m) potential limitations of the designated benchmark, including its operation in illiquid or fragmented markets and the possible concentration of input data.

(2) No later than 15 days after the designation of a designated benchmark, the designated benchmark administrator of the designated benchmark must publish a benchmark statement.

(3) A designated benchmark administrator must, with respect to each designated benchmark it administers, review the applicable benchmark statement at least every 2 years.

(4) If there is a change to the information required under this section in a benchmark statement, and if a reasonable person would consider the change to be significant, the designated benchmark administrator must promptly update the benchmark statement to reflect the change.

(5) If the benchmark statement is updated under subsection (4), the designated benchmark administrator must promptly publish the updated benchmark statement.

Changes to and cessation of a designated benchmark

20. (1) A designated benchmark administrator must not cease to provide a designated benchmark, unless the designated benchmark administrator has provided notice of the cessation on a date that provides benchmark users and other members of the public with reasonable time to consider the impact of the cessation.

(2) A designated benchmark administrator must publish, simultaneously with the benchmark statement referred to in subsection 19(2), the procedures it will follow in the event of a significant change to the methodology or provision of the designated benchmark it administers, or the cessation of the designated benchmark, including procedures for advance notice of the implementation of a significant change or a cessation.

(3) If a designated benchmark administrator makes a significant change to the procedures referred to in subsection (2), the designated benchmark administrator must promptly publish the changed procedures.

Registrants, reporting issuers and recognized entities

21. (1) If a person uses a designated benchmark, and if a significant change to the methodology or provision of the benchmark, or the cessation of the benchmark, could have a significant impact on the person, a security issued by the person or a derivative to which the person is a party, the person must establish and maintain a written plan setting out the actions that the person will take in the event of any of the following:

(a) a significant change to the methodology or provision of the designated benchmark;

(b) a cessation of the designated benchmark.

(2) Subsection (1) does not apply unless the person is any of the following:

(a) a registrant;

(b) a reporting issuer;

(c) a recognized exchange;

(d) a recognized quotation and trade reporting system;

(e) a recognized clearing agency within the meaning of Regulation 24-102 respecting Clearing Agency Requirements (chapter V-1.1, r. 8.01).

(3) Subsection (1) does not apply with respect to a security issued or a derivative entered into before the date this Regulation comes into force.

(4) If a reasonable person would consider it appropriate, a person referred to in subsection (1) must

(a) identify, in the plan referred to in subsection (1), one or more benchmarks suitable as substitutes for the designated benchmark, and

(b) indicate why the substitution would be suitable.

(5) If a reasonable person would consider it appropriate, a person referred to in subsection (1) must refer to the plan referred in subsection (1) in any security issued by the person, or any derivative to which the person is a party, that references the designated benchmark.

Publishing and disclosing

22. If, under this Regulation, a designated benchmark administrator is required to publish a document or information, or disclose a document or information to a benchmark user or benchmark contributor, the designated benchmark administrator must publicly include the document or information on the designated benchmark administrator's website in a prominent manner and, for greater certainty, free of charge.

PART 6
BENCHMARK CONTRIBUTORS

Code of conduct for benchmark contributors

23. (1) If a designated benchmark is determined using input data from a benchmark contributor, the designated benchmark administrator of the designated benchmark must establish, document, maintain and apply a code of conduct that specifies the responsibilities of the benchmark contributor with respect to the contribution of input data.

(2) A designated benchmark administrator must include in the code of conduct referred to in subsection (1) all of the following:

(a) a description of the input data to be provided and the requirements necessary to ensure that input data is provided in accordance with sections 14 and 15;

(b) the method by which a benchmark contributor will confirm the identity of each contributing individual who might contribute input data;

(c) the method by which the designated benchmark administrator will confirm the identity of a benchmark contributor and any contributing individual;

(d) the procedures that a benchmark contributor will use to determine who is suitable to be authorized as a contributing individual;

(e) the procedures that a benchmark contributor will use to ensure that the benchmark contributor contributes all relevant input data;

(f) a description of the procedures, systems and controls that a benchmark contributor will establish, document, maintain and apply, including the following:

(i) procedures for contributing input data;

(ii) specifying whether input data is transaction data;

(iii) confirming whether input data conforms to the designated benchmark administrator's requirements;

(iv) procedures for the exercise of expert judgment in contributing input data;

(v) if the designated benchmark administrator requires the validation of input data before it is contributed, the requirement;

(vi) a requirement to maintain records relating to its activities as a benchmark contributor;

(vii) a requirement that the benchmark contributor report to the designated benchmark administrator any instance when a reasonable person would consider that a contributing individual, acting on a behalf of the benchmark contributor or any other benchmark contributor, has contributed input data that is inaccurate, unreliable or incomplete;

(viii) a requirement to identify and eliminate or manage conflicts of interest and potential conflicts of interest that may affect the integrity, accuracy or reliability of the designated benchmark;

(ix) a procedure for the designation of an officer of the benchmark contributor who is to be responsible for monitoring and assessing compliance by the benchmark contributor and its employees with the code of conduct and securities legislation relating to benchmarks;

(x) a requirement that the benchmark contributor's officer referred to in subparagraph (ix) and the benchmark contributor's chief compliance officer not be prevented or restricted from directly accessing the benchmark contributor's board of directors.

(3) A designated benchmark administrator must establish, document, maintain and apply policies and procedures reasonably designed to, at least once every 12 months and promptly after any change to the code of conduct referred to in subsection (1), assess whether each benchmark contributor to a designated benchmark that it administers is complying with the code of conduct.

Governance and control requirements for benchmark contributors

24. (1) Except in Québec, a benchmark contributor to a designated benchmark must establish, document, maintain and apply policies and procedures reasonably designed to ensure all of the following:

(a) input data contributed by the benchmark contributor is not affected by any conflict of interest or potential conflict of interest involving the benchmark contributor or its employees, officers, directors or agents, if a reasonable person would consider that the input data might be inaccurate, unreliable or incomplete;

(b) if expert judgment is exercised by the benchmark contributor in contributing input data, the benchmark contributor exercises the expert judgment independently, in good faith and in compliance with the code of conduct referred to in section 23.

(2) Except in Québec, a benchmark contributor to a designated benchmark must establish, document, maintain and apply policies, procedures and controls reasonably designed to ensure the accuracy, reliability and completeness of each contribution of input data, including policies, procedures and controls governing all of the following:

(a) the manner in which the input data is contributed in compliance with this Regulation and the code of conduct referred to in section 23;

(b) who may contribute input data, including, as applicable, a process for approval by an individual holding a position senior to that of a contributing individual;

(c) training for contributing individuals with respect to compliance with this Regulation;

(d) the identification and elimination or management of conflicts of interest and potential conflicts of interest, including, for greater certainty,

(i) policies, procedures and controls that are reasonably designed to keep separate, operationally or otherwise, contributing individuals from employees or agents whose responsibilities include transacting in a contract, derivative, instrument or security that uses the designated benchmark for reference;

(ii) policies, procedures and controls that are reasonably designed to prevent contributing individuals from receiving compensation or other financial incentive from which conflicts of interest arise, including for greater certainty, conflicts of interest that adversely affect the accuracy, reliability and completeness of each contribution of input data.

(3) Except in Québec, before a benchmark contributor contributes input data for a designated benchmark, the benchmark contributor must

(a) establish, document, maintain and apply policies and procedures reasonably designed to establish criteria, including any restrictions or limitations, for the exercise of expert judgment, and

(b) if expert judgment is exercised in relation to input data, retain records that record the rationale for any decision made to exercise that expert judgment, the rationale applied in the exercise of the expert judgment and the manner of the exercise of the expert judgment.

(4) Except in Québec, a benchmark contributor that contributes input data for a designated benchmark must keep, for a period of 7 years from the date the record was made or received by the designated benchmark administrator, whichever is later, records relating to all of the following:

(a) communications, including, for greater certainty, telephone conversations, in relation to the contribution of input data;

(b) all information used or considered by the benchmark contributor in making each contribution, including details of contributions made and the names of contributing individuals;

(c) the records relating to expert judgment referred to in paragraph 3(b);

(d) all documentation relating to the identification and elimination or management of conflicts of interest and potential conflicts of interest;

(e) a description of the potential for financial loss or gain of the benchmark contributor and each contributing individual to financial instruments that reference the designated benchmark for which it acts as a benchmark contributor;

(f) any internal or external review of the benchmark contributor, including, for greater certainty, each limited assurance report on compliance or reasonable assurance report on compliance required under this Regulation.

(5) Except in Québec, a benchmark contributor that contributes input data for a designated benchmark must

(a) cooperate with the designated benchmark administrator in the review and supervision of the provision of the designated benchmark, including, for greater certainty, cooperation in connection with any limited assurance report on compliance or reasonable assurance report on compliance required under this Regulation, and

(b) make available the records kept in accordance with subsection (4) to all of the following:

(i) the designated benchmark administrator;

(ii) a public accountant involved with the preparation of a limited assurance report on compliance or reasonable assurance report on compliance required under this Regulation.

Compliance officer for benchmark contributors

25. (1) Except in Québec, a benchmark contributor that contributes input data for a designated benchmark must designate an officer of the benchmark contributor who is to be responsible for monitoring and assessing compliance by the benchmark contributor and its employees with the code of conduct referred to in section 23, this Regulation and securities legislation relating to benchmarks.

(2) Except in Québec, a benchmark contributor must not prevent or restrict the officer referred to in subsection (1) and its chief compliance officer from directly accessing the benchmark contributor's board of directors or a member of the board of directors.

PART 7
RECORD KEEPING

Books, records and other documents

26. (1) A designated benchmark administrator must keep the books, records and other documents that are necessary to account for its activities as a designated benchmark administrator, its business transactions and its financial affairs relating to its designated benchmarks.

(2) A designated benchmark administrator must keep books, records and other documents of the following:

(a) all input data, including how the data was used;

(b) if data is rejected as input data for a designated benchmark despite the data conforming to the methodology of the designated benchmark, the rationale for rejecting the input data;

(c) the methodology of each designated benchmark administered by the designated benchmark administrator;

(d) any exercise of expert judgment by the designated benchmark administrator in the determination of a designated benchmark, including the basis for the exercise of expert judgment;

(e) changes in or deviations from policies, procedures, controls or methodologies;

(f) the identities of contributing individuals and of benchmark individuals;

(g) all documents relating to a complaint;

(h) communications, including, for greater certainty, telephone conversations, between any benchmark individual and benchmark contributors or contributing individuals in respect of a designated benchmark administered by the designated benchmark administrator.

(3) A designated benchmark administrator must keep the records referred to in subsection (2) in a form that

(a) identifies the manner in which the determination of a designated benchmark was made, and

(b) enables an audit, review or evaluation of any input data, calculation, or exercise of expert judgment, including in connection with any limited assurance report on compliance or reasonable assurance report on compliance.

(4) A designated benchmark administrator must retain the books, records and other documents required to be maintained under this section

(a) for a period of 7 years from the date the record was made or received by the designated benchmark administrator, whichever is later,

(b) in a safe location and a durable form, and

(c) in a manner that permits those books, records and other documents to be provided promptly on request to the regulator, except in Québec, or securities regulatory authority.

PART 8
DESIGNATED CRITICAL BENCHMARKS, DESIGNATED INTEREST RATE BENCHMARKS AND DESIGNATED REGULATED-DATA BENCHMARKS

DIVISION 1 Designated critical benchmarks

Administration of a designated critical benchmark

27. (1) If a designated benchmark administrator decides to cease providing a designated critical benchmark, the designated benchmark administrator must

(a) promptly notify the regulator, except in Québec, or securities regulatory authority, and

(b) not more than 4 weeks after notifying the regulator, except in Québec, or securities regulatory authority, submit a plan to the regulator, except in Québec, or securities regulatory authority for how the designated critical benchmark can be transitioned to another designated benchmark administrator or cease to be provided.

(2) Following the submission of the plan referred to paragraph (1)(b), a designated benchmark administrator must continue to provide the designated critical benchmark until one or more of the following have occurred:

(a) the provision of the designated critical benchmark has been transitioned to another designated benchmark administrator;

(b) the designated benchmark administrator receives notice from the regulator, except in Québec, or securities regulatory authority authorizing the cessation;

(c) the designation of the designated benchmark has been revoked or varied to reflect that the designated benchmark is no longer a designated critical benchmark;

(d) 12 months have elapsed from the submission of the plan referred to in paragraph (1)(b), unless, before the expiration of the period, the regulator, except in Québec, or securities regulatory authority has provided written notice that the written notice has been extended.

Access

28. A designated benchmark administrator of a designated critical benchmark must take reasonable steps to ensure that benchmark users and potential benchmarks users have direct access to the designated critical benchmark on a fair, reasonable, transparent and non-discriminatory basis.

Assessment

29. A designated benchmark administrator of a designated critical benchmark must, at least once every 2 years, submit to the regulator, except in Québec, or securities regulatory authority an assessment of the capability of the designated critical benchmark to accurately and reliably represent that part of the market or economy the designated critical benchmark is intended to represent.

Benchmark contributor to a designated critical benchmark

30. (1) Except in Québec, if a benchmark contributor to a designated critical benchmark decides it will cease contributing input data, it must promptly notify in writing the designated benchmark administrator that administers the designated critical benchmark.

(2) Except in Québec, a benchmark contributor that is required to give notice under subsection (1) must continue contributing input data until the earlier of

(a) the date referred to in subparagraph (3)(b)(ii), and

(b) 6 months after the notice referred to in subsection (1) is received by the designated benchmark administrator that administers the designated critical benchmark.

(3) If a designated benchmark administrator receives a notice referred to in subsection (1), the designated benchmark administrator must

(a) promptly notify the regulator, except in Québec, or securities regulatory authority of the decision referred to in subsection (1), and

(b) no later than 14 days after receipt of the notice,

(i) submit to the regulator, except in Québec, or securities regulatory authority an assessment of the impact of the benchmark contributor ceasing to contribute input data on the capability of the designated critical benchmark to accurately and reliably represent that part of the market or economy the designated benchmark is intended to represent, and

(ii) notify in writing the benchmark contributor of the date after which the designated benchmark administrator no longer requires the benchmark contributor to contribute input data, if that date is less than 6 months after the date the designated benchmark administrator received the notice referred to in subsection (1).

Oversight committee

31. (1) For a designated critical benchmark, at least half of the members of the oversight committee referred to in section 7 must be independent of the designated benchmark administrator and any affiliated entity of the designated benchmark administrator.

(2) For the purposes of subsection (1), a member of the oversight committee is not independent if any of the following apply:

(a) other than as compensation for acting as a member of the oversight committee, the member accepts any consulting, advisory or other compensatory fee from the designated benchmark administrator or any affiliated entity of the designated benchmark administrator;

(b) the member is a DBA individual or an employee or agent of any affiliated entity of the designated benchmark administrator;

(c) the member has a relationship with the designated benchmark administrator that may, in the opinion of the board of directors of the designated benchmark administrator, be expected to interfere with the exercise of the member's independent judgment.

(3) The oversight committee referred to in section 7 must

(a) publish details of its membership, declarations of any conflicts of interest of its members, and the processes for election or nomination of its members, and

(b) hold at least one meeting every 4 months.

Assurance report on designated benchmark administrator

32. (1) A designated benchmark administrator must engage a public accountant to provide, as specified by the oversight committee referred to in section 7, either a limited assurance report on compliance or a reasonable assurance report on compliance, in respect of each designated critical benchmark it administers, regarding the designated benchmark administrator's

(a) compliance with sections 5, 8 to 16 and 26, and

(b) following of the methodology applicable to the designated critical benchmark.

(2) A designated benchmark administrator must ensure an engagement referred to in subsection (1) occurs once every 12 months.

(3) A designated benchmark administrator must, within 10 days of the receipt of a report referred to in subsection (1), publish the report and deliver a copy of the report to the regulator, except in Québec, or securities regulatory authority.

Assurance report on benchmark contributor

33. (1) Except in Québec, if required by the oversight committee referred to in section 7 as a result of a concern with the conduct of a benchmark contributor to a designated critical benchmark, the benchmark contributor must engage a public accountant to provide, as specified by the oversight committee, either a limited assurance report on compliance or a reasonable assurance report on compliance regarding the conduct of the benchmark contributor and its

(a) compliance with section 24, and

(b) following of the methodology applicable to the designated critical benchmark.

(2) Except in Québec, a benchmark contributor must, within 10 days of the receipt of a report referred to in subsection (1), deliver a copy of the report to

(a) the oversight committee referred to in section 7,

(b) the board of directors of the designated benchmark administrator, and

(c) the regulator, except in Québec, or securities regulatory authority.

DIVISION 2 Designated interest rate benchmarks

Order of priority of input data

34. For the purposes of subsection 14(1) and paragraph 14(5)(a), if a designated interest rate benchmark is based on a contribution of input data from a benchmark contributor, input data for the determination of the designated interest rate benchmark must be used by the designated benchmark administrator in accordance with the order of priority specified in the methodology of the designated interest rate benchmark.

Oversight committee

35. (1) For a designated interest rate benchmark, at least half of the members of the oversight committee referred to in section 7 must be independent of the designated benchmark administrator and any affiliated entity of the designated benchmark administrator.

(2) For the purposes of subsection (1), a member of the oversight committee is not independent if any of the following apply:

(a) other than as compensation for acting as a member of the oversight committee, the member accepts any consulting, advisory or other compensatory fee from the designated benchmark administrator or any affiliated entity of the designated benchmark administrator;

(b) the member is a DBA individual or an employee or agent of any affiliated entity of the designated benchmark administrator;

(c) the member has a relationship with the designated benchmark administrator that may, in the opinion of the board of directors of the designated benchmark administrator, be expected to interfere with the exercise of the member's judgment.

(3) The oversight committee referred to in section 7 must

(a) publish details of its membership, any declarations of any conflicts of interest of its members, and the processes for election or nomination of its members, and

(b) hold at least one meeting every 4 months.

Assurance report on designated benchmark administrator

36. (1) A designated benchmark administrator must engage a public accountant to provide, as specified by the oversight committee referred to in section 7, a limited assurance report on compliance, or a reasonable assurance report on compliance, in respect of each designated interest rate benchmark it administers, regarding the designated benchmark administrator's

(a) compliance with sections 5, 8 to 16, 26 and 34, and

(b) following of the methodology of the designated interest rate benchmark.

(2) A designated benchmark administrator must ensure an engagement referred to in subsection (1) occurs for the first time 6 months after the introduction of a code of conduct for benchmark contributors referred to in section 23 and subsequently once every 2 years.

(3) A designated benchmark administrator must, within 10 days of the receipt of a report referred to in subsection (1), publish the report and deliver a copy of the report to the regulator, except in Québec, or securities regulatory authority.

Assurance report on benchmark contributor required by oversight committee

37. (1) Except in Québec, if required by the oversight committee referred to in section 7 as a result of a concern with the conduct of a benchmark contributor to a designated interest rate benchmark, the benchmark contributor must engage a public accountant to provide, as specified by the oversight committee, either a limited assurance report on compliance or a reasonable assurance report on compliance, regarding the conduct of the benchmark contributor and its

(a) compliance with sections 24 and 39, and

(b) following of the methodology of the designated interest rate benchmark.

(2) Except in Québec, the benchmark contributor must, within 10 days of the receipt of a report referred to in subsection (1), deliver a copy of the report to

(a) the oversight committee referred to in section 7,

(b) the board of directors of the designated benchmark administrator, and

(c) the regulator, except in Québec, or securities regulatory authority.

Assurance report on benchmark contributor required at certain times

38. (1) Except in Québec, a benchmark contributor to a designated interest rate benchmark must engage a public accountant to provide, as specified by the oversight committee referred to in section 7, a limited assurance report on compliance, or a reasonable assurance report on compliance, regarding the conduct and input data of the benchmark contributor and its

(a) compliance with sections 24 and 39,

(b) following of the methodology of the designated interest rate benchmark, and

(c) following of the code of conduct referred to in section 23.

(2) Except in Québec, a benchmark contributor must ensure an engagement referred to in subsection (1) occurs for the first time 6 months after the introduction of a code of conduct for benchmark contributors referred to in section 23 and subsequently once every 2 years.

(3) Except in Québec, the benchmark contributor must, within 10 days of the receipt of a report referred to in subsection (1), deliver a copy of the report to

(a) the oversight committee referred to in section 7,

(b) the board of directors of the designated benchmark administrator, and

(c) the regulator, except in Québec, or securities regulatory authority.

Benchmark contributor policies and procedures

39. (1) Subsections (2) to (7) do not apply to a person except in respect of a designated interest rate benchmark.

(2) Except in Québec, a contributing individual of the benchmark contributor and a manager of that contributing individual must provide a written statement to the benchmark contributor and the designated benchmark administrator that the contributing individual and the manager will comply with the code of conduct referred to in section 23.

(3) Except in Québec, a benchmark contributor must establish, document, maintain and apply policies, procedures and controls reasonably designed to ensure the following:

(a) that there is an outline of responsibilities within the benchmark contributor's organization, including internal reporting lines and accountabilities;

(b) the maintenance of a current list of the names and locations of contributing individuals and managers and their alternates;

(c) that there are internal procedures governing contributions of input data and the approval of contributions of input data, including keeping a record for each daily or other contribution of input data that shows:

(i) how the procedures were applied, and

(ii) all qualitative and quantitative factors, including market data and expert judgment, used for each contribution of input data;

(d) that there are disciplinary procedures to address the following conduct of a person, including, for greater certainty, a person that is external to the process governing contributions of input data:

(i) the manipulation or attempted manipulation of a designated benchmark, or the failure to report the manipulation or attempted manipulation of a designated benchmark, to which the person is a benchmark contributor;

(ii) the provision or attempted provision of false or misleading information in respect of a designated benchmark, or the failure to report the provision or attempted provision of false or misleading information in respect of a designated benchmark, to which the person is a benchmark contributor;

(e) that there are conflict of interest identification and management procedures and communication controls, both within the benchmark contributor's organization and among benchmark contributors and other third parties, reasonably designed to avoid any external influence over those responsible for contributing input data, if a reasonable person would consider that the external influence might adversely affect the accuracy, reliability or completeness of the input data;

(f) that there is a requirement that contributing individuals employed by the benchmark contributor work in locations physically separated from interest rate derivatives traders;

(g) the prevention or control of the exchange of information between persons engaged in activities involving a conflict of interest or a potential conflict of interest, if a reasonable person would consider that the exchange of that information might adversely affect the accuracy, reliability or completeness of the input data contributed by a benchmark contributor;

(h) that there are requirements to avoid collusion

(i) among benchmark contributors, and

(ii) among benchmark contributors and the designated benchmark administrator;

(i) that there are measures to prevent, or limit, any person from exercising influence over the way a contributing individual contributes input data, if a reasonable person would consider that the influence might adversely affect the accuracy, reliability or completeness of the input data;

(j) the removal of any direct connection between the remuneration of an employee involved in the contribution of input data and the remuneration of, or revenues generated by, a person engaged in another activity, if a conflict of interest exists or might arise in relation to the other activity;

(k) that there are controls to identify a reverse transaction subsequent to the contribution of input data.

(4) Except in Québec, a benchmark contributor must keep, for a period of 7 years from the date the record was made or received by the benchmark contributor, whichever is later, records of all of the following:

(a) all details of contributions of input data that a reasonable person would consider relevant to demonstrate the accuracy, reliability and completeness of the input data;

(b) the process governing input data determination and the approval of contributions of input data, including the records referred to in paragraph (3)(c);

(c) the name of each contributing individual and the individual's responsibilities;

(d) any communications, including, for greater certainty, telephone conversations, between the contributing individuals and other persons, including internal and external traders and brokers, in relation to the determination or contribution of input data;

(e) any interaction of contributing individuals with the designated benchmark administrator or any calculation agent;

(f) any queries regarding the input data and the outcome of those queries;

(g) sensitivity analysis for interest rate swap trading books and any other derivative trading books with an exposure to interest rate fixings in respect of input data, if a reasonable person would consider that the exposure is significant;

(h) the written statements referred to in subsection (2);

(i) the policies, procedures and controls referred to in subsection (3).

(5) Except in Québec with respect to benchmark contributors, a benchmark contributor and a designated benchmark administrator must keep their records in a medium that allows records to be accessible and with a documented audit trail.

(6) Except in Québec, the benchmark contributor's officer referred to in section 25 or the benchmark contributor's chief compliance officer must report all the following to the benchmark contributor's board of directors on a reasonably frequent basis:

(a) breaches of the code of conduct referred to in section 23;

(b) the failure to follow or apply the policies, procedures and controls referred to in subsection (3);

(c) reverse transactions subsequent to the contribution of input data.

(7) Except in Québec, a benchmark contributor that contributes input data to a designated interest rate benchmark must conduct, on a reasonably frequent basis, internal reviews of the benchmark contributor's input data and procedures.

(8) Except in Québec, a benchmark contributor to a designated interest rate benchmark must make available the information and records kept in accordance with subsection (4) to each of the following:

(a) the designated benchmark administrator in connection with the assessment under subsection 23(3) or for the purposes of paragraph 24(5)(a);

(b) a public accountant involved with the preparation of a limited assurance report on compliance or reasonable assurance report on compliance required under this Regulation.

DIVISION 3 Designated regulated-data benchmarks

Non-application to designated regulated-data benchmarks

40. A designated regulated-data benchmark is exempt from the following:

(a) subsections 11(1) and (2);

(b) subsection 14(2);

(c) subsections 15(1), (2) and (3);

(d) sections 23, 24 and 25;

(e) paragraph 26(2)(a).

PART 9
DISCRETIONARY EXEMPTIONS

Exemptions

41. (1) The regulator, except in Québec, or securities regulatory authority may grant an exemption from the provisions of this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario, only the regulator may grant an exemption.

(3) Except in Alberta and Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of Regulation 14-101 respecting Definitions (chapter V-1.1, r. 3) opposite the name of the local jurisdiction.

PART 10
EFFECTIVE DATE

Effective date

42. (1) This Regulation comes into force on July 13, 2021.

(2) In Saskatchewan, despite subsection (1), if this Regulation is filed with the Registrar of Regulations after July 13, 2021, this Regulation comes into force on the day on which it is filed with the Registrar of Regulations.

APPENDIX A
DEFINITIONS APPLYING IN CERTAIN JURISDICTIONS
(subsections 1(5) to (8))

"benchmark" means a price, estimate, rate, index or value that is

(a) determined from time to time by reference to an assessment of one or more underlying interests,

(b) made available to the public, including, for greater certainty, either free of charge or on payment, and

(c) used for reference for any purpose, including for greater certainty,

(i) determining the interest payable, or other sums that are due, under a contract, derivative, instrument or security,

(ii) determining the value of a contract, derivative, instrument or security or the price at which it may be traded,

(iii) measuring the performance of a contract, derivative, investment fund, instrument or security, or

(iv) any other use by an investment fund;

"benchmark administrator" means a person that administers a benchmark;

"benchmark contributor" means a person that engages or participates in the provision of information for use by a benchmark administrator for the purpose of determining a benchmark;

"benchmark user" means a person that, in relation to a contract, derivative, investment fund, instrument or security, uses a benchmark.

FORM 25-102F1
DESIGNATED BENCHMARK ADMINISTRATOR ANNUAL FORM INSTRUCTIONS

Instructions

(*1) Terms used but not defined in this form have the meaning given to them in the Regulation.*

(2) Unless otherwise specified, the information in this form must be presented as at the last day of the designated benchmark administrator's most recently completed financial year. If necessary, the designated benchmark administrator must update the information provided so it is not misleading when it is delivered. For information presented as at any date other than the last day of the designated benchmark administrator's most recently completed financial year, specify the relevant date in the form.

(3) Designated benchmark administrators are reminded that it is an offence under securities legislation to give false or misleading information on this form.

Item 1. Name of Designated Benchmark Administrator

State the name of the designated benchmark administrator.

Item 2. Organization and Structure of Designated Benchmark Administrator

Describe the organizational structure of the designated benchmark administrator, including, as applicable, an organizational chart that identifies the ultimate and intermediate parent companies, subsidiaries, and material affiliated entities of the designated benchmark administrator (if any); an organizational chart showing the divisions, departments, and business units of the designated benchmark administrator; and an organizational chart showing the managerial structure of the designated benchmark administrator, including the officer referred to in section 6 of the Regulation and the oversight committee referred to in section 7 of the Regulation. Provide detailed information regarding the designated benchmark administrator's legal structure and ownership.

Item 3. Designated Benchmark

Provide the name of the designated benchmark.

Item 4. Policies and Procedures re Confidential Information

Unless previously provided, attach a copy of the most recent written policies and procedures established and maintained by the designated benchmark administrator to prevent the misuse of confidential information.

Item 5. Policies and Procedures re Conflicts of Interest

Unless previously provided, attach a copy of the most recent written policies and procedures established and maintained with respect to conflicts of interest and potential conflicts of interest.

Item 6. Conflicts of Interest Arising from the Control or Ownership Structure of the Applicant

(a) Describe any conflict of interest or potential conflict of interest that arises from the control or ownership structure of the designated benchmark administrator, or from any other activities of the designated benchmark administrator or any affiliated entity of the designated benchmark administrator, in relation to a designated benchmark administered by the designated benchmark administrator.

(b) Describe the designated benchmark administrator's policies and procedures to identify and eliminate or manage each conflict of interest or potential conflict of interest described in paragraph (a).

Item 7. Policies and Procedures re Control Framework

Describe the designated benchmark administrator's control framework referred to in section 8 of the Regulation and policies and procedures designed to ensure the quality of the designated benchmark.

Item 8. Policies and Procedures re Complaints

Describe the designated benchmark administrator's policies and procedures regarding complaints.

Item 9. Policies and Procedures re Books, Records and Other Documents

Describe the designated benchmark administrator's policies and procedures regarding record keeping.

Item 10. Outsourcing

Describe the designated benchmark administrator's policies and procedures regarding outsourcing and disclose the following information about any person referred to in section 13 of the Regulation to which a designated benchmark administrator has outsourced a function, service or activity in the provision of a designated benchmark (the "provider") and the individuals who supervise the provider:

- the identity of the provider and each of its key individual contacts;
- the total number of individuals who supervise the provider;
- a general description of the minimum qualifications required of the provider for any outsourcing;
- a general description of the minimum qualifications required of individuals who supervise the provider for any outsourcing, including education level and work experience.

Item 11. Benchmark Individuals

Disclose the following information about the benchmark individuals of the designated benchmark administrator and the individuals who supervise the benchmark individuals:

- the total number of benchmark individuals;
- the total number of supervisors of benchmark individuals;
- a general description of the minimum qualifications required of the benchmark individuals, including education level and work experience (if applicable, distinguish between junior, mid, and senior level benchmark individuals);
- a general description of the minimum qualifications required of the supervisors of benchmark individuals, including education level and work experience.

Item 12. Compliance Officer

Disclose the following information about the officer of the designated benchmark administrator referred to in section 6 of the Regulation:

- name;
- employment history;
- post-secondary education;
- whether employed full-time or part-time by the designated benchmark administrator.

Item 13. Specified Revenue

Disclose the following information, as applicable, regarding the designated benchmark administrator's aggregate revenue for the most recently completed financial year:

- revenue from determining the designated benchmark;
- revenue from determining any other benchmarks administered by the designated benchmark administrator (which may be provided as an aggregate number for all other benchmarks administered by the designated benchmark administrator);
- revenue from granting licences or rights to publish information about the designated benchmark;
- revenue from granting licences or rights to publish information about any other benchmarks administered by the designated benchmark administrator (which may be provided as an aggregate number for all other benchmarks administered by the designated benchmark administrator).

Include financial information on the revenue of the designated benchmark administrator divided into fees from benchmark and non-benchmark activities, including a comprehensive description of each.

This information is not required to be audited, but any disaggregation of revenue must be determined using the same accounting principles as the annual financial statements required by section 2 of the Regulation.

Item 14. Financial Statements

Attach a copy of the annual financial statements required under section 2 of the Regulation.

Item 15. Verification Certificate

Include a certificate of the designated benchmark administrator in the following form:

"The undersigned has executed this Form 25-102F1 Designated Benchmark Administrator Annual Form on behalf of, and on the authority of, [the designated benchmark administrator]. The undersigned, on behalf of [the designated benchmark administrator], represents that the information and statements contained in this Form, including appendices and attachments, all of which are incorporated into and form part of this Form, are true and correct.

_____ _____

(Date) (Name of the Designated Benchmark Administrator)

By: _____

(Print Name and Title)

_____

(Signature)".

FORM 25-102F2
DESIGNATED BENCHMARK ANNUAL FORM

Instructions

(1) Terms used but not defined in this form have the meaning given to them in the Regulation.

(2) Unless otherwise specified, the information in this form must be presented as at the last day of the designated benchmark administrator's most recently completed financial year. If necessary, the designated benchmark administrator must update the information provided so it is not misleading when it is delivered. For information presented as at any date other than the last day of the designated benchmark administrator's most recently completed financial year, specify the relevant date in the form.

(3) Designated benchmark administrators are reminded that it is an offence under securities legislation to give false or misleading information on this form.

Item 1. Name of Designated Benchmark Administrator

State the name of the designated benchmark administrator.

Item 2. Designated Benchmark

Provide the name of the designated benchmark and whether it is also any of the following:

- interest rate benchmark;
- critical benchmark;
- regulated-data benchmark.

Item 3. Benchmark Distribution Model

Describe how the designated benchmark administrator makes the designated benchmark readily accessible for free or for a fee. If a person must pay a fee to obtain information about the designated benchmark made readily accessible by the designated benchmark administrator, provide a fee schedule or describe the prices charged.

Item 4. Procedures and Methodologies

Describe the procedures and methodologies used by the designated benchmark administrator to determine the designated benchmark. The description must be sufficiently detailed to provide an understanding of the processes employed by the designated benchmark administrator in determining the designated benchmark, including the following, as applicable:

- the public and non-public sources of information used in determining the designated benchmark, including information provided by benchmark contributors;

- procedures for monitoring, reviewing, and updating the designated benchmark,
- the methodologies, policies and procedures described in the Regulation.

A designated benchmark administrator may provide the location on its website where additional information about the methodologies, policies and procedures is located.

Item 5. Code of Conduct for Benchmark Contributors

Unless previously provided, attach a copy of any code of conduct for benchmark contributors.

Item 6. Verification Certificate

Include a certificate of the designated benchmark administrator in the following form:

"The undersigned has executed this Form 25-102F2 Designated Benchmark Annual Form on behalf of, and on the authority of, [the designated benchmark administrator]. The undersigned, on behalf of [the designated benchmark administrator], represents that the information and statements contained in this Form, including appendices and attachments, all of which are incorporated into and form part of this Form, are true and correct.

_____ _____
(Date) (Name of the Designated Benchmark Administrator)

By: _____
(Print Name and Title)

_____
(Signature)".

FORM 25-102F3
SUBMISSION TO JURISDICTION AND APPOINTMENT OF AGENT FOR SERVICE OF PROCESS

1. Name of the designated benchmark administrator (the "DBA"):

2. Jurisdiction of incorporation, or equivalent, of the DBA:

3. Address of principal place of business of the DBA:

4. Name, email address, phone number and fax number of contact person at principal place of business of the DBA:

5. Name of agent for service of process (the "Agent"):

6. Agent's address in Canada for service of process:

7. Name, email address, phone number and fax number of contact person of the Agent:

8. The DBA designates and appoints the Agent at the address of the Agent stated in Item 6 as its agent on whom may be served any notice, pleading, subpoena, summons or other process in any action, investigation or administrative, criminal, quasi-criminal, penal or other proceeding (a "proceeding") arising out of, relating to or concerning the determination of a designated benchmark administered by the DBA or the obligations of the DBA as a designated benchmark administrator, and irrevocably waives any right to raise as a defence in any proceeding any alleged lack of jurisdiction to bring a proceeding.

9. The DBA irrevocably and unconditionally submits to the non-exclusive jurisdiction of

(a) the judiciary and quasi-judicial and other administrative bodies of each of the provinces and territories of Canada in which it is a designated benchmark administrator, and

(b) any judicial, quasi-judicial and other administrative proceeding in any such province or territory,

in any proceeding arising out of or related to or concerning the determination of a designated benchmark administered by the DBA or the obligations of the DBA as a designated benchmark administrator.

10. This submission to jurisdiction and appointment of agent for service of process is governed by and construed in accordance with the laws of [insert province or territory of above address of Agent].

_____ _____

Signature of Designated Benchmark Administrator Date

_____

Print name and title of signing officer
of Designated Benchmark Administrator

AGENT

The undersigned accepts the appointment as agent for service of process of [insert name of DBA] under the terms and conditions of the appointment of agent for service of process set out in this document.

_____ _____

Signature of Agent Date

_____

Print name of person signing and, if Agent
is not an individual, the title of the person

105145

Draft Regulations

Draft Regulation

Environment Quality Act
(chapter Q-2)

Compensation for adverse effects on wetlands and bodies of water and other regulatory provisions — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend mainly the Regulation respecting compensation for adverse effects on wetlands and bodies of water and other regulatory provisions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation adds details for certain activities exempted from the payment of a financial contribution to compensate for adverse effects on wetlands and bodies of water, and adds new activities.

It also makes changes to the activities for which the payment of a financial contribution may be replaced by work to restore or create wetlands and bodies of water, and adds new activities.

The draft Regulation specifies, in cases where an applicant wishes to replace the payment of a financial contribution by work to restore or create wetlands and bodies of water if that possibility is allowed for an activity, the contents of the plan for completing the work.

Other adjustments are made to the parameters used to calculate the amount of the financial contribution to better reflect the reality of development in Québec's boreal regions and the abundance of wetlands in those regions.

Consequential amendments are made to the Regulation respecting sand pits and quarries, made by Order in Council 871-2020 dated 19 August 2020.

Other amendments are made to the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 871-2020 dated 19 August 2020, adding new activities eligible for a declaration of compliance pursuant to section 31.0.6 de la Environment Quality Act (chapter Q-2) and new activities exempted from the application of subdivision 1 of that Act pursuant to section 31.0.11.

The draft Regulation may be adjusted to take into account, where applicable, the amendments proposed by the draft Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks published as a draft in the *Gazette officielle du Québec* of 23 June 2021 should it be made before the draft Regulation.

Study of the matter has shown that the draft Regulation will lead to savings of $600,000 for the promoters of projects in wetlands and bodies of water. However, the changes made to the formula will generate extra costs, assessed at $30,000, for the promoters of projects in wetlands and bodies of water. Overall, the draft Regulation will have a net impact of $300,000, apportioned between municipalities ($700,000), enterprises ($400,000) and the Government and the public ($200,000).

Further information on the draft Regulation may be obtained on the website of the Ministère de l'Environnement et de la Lutte contre les changements climatiques at https://www.environnement.gouv.qc.ca/eau/milieux-humides/reglement-compensation-mhh.htm or by contacting Jean-Pierre Laniel, Director General, Direction de la conservation de la biodiversité, Ministère de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 4e étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 571-3335; email: rcamhh.questions@environnement.gouv.qc.ca.

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

Benoit Charette
Minister of the Environment and the Fight Against Climate Change

Regulation to amend mainly the Regulation respecting compensation for adverse effects on wetlands and bodies of water and other regulatory provisions

Environment Quality Act
(chapter Q-2, ss. 31.0.6, 46.0.5, 46.0.22 and 95.1; 2021, chapter 7, s. 90)

REGULATION RESPECTING COMPENSATION FOR ADVERSE EFFECTS ON WETLANDS AND BODIES OF WATER

1. The Regulation respecting compensation for adverse effects on wetlands and bodies of water (chapter Q-2, r. 9.1) is amended by replacing section 4 by the following:

"**4.** For the purposes of this Regulation, unless otherwise indicated by the context,

"forest development activity" means an activity referred to in paragraph 1 of section 4 of the Sustainable Forest Development Act (chapter A-18.1) that specifically targets forest enhancement and conservation;

"public body" means any body to which the Government or a minister appoints the majority of the members, to which, by law, the personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1), or at least half of whose capital stock is derived from the Consolidated Revenue Fund;

"silvicultural treatment" means a forest development activity intended, as part of a given silvicultural regime and scenario, to direct the development of a stand, and in particular its renewal, or to improve its yield and quality.".

In addition, unless otherwise provided for,

(1) the expressions "watercourse", "littoral zone", "wetland", "body of water", "wooded wetland", "open wetland", "floodplain", "lakeshore" and "riverbank", "wooded peat bog" and "open peat bog" have the same meaning as in the Regulation respecting activities in wetlands, bodies of water and sensitive areas, made by Order in Council 871-2020 dated 19 August 2020;

(2) paragraphs 1 to 4 of section 313 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 871-2020 dated 19 August 2020, apply to this Regulation;

(3) the bioclimatic domains are those referred to in Schedule III of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact.".

2. Section 5 is amended

(1) in the first paragraph,

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

"(1) projects that result in a cumulative loss of area according to the type of environment concerned

(*a*) of 30 m^2 or less of open wetland or a body of water;

(*b*) of 300 m^2 or less of wooded wetland;";

(*b*) by inserting "maintain, re-establish or" after "to" in subparagraph 2;

(*c*) by striking out subparagraph 5;

(*d*) by replacing subparagraph 6 by the following:

"(6) work subject to a general authorization within the meaning of section 31.0.5.1 of the Act when carried out in a watercourse whose geometry has already been modified in accordance with an agreement, municipal by-law or authorization, and work referred to in section 105 of the Municipal Powers Act (chapter C-47.1);";

(e) by striking out subparagraph 9;

(f) by replacing subparagraph 10 by the following:

"(10) work related to slope stabilization work carried out on the shore, bank or littoral zone of a lake or watercourse using one of the following methods:

(*a*) phytotechnology;

(*b*) when the work relates to a road infrastructure, a water management or treatment facility referred to in section 32 of the Act or an electric power transmission and distribution network, where the work is carried out by a department, a public body or an entity that has jurisdiction in any of the territories listed in Schedule IV using

i. a method combining phytotechnology and the use of inert woody materials;

ii. a method combining phytotechnology and keyed rock infill;";

(*g*) by replacing "beach nourishment to counter the effects of erosion" in subparagraph 11 by "sedimentary nourishment to counter a sedimentary deficit";

(*h*) by replacing subparagraph 12 by the following:

"(12) the development or expansion of a new parcel of land for the cultivation of non-aquatic plants and mushrooms, and work on infrastructures directly connected to such cultivation, when the activities are carried out in wooded wetland located outside the sugar maple-bitternut hickory bioclimatic domain;";

(*i*) by replacing subparagraph 13, as amended in section 1 of the Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water, made by Order in Council 871-2020 dated 19 August 2020, by the following:

"(13) with the exception of silvicultural drainage, silvicultural treatments carried out in an open wetland and other forest development activities carried out in a wooded wetland;";

(k) by adding the following at the end:

"(14) work to redevelop and rehabilitate an abandoned mining site carried out by the minister responsible for natural resources;

(15) work that a municipality must carry out pursuant to sections 29 and 30 of the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1) to comply with the standards applicable to a wastewater treatment works.";

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

"For the purposes of subparagraph 12 of the first paragraph, activities carried out in a 100m strip of wooded wetland bordering on an open peat bog of less than 4 ha are not exempted.".

3. Section 6 is amended

(1) by replacing "at a value of $0.8307 per square metre" in the description of the factor "vl" by "using the price mentioned in section 5 of Division II of Schedule I to the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (chapter T-8.1, r. 7)";

(2) by adding the following paragraph after the formula:

"The value of the factor "vl", as determined in Schedule IV, is updated on 1 January each year, and the Minister publishes the result of the update by means of a notice in the *Gazette officielle du Québec* or by any other means the Minister considers appropriate.".

4. Section 7 is amended by replacing "The adjustment" in the third paragraph by "The adjusted cost".

5. Section 10 is amended

(1) in the first paragraph,

(*a*) in the portion before subparagraph 1

i. by replacing “or” after wetlands by “and”;

ii. by replacing “following work” by “following activities”;

(*b*) by replacing subparagraph 4 by the following:

“(4) the development or expansion of a new parcel of land for the cultivation of non-aquatic plants and mushrooms, and work on infrastructures directly connected to such cultivation, when

(*a*) the activity is carried out in an open wetland other than an open peat bog with an area of at least 4 ha; or

(*b*) the activity is carried out in a wooded wetland in the sugar maple-bitternut hickory bioclimatic domain;”;

(*c*) by striking out “within the meaning of section 32 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001),” in subparagraph 5;

(*d*) by adding the following at the end:

“(6) silvicultural drainage and other forest development activities carried out

(*a*) in an open wetland;

(*b*) on the shore or bank or in the floodplain of a lake or watercourse;

(7) all work on the shore or bank or in the floodplain of a lake or watercourse when carried out by a government department, a public body on an entity having authority over one of the places listed in Schedule IV.”;

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

“For the purposes of subparagraph 4 of the first paragraph, activities carried out in a 100m strip of wooded wetland bordering on an open peat bog of less than 4 ha are not concerned.

The activities mentioned in the first paragraph exclude those referred to in section 5.”.

6. The following is added after section 10:

"**10.1.** An applicant who wishes to replace a financial contribution pursuant to section 10 must, when informed of the amount of the required financial contribution, file an application with the Minister for that purpose, accompanied by a plan of the work to restore or create wetlands of bodies of water.

The work that an applicant plans to carry out must target the following objectives:

(1) in the case of work on wetlands:

(*a*) the retention of the water surface to ensure a hydrological regime typical of a wetland;

(*b*) a regeneration of hygrophilous vegetation after 3 years;

(2) in the case of work on bodies of water:

(*a*) an improvement in the hydrogeomorphologic state of the watercourse, along with habitat connectivity and heterogeneity;

(*b*) the restoration of the natural dynamics for all the bodies of water on the site;

(3) the presence, in the restored or newly created environments, of biophysical characteristics and plant associations that are typical of wetlands and bodies of water and approach the natural state of similar environments;

(4) a contribution to the preservation of the habitat of a threatened or vulnerable species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) or the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3), as the case may be.

10.2. The application referred to in the first paragraph of section 10.1 must contain an assessment of the relevance or the site or sites selected to carry out the work, including the following documents:

(1) a description of the damage caused by the project, according to the type of wetland or body of water concerned;

(2) a document showing the location of more than one site identified for the work that presents ecological potential for the restoration or creation of wetlands and bodies of water as a component in the watershed in which they are situated;

(3) a map showing the types of wetlands and bodies of water present on each site identified;

(4) a summary assessment of the ecological potential for the restoration or creation of wetlands and bodies of water on each site identified;

(5) a document showing the environmental advantages and disadvantages of each site identified and setting out the expected gains in terms of the area and ecological functions of restored or newly created wetlands and bodies of water that will compensate for the damage caused by the project;

(6) a document showing the land uses allowed by the municipality under a zoning by-law for each site identified;

(7) a letter from the regional county municipality confirming that the sites identified match the conservation objectives set out in a metropolitan land use and development plan, or in any interim control by-law or in a by-law adopted by a regional county municipality pursuant to the Act respecting land use planning and development (chapter A-19.1), or, if none, a letter confirming the conservation interest of the sites identified;

(8) a document showing, among the sites identified, the site or sites selected to carry out the work, with the reasons for their selection.

10.3. The plan of work to restore or create wetlands of bodies of water referred to in the first paragraph of section 10.1 must include the following information and documents:

(1) a georeferenced map showing the location of the types of wetlands and bodies of water present on the site or sites selected before the work is carried out;

(2) a detailed characterization of the site or sites selected to carry out the work;

(3) the objectives of the work;

(4) a detailed description of the work;

(5) a plan of the work and the timeframe for carrying out the plan;

(6) any corrective measures that must be provided for following the work and the monitoring measures that will be applied in the first, third and fifth years after the work is completed;

(7) the methods planned to ensure the sustainability of the restored or newly created ecosystems.”.

7. Section 13 is revoked.

8. Section 14.1, as added by section 1 of the Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water, made by Order in Council 1291-2020 dated 2 December 2020, is amended by inserting “subparagraph *b* of subparagraph 6 and subparagraph 7 of the first paragraph of section 10,” after “9,”.

9. Section 15, as amended by section 2 of the Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water, made by Order in Council 1291-2020 dated 2 December 2020, is amended by inserting “subparagraph *b* of subparagraph 6 and subparagraph 7 of the first paragraph of section 10,” after “9,”.

10. Schedule II is amended

(1) by adding the following at the end of the portion before the table in section 1:

“In the case of an open peat bog, the factor “$I_{f\ INI}$” is, in all cases, set at 1. The same applies when it is not possible to determine the initial state of an environment.”;

(2) by replacing the table in section 2 by the following:

Impact of the activity over the portion of the wetland affected by the activity				
Components	**Negligible** **NI = 0.9**	**Low** **NI = 0.6**	**High** **NI = 0.1**	**Very high** **NI = 0**
Vegetation	Undisturbed vegetation	Disturbed or destroyed vegetation over less than 20% of the affected portion of the wetland	Disturbed or destroyed vegetation over more than 20% or more of the affected portion of the wetland	N/A

Soil	Compacted soil or soil subject to rutting over less than 5% of the affected portion of the wetland	Compacted soil or soil subject to rutting over 5% or more of the affected portion of the wetland OR Soil affected by work that does not change, in the entire affected portion of the wetland, the direction of the flow of water	Disturbed, ploughed or excavated soil OR Soil affected by work that changes, in the entire affected portion of the wetland, the direction of the flow of water	Removed, covered or sealed soil in the entire affected portion of the wetland
Water	Undisturbed hydrological regime	Disturbed hydrological regime over less than 5% of the affected portion of the wetland	Disturbed hydrological regime over 5% to 40% of the affected portion of the wetland	Disturbed hydrological regime over more than 40% of the affected portion of the wetland

";

(3) by striking out section 3.

11. Schedule III is amended

(1) by replacing section 1 by the following:

"**1.** The factor representing the initial state of the portion of the littoral zone affected by the activity "$I_{f\ INI}$" is

(1) in the part of a watercourse following the bed of a ditch, set at 1;

(2) in the part of a watercourse whose geometry has already been modified in accordance with an agreement, municipal by-law or authorization, set at 1.2;

(3) in all other cases, set at 1.5.";

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

"Where none of the situations described in the table applies, the factor "$I_{f\ INI}$" is set at 1.2. The same applies when it is not possible to determine the initial state of an environment.";

(3) by replacing the second paragraph of section 3 by the following:

"Where none of the situations described in the table applies, the factor "$I_{f\ INI}$" is set at 1. The same applies when it is not possible to determine the initial state of an environment.";

(4) by replacing the table in section 4 by the following:

“

Impact of the activity on the portion of the littoral zone affected by the activity			
Components	**Low** **NI = 0.7**	**High** **NI = 0.3**	**Very high** **NI = 0**
Biological	Plant associations or aquatic macrophyte stands destroyed over less than 20% of its total area	Plant associations or aquatic macrophyte stands destroyed over 20% to 75% of its total area	Plant associations or aquatic macrophyte stands destroyed over more than 75% of its total area OR Destruction, even partial, of spawning areas
Soil	Digging or dredging over a distance of less than 5 times the width of the watercourse and not more than 30 m OR Presence of a stabilization work for the catchment of sediments in the affected portion of the littoral zone of the lake or watercourse OR Presence of a stabilization work in a gentle slope for the dissipation of the energy of the waves from the St. Lawrence Estuary, the Gulf of St. Lawrence or the seas surrounding Québec OR Presence of a mechanical stabilization work using inert woody materials	Digging or dredging over a distance of□5 to 10 times the width of the watercourse and not more than 60 m OR Digging or dredging in the St. Lawrence Estuary, the Gulf of St. Lawrence or the seas surrounding Québec OR Discharge in open water of dredged sediments	Digging or dredging over a distance of more than 10 times the width of the watercourse or more than 60 m OR Digging or dredging in the littoral zone of the lake OR Natural substratum removed over more than 20% of the affected portion of the littoral zone of the lake or watercourse OR Modification of the longitudinal slope or fluvial style of the affected portion of the littoral zone of the watercourse OR Presence of any stabilization work not described in this table OR Channelling, even partial, of the affected portion of the littoral zone of the lake or watercourse

Water	Filling carried out over a distance of not more than 5 times the width of the watercourse and not more than 30 m	Filling over a distance of more than 5 times the width of the watercourse or more than 30 m OR Filling in the St. Lawrence Estuary, the Gulf of St. Lawrence or the seas surrounding Québec	Filling reducing by more than 20% the width of the watercourse OR Presence of a structure or work, other than a stabilization work, in the littoral zone of the lake or watercourse OR Filling carried out in the littoral zone of the lake

“;

(5) by replacing “0.5” in section 5 by “1”;

(6) by replacing “0.1” in section 6 by “0.5”;

(7) by replacing the table in section 7 by the following:

“

Impact of the activity on the portion of the lakeshore or riverbank affected by the activity		
Low **NI = 0.7**	**High** **NI = 0.3**	**Very high** **NI = 0**
Vegetation destroyed over less than 20% of the affected portion of the lakeshore or riverbank	Vegetation destroyed over 20% to 75% of the affected portion of the lakeshore or riverbank OR Filling carried out over 20% or more of the affected portion of the lakeshore or riverbank OR Presence of a structure or work over less than 20% of the affected portion of the lakeshore or riverbank	Vegetation destroyed over more than 75% of the affected portion of the lakeshore or riverbank OR Presence of a structure or work over 20% or more of the affected portion of the lakeshore or riverbank

“.

12. Schedule IV is amended

(1) by replacing “is, in all cases, set at “1”” in the portion before the table in section 1 by “that is applicable to the activity is that of the nearest local municipality”;

(2) by replacing the table in section 1 by the following:

Activity site	Factor R Wetlands	Factor R Bodies of water
Municipalité régionale de comté d'Abitibi ($vl = \$0.09/m^2$)		
Amos	0.1	0.8
Barraute	0.1	0.8
Berry	0.1	0.8
Champneuf	0.1	0.8
La Corne	0.1	0.8
La Morandière	0.1	0.8
La Motte	0.1	0.8
Lac-Chicobi	0.1	0.8
Lac-Despinassy	0.1	0.8
Landrienne	0.1	0.8
Launay	0.1	0.8
Pikogan (Indian reserve)	0.1	0.8
Preissac	0.1	0.8
Rochebaucourt	0.1	0.8
Saint-Dominique-du-Rosaire	0.1	0.8
Sainte-Gertrude-Manneville	0.1	0.8
Saint-Félix-de-Dalquier	0.1	0.8
Saint-Marc-de-Figuery	0.1	1.0
Saint-Mathieu-d'Harricana	0.1	0.8
Trécesson	0.1	0.8
Municipalité régionale de comté d'Abitibi-Ouest ($vl = \$0.02/m^2$)		
Authier	0.1	0.8
Authier-Nord	0.1	0.8
Chazel	0.1	0.8
Clermont	0.1	0.8
Clerval	0.1	1
Duparquet	0.1	0.8
Dupuy	0.1	1
Gallichan	0.1	0.8
La Reine	0.1	1
La Sarre	0.1	1
Lac-Duparquet	0.1	0.8
Macamic	0.1	0.8
Normétal	0.1	0.8
Palmarolle	0.1	1
Poularies	0.1	1

Activity site	Factor R Wetlands	Factor R Bodies of water
Rapide-Danseur	0.1	0.8
Rivière-Ojima	0.1	0.8
Roquemaure	0.1	0.8
Sainte-Germaine-Boulé	0.1	1,4
Sainte-Hélène-de-Mancebourg	0.1	1
Saint-Lambert	0.1	0.8
Taschereau	0.1	0.8
Val-Saint-Gilles	0.1	0.8
Municipalité régionale de comté d'Acton (vl = $0.94/ m²)		
Acton Vale	1.2	1
Béthanie	1.2	1
Roxton	1.2	1
Roxton Falls	1.2	1
Sainte-Christine	1.2	1
Saint-Nazaire-d'Acton	1.2	1
Saint-Théodore-d'Acton	1.2	1
Upton	1.2	1
Municipalité régionale de comté d'Antoine-Labelle (vl = $1.44/m²)		
Baie-des-Chaloupes	0.3	0.8
Chute-Saint-Philippe	0.3	0.8
Ferme-Neuve	0.3	0.8
Kiamika	0.3	0.8
La Macaza	0.3	0.8
Lac-Akonapwehikan	0.3	0.8
Lac-Bazinet	0.3	0.8
Lac-De La Bidière	0.3	0.8
Lac-de-la-Maison-de-Pierre	0.3	0.8
Lac-de-la-Pomme	0.3	0.8
Lac-des-Écorces	0.3	0.8
Lac-Douaire	0.3	0.8
Lac-du-Cerf	0.3	0.8
Lac-Ernest	0.3	0.8
Lac-Marguerite	0.3	0.8
Lac-Oscar	0.3	0.8
Lac-Saguay	0.3	0.8
Lac-Saint-Paul	0.3	0.8
Lac-Wagwabika	0.3	0.8
L'Ascension	0.3	0.8
Mont-Laurier	0.3	0.8
Mont-Saint-Michel	0.3	0.8

Activity site	Factor R Wetlands	Factor R Bodies of water
Nominingue	0.3	0.8
Notre-Dame-de-Pontmain	0.3	0.8
Notre-Dame-du-Laus	0.3	0.8
Rivière-Rouge	0.3	0.8
Saint-Aimé-du-Lac-des-Îles	0.3	0.8
Sainte-Anne-du-Lac	0.3	0.8
Municipalité régionale de comté d'Argenteuil ($vl = \$0.72/m^2$)		
Brownsburg-Chatham	0.3	0.8
Gore	0.3	0.8
Grenville	0.3	0.8
Grenville-sur-la-Rouge	0.3	0.8
Harrington	0.3	0.8
Lachute	0.3	0.8
Mille-Isles	0.3	0.8
Saint-André-d'Argenteuil	0.3	0.8
Wentworth	0.3	0.8
Municipalité régionale de comté d'Arthabaska ($vl = \$4.65/m^2$)		
Chesterville	1	0.8
Daveluyville	1	0.8
Ham-Nord	1	0.8
Kingsey Falls	1	0.8
Maddington Falls	1	0.8
Notre-Dame-de-Ham	1	0.8
Saint-Albert	1	0.8
Saint-Christophe-d'Arthabaska	1	0.8
Sainte-Clotilde-de-Horton	1	0.8
Sainte-Élizabeth-de-Warwick	1	0.8
Sainte-Hélène-de-Chester	1	0.8
Sainte-Séraphine	1	0.8
Saint-Louis-de-Blandford	1	0.8
Saint-Norbert-d'Arthabaska	1	0.8
Saint-Rémi-de-Tingwick	1	0.8
Saint-Rosaire	1	0.8
Saint-Samuel	1	0.8
Saints-Martyrs-Canadiens	1	0.8
Saint-Valère	1	0.8
Tingwick	1	0.8
Victoriaville	1	0.8
Warwick	1	0.8

Municipalité régionale de comté d'Avignon ($vl = \$0.29/m^2$)		
Carleton-sur-Mer	0.3	0.8
Escuminac	0.3	0.8
Gesgapegiag (Indian reserve)	0.3	0.8
L'Ascension-de-Patapédia	0.3	0.8
Listuguj (Indian reserve)	0.3	0.8
Maria	0.3	0.8
Matapédia	0.3	0.8
Nouvelle	0.3	0.8
Pointe-à-la-Croix	0.3	0.8
Ristigouche-Partie-Sud-Est	0.3	0.8
Rivière-Nouvelle	0.3	0.8
Ruisseau-Ferguson	0.3	0.8
Saint-Alexis-de-Matapédia	0.3	0.8
Saint-André-de-Restigouche	0.3	0.8
Saint-François-d'Assise	0.3	0.8
Municipalité régionale de comté de Beauce-Sartigan ($vl = \$4.47/m^2$)		
La Guadeloupe	0.3	0.8
Lac-Poulin	0.3	0.8
Notre-Dame-des-Pins	0.3	0.8
Saint-Benoît-Labre	0.3	0.8
Saint-Côme - Linière	0.3	0.8
Saint-Éphrem-de-Beauce	0.3	0.8
Saint-Évariste-de-Forsyth	0.3	0.8
Saint-Gédéon-de-Beauce	0.3	0.8
Saint-Georges	0.3	0.8
Saint-Hilaire-de-Dorset	0.3	0.8
Saint-Honoré-de-Shenley	0.3	0.8
Saint-Martin	0.3	0.8
Saint-Philibert	0.3	0.8
Saint-René	0.3	0.8
Saint-Simon-les-Mines	0.3	0.8
Saint-Théophile	0.3	0.8
Municipalité régionale de comté de Beauharnois-Salaberry ($vl = \$11.29/m^2$)		
Beauharnois	1.6	1.6
Sainte-Martine	1.6	1.6
Saint-Étienne-de-Beauharnois	1.6	1.6
Saint-Louis-de-Gonzague	1.6	1.6
Saint-Stanislas-de-Kostka	1.6	1.6
Saint-Urbain-Premier	1.6	1.6
Salaberry-de-Valleyfield	1.6	1.6

Municipalité régionale de comté de Bécancour ($vl = \$0.82/m^2$)		
Bécancour	1	1
Deschaillons-sur-Saint-Laurent	1	1
Fortierville	1	1
Lemieux	1	1
Manseau	1	1
Parisville	1	1
Sainte-Cécile-de-Lévrard	1	1
Sainte-Françoise	1	1
Sainte-Marie-de-Blandford	1	1
Sainte-Sophie-de-Lévrard	1	1
Saint-Pierre-les-Becquets	1	1
Saint-Sylvère	1	1
Wôlinak (Indian reserve)	1	1
Municipalité régionale de comté de Bellechasse ($vl = \$6.08/m^2$)		
Armagh	1	1
Beaumont	1	1
Honfleur	1	1
La Durantaye	1	1
Notre-Dame-Auxiliatrice-de-Buckland	1	1
Saint-Anselme	1	1
Saint-Charles-de-Bellechasse	1	1
Saint-Damien-de-Buckland	1	1
Sainte-Claire	1	1
Saint-Gervais	1	1
Saint-Henri	1	1
Saint-Lazare-de-Bellechasse	1	1
Saint-Léon-de-Standon	1	1
Saint-Malachie	1	1
Saint-Michel-de-Bellechasse	1	1
Saint-Nazaire-de-Dorchester	1	1
Saint-Nérée-de-Bellechasse	1	1
Saint-Philémon	1	1
Saint-Raphaël	1	1
Saint-Vallier	1	1
Municipalité régionale de comté de Bonaventure ($vl = \$0.47/m^2$)		
Bonaventure	0.3	0.8
Caplan	0.3	0.8
Cascapédia - Saint-Jules	0.3	0.8
Hope	0.3	0.8
Hope Town	0.3	0.8
New Carlisle	0.3	0.8

New Richmond	0.3	0.8
Paspébiac	0.3	0.8
Rivière-Bonaventure	0.3	0.8
Saint-Alphonse	0.3	0.8
Saint-Elzéar	0.3	0.8
Saint-Godefroi	0.3	0.8
Saint-Siméon	0.3	0.8
Shigawake	0.3	0.8
Municipalité régionale de comté de Brome-Missisquoi (vl = $2.45/m^2)		
Abercorn	1	1
Bedford (town)	1	1
Bedford (township)	1	1
Bolton-Ouest	1	1
Brigham	1	1
Brome	1	1
Bromont	1	1
Cowansville	1	1
Dunham	1	1
East Farnham	1	1
Farnham	1	1
Frelighsburg	1	1
Lac-Brome	1	1
Notre-Dame-de-Stanbridge	1	1
Pike River	1	1
Saint-Armand	1	1
Sainte-Sabine	1	1
Saint-Ignace-de-Stanbridge	1	1
Stanbridge East	1	1
Stanbridge Station	1	1
Sutton	1	1
Municipalité régionale de comté de Charlevoix (vl = $5.64/m^2)		
Baie-Saint-Paul	0.3	0.8
Lac-Pikauba	0.3	0.8
Les Éboulements	0.3	0.8
L'Isle-aux-Coudres	0.3	0.8
Petite-Rivière-Saint-François	0.3	0.8
Saint-Hilarion	0.3	0.8
Saint-Urbain	0.3	0.8

Municipalité régionale de comté de Charlevoix-Est ($vl = $1.79/m^2$)		
Baie-Sainte-Catherine	0.3	0.8
Clermont	0.3	0.8
La Malbaie	0.3	0.8
Mont-Élie	0.3	0.8
Notre-Dame-des-Monts	0.3	0.8
Sagard	0.3	0.8
Saint-Aimé-des-Lacs	0.3	0.8
Saint-Irénée	0.3	0.8
Saint-Siméon	0.3	0.8
Municipalité régionale de comté de Coaticook ($vl = $0.59/m^2$)		
Barnston-Ouest	1	1
Coaticook	1	1
Compton	1	1
Dixville	1	1
East Hereford	1	1
Martinville	1	1
Sainte-Edwidge-de-Clifton	1	1
Saint-Herménégilde	1	1
Saint-Malo	1	1
Saint-Venant-de-Paquette	1	1
Stanstead-Est	1	1
Waterville	1	1
Communauté maritime des Îles-de-la-Madeleine ($vl = $0.42/m^2$)		
Grosse-Île	2	2
Les Îles-de-la-Madeleine	2	2
Municipalité régionale de comté de D'Autray ($vl = $0.48/m^2$)		
Berthierville	1	1
La Visitation-de-l'Île-Dupas	1	1
Lanoraie	1	1
Lavaltrie	1	1
Mandeville	1	1
Saint-Barthélemy	1	1
Saint-Cléophas-de-Brandon	1	1
Saint-Cuthbert	1	1
Saint-Didace	1	1
Sainte-Élisabeth	1	1
Sainte-Geneviève-de-Berthier	1	1
Saint-Gabriel	1	1
Saint-Gabriel-de-Brandon	1	1
Saint-Ignace-de-Loyola	1	1
Saint-Norbert	1	1

Municipalité régionale de comté de Deux-Montagnes ($vl = \$9.97/m^2$)		
Deux-Montagnes	2	2,0
Kanesatake (Indian reserve)	2	2,0
Oka	2	2,0
Pointe-Calumet	2	2,0
Sainte-Marthe-sur-le-Lac	2	2,0
Saint-Eustache	2	2,0
Saint-Joseph-du-Lac	2	2,0
Saint-Placide	2	2,0
Municipalité régionale de comté de Drummond ($vl = \$4.60/m^2$)		
Drummondville	1	1
Durham-Sud	1	1
L'Avenir	1	1
Lefebvre	1	1
Notre-Dame-du-Bon-Conseil (village)	1	1
Notre-Dame-du-Bon-Conseil (paroisse)	1	1
Saint-Bonaventure	1	1
Saint-Cyrille-de-Wendover	1	1
Sainte-Brigitte-des-Saults	1	1
Saint-Edmond-de-Grantham	1	1
Saint-Eugène	1	1
Saint-Félix-de-Kingsey	1	1
Saint-Germain-de-Grantham	1	1
Saint-Guillaume	1	1
Saint-Lucien	1	1
Saint-Majorique-de-Grantham	1	1
Saint-Pie-de-Guire	1	1
Wickham	1	1
Ville de Gatineau ($vl = \$11.71/m^2$)		
Gatineau	2	2
Municipalité régionale de comté de Joliette ($vl = \$4.96/m^2$)		
Crabtree	1.6	1.6
Joliette	1.6	1.6
Notre-Dame-de-Lourdes	1.6	1.6
Notre-Dame-des-Prairies	1.6	1.6
Saint-Ambroise-de-Kildare	1.6	1.6
Saint-Charles-Borromée	1.6	1.6
Sainte-Mélanie	1.6	1.6
Saint-Paul	1.6	1.6
Saint-Pierre	1.6	1.6
Saint-Thomas	1.6	1.6

Municipalité régionale de comté de Kamouraska ($vl = \$0.45/m^2$)		
Kamouraska	0.3	0.8
La Pocatière	0.3	0.8
Mont-Carmel	0.3	0.8
Petit-Lac-Sainte-Anne	0.3	0.8
Picard	0.3	0.8
Rivière-Ouelle	0.3	0.8
Saint-Alexandre-de-Kamouraska	0.3	0.8
Saint-André	0.3	0.8
Saint-Bruno-de-Kamouraska	0.3	0.8
Saint-Denis-De La Bouteillerie	0.3	0.8
Sainte-Anne-de-la-Pocatière	0.3	0.8
Sainte-Hélène-de-Kamouraska	0.3	0.8
Saint-Gabriel-Lalemant	0.3	0.8
Saint-Germain	0.3	0.8
Saint-Joseph-de-Kamouraska	0.3	0.8
Saint-Onésime-d'Ixworth	0.3	0.8
Saint-Pacôme	0.3	0.8
Saint-Pascal	0.3	0.8
Saint-Philippe-de-Néri	0.3	0.8
Municipalité régionale de comté de La Côte-de-Beaupré ($vl = \$1.93/m^2$)		
Beaupré	1	0.8
Boischatel	1	0.8
Château-Richer	1	0.8
Lac-Jacques-Cartier	0.3	0.8
L'Ange-Gardien	1	0.8
Sainte-Anne-de-Beaupré	1	0.8
Saint-Ferréol-les-Neiges	1	0.8
Saint-Joachim	1	0.8
Saint-Louis-de-Gonzague-du-Cap-Tourmente	1	0.8
Saint-Tite-des-Caps	1	0.8
Sault-au-Cochon	0.3	0.8
Municipalité régionale de comté de La Côte-de-Gaspé ($vl = \$0.11/m^2$)		
Cloridorme	0.3	0.8
Collines-du-Basque	0.3	0.8
Gaspé	0.3	0.8
Grande-Vallée	0.3	0.8
Murdochville	0.3	0.8
Petite-Vallée	0.3	0.8
Rivière-Saint-Jean	0.3	0.8

Municipalité régionale de comté de La Haute-Côte-Nord ($vl = \$0.14/m^2$)		
Colombier	0.3	0.8
Essipit (Indian reserve)	0.3	0.8
Forestville	0.3	0.8
Lac-au-Brochet	0.3	0.8
Les Bergeronnes	0.3	0.8
Les Escoumins	0.3	0.8
Longue-Rive	0.3	0.8
Portneuf-sur-Mer	0.3	0.8
Sacré-Coeur	0.3	0.8
Tadoussac	0.3	0.8
Municipalité régionale de comté de La Haute-Gaspésie ($vl = \$0.47/m^2$)		
Cap-Chat	0.3	0.8
Coulée-des-Adolphe	0.3	0.8
La Martre	0.3	0.8
Marsoui	0.3	0.8
Mont-Albert	0.3	0.8
Mont-Saint-Pierre	0.3	0.8
Rivière-à-Claude	0.3	0.8
Sainte-Anne-des-Monts	0.3	0.8
Sainte-Madeleine-de-la-Rivière-Madeleine	0.3	0.8
Saint-Maxime-du-Mont-Louis	0.3	0.8
Municipalité régionale de comté de La Haute-Yamaska ($vl = \$11.15/m^2$)		
Granby	1.6	1.6
Roxton Pond	1.6	1.6
Saint-Alphonse-de-Granby	1.6	1.6
Sainte-Cécile-de-Milton	1.6	1.6
Saint-Joachim-de-Shefford	1.6	1.6
Shefford	1.6	1.6
Warden	1.6	1.6
Waterloo	1.6	1.6
Municipalité régionale de comté de La Jacques-Cartier ($vl = \$2.54/m^2$)		
Fossambault-sur-le-Lac	1	0.8
Lac-Beauport	1	0.8
Lac-Croche	0.3	0.8
Lac-Delage	1	0.8
Lac-Saint-Joseph	1	0.8
Sainte-Brigitte-de-Laval	1	0.8
Sainte-Catherine-de-la-Jacques-Cartier	1	0.8
Saint-Gabriel-de-Valcartier	1	0.8
Shannon	1	0.8
Stoneham-et-Tewkesbury	1	0.8

Municipalité régionale de comté de La Matanie ($vl = \$1.37/m^2$)		
Baie-des-Sables	0.3	0.8
Grosses-Roches	0.3	0.8
Les Méchins	0.3	0.8
Matane	0.3	0.8
Rivière-Bonjour	0.3	0.8
Saint-Adelme	0.3	0.8
Sainte-Félicité	0.3	0.8
Sainte-Paule	0.3	0.8
Saint-Jean-de-Cherbourg	0.3	0.8
Saint-Léandre	0.3	0.8
Saint-René-de-Matane	0.3	0.8
Saint-Ulric	0.3	0.8
Municipalité régionale de comté de La Matapédia ($vl = \$1.52/m^2$)		
Albertville	0.3	0.8
Amqui	0.3	0.8
Causapscal	0.3	0.8
Lac-Alfred	0.3	0.8
Lac-au-Saumon	0.3	0.8
Lac-Casault	0.3	0.8
Lac-Matapédia	0.3	0.8
Rivière-Patapédia-Est	0.3	0.8
Rivière-Vaseuse	0.3	0.8
Routhierville	0.3	0.8
Ruisseau-des-Mineurs	0.3	0.8
Saint-Alexandre-des-Lacs	0.3	0.8
Saint-Cléophas	0.3	0.8
Saint-Damase	0.3	0.8
Sainte-Florence	0.3	0.8
Sainte-Irène	0.3	0.8
Sainte-Marguerite-Marie	0.3	0.8
Saint-Léon-le-Grand	0.3	0.8
Saint-Moïse	0.3	0.8
Saint-Noël	0.3	0.8
Saint-Tharcisius	0.3	0.8
Saint-Vianney	0.3	0.8
Saint-Zénon-du-Lac-Humqui	0.3	0.8
Sayabec	0.3	0.8
Val-Brillant	0.3	0.8

Municipalité régionale de comté de La Mitis (vl = $0.36/m²)		
Grand-Métis	0.3	0.8
La Rédemption	0.3	0.8
Lac-à-la-Croix	0.3	0.8
Lac-des-Eaux-Mortes	0.3	0.8
Les Hauteurs	0.3	0.8
Métis-sur-Mer	0.3	0.8
Mont-Joli	0.3	0.8
Padoue	0.3	0.8
Price	0.3	0.8
Saint-Charles-Garnier	0.3	0.8
Saint-Donat	0.3	0.8
Sainte-Angèle-de-Mérici	0.3	0.8
Sainte-Flavie	0.3	0.8
Sainte-Jeanne-d'Arc	0.3	0.8
Sainte-Luce	0.3	0.8
Saint-Gabriel-de-Rimouski	0.3	0.8
Saint-Joseph-de-Lepage	0.3	0.8
Saint-Octave-de-Métis	0.3	0.8
Municipalité régionale de comté de La Nouvelle-Beauce (vl = $3.70/m²)		
Frampton	1	1
Saint-Bernard	1	1
Sainte-Hénédine	1	1
Saint-Elzéar	1	1
Sainte-Marguerite	1	1
Sainte-Marie	1	1
Saint-Isidore	1	1
Saint-Lambert-de-Lauzon	1	1
Saints-Anges	1	1
Scott	1	1
Vallée-Jonction	1	1
Municipalité régionale de comté de La Rivière-du-Nord (vl = $2.91/m²)		
Prévost	2	2
Saint-Colomban	2	2
Sainte-Sophie	2	2
Saint-Hippolyte	2	2
Saint-Jérôme	2	2

Agglomération de La Tuque ($vl = $0.05/m^2$)		
Coucoucache (Indian reserve)	0.3	0.8
La Bostonnais	0.3	0.8
La Tuque	0.3	0.8
Lac-Édouard	0.3	0.8
Obedjiwan (Indian reserve)	0.3	0.8
Wemotaci (Indian reserve)	0.3	0.8
Municipalité régionale de comté de La Vallée-de-la-Gatineau ($vl = $0.15/m^2$)		
Aumond	0.3	0.8
Blue Sea	0.3	0.8
Bois-Franc	0.3	0.8
Bouchette	0.3	0.8
Cascades-Malignes	0.3	0.8
Cayamant	0.3	0.8
Déléage	0.3	0.8
Denholm	0.3	0.8
Dépôt-Échouani	0.3	0.8
Egan-Sud	0.3	0.8
Gracefield	0.3	0.8
Grand-Remous	0.3	0.8
Kazabazua	0.3	0.8
Kitigan Zibi (Indian reserve)	0.3	0.8
Lac-Lenôtre	0.3	0.8
Lac-Moselle	0.3	0.8
Lac-Pythonga	0.3	0.8
Lac-Rapide (Indian reserve)	0.3	0.8
Lac-Sainte-Marie	0.3	0.8
Low	0.3	0.8
Maniwaki	0.3	0.8
Messines	0.3	0.8
Montcerf-Lytton	0.3	0.8
Sainte-Thérèse-de-la-Gatineau	0.3	0.8
Municipalité régionale de comté de La Vallée-de-l'Or ($vl = $0.01/m^2$)		
Belcourt	0.1	0.8
Kitcisakik (Indian reserve)	0.1	0.8
Lac-Granet	0.1	0.8
Lac-Metei	0.1	0.8
Lac-Simon (Indian reserve)	0.1	0.8
Malartic	0.1	0.8
Matchi-Manitou	0.1	0.8
Réservoir-Dozois	0.1	0.8
Rivière-Héva	0.1	0.8

Senneterre (town)	0.1	0.8
Senneterre (parish)	0.1	0.8
Val-d'Or	0.1	0.8
Municipalité régionale de comté de La Vallée-du-Richelieu (vl = $13.52/m^2)		
Beloeil	1.6	1.6
Carignan	1.6	1.6
Chambly	1.6	1.6
McMasterville	1.6	1.6
Mont-Saint-Hilaire	1.6	1.6
Otterburn Park	1.6	1.6
Saint-Antoine-sur-Richelieu	1.6	1.6
Saint-Basile-le-Grand	1.6	1.6
Saint-Charles-sur-Richelieu	1.6	1.6
Saint-Denis-sur-Richelieu	1.6	1.6
Saint-Jean-Baptiste	1.6	1.6
Saint-Marc-sur-Richelieu	1.6	1.6
Saint-Mathieu-de-Beloeil	1.6	1.6
Municipalité régionale de comté de Lac-Saint-Jean-Est (vl = $0.54/m^2)		
Alma	0.3	0.8
Belle-Rivière	0.3	0.8
Desbiens	0.3	0.8
Hébertville	0.3	0.8
Hébertville-Station	0.3	0.8
Labrecque	0.3	0.8
Lac-Achouakan	0.3	0.8
Lac-Moncouche	0.3	0.8
Lamarche	0.3	0.8
L'Ascension-de-Notre-Seigneur	0.3	0.8
Métabetchouan - Lac-à-la-Croix	0.3	0.8
Mont-Apica	0.3	0.8
Saint-Bruno	0.3	0.8
Sainte-Monique	0.3	0.8
Saint-Gédéon	0.3	0.8
Saint-Henri-de-Taillon	0.3	0.8
Saint-Ludger-de-Milot	0.3	0.8
Saint-Nazaire	0.3	0.8
Municipalité régionale de comté de L'Assomption (vl = $8.75/m^2))		
Charlemagne	2	2
L'Assomption	2	2
L'Épiphanie	2	2
Repentigny	2	2
Saint-Sulpice	2	2

Ville de Laval ($vl = $36.29/m^2$)		
Laval	2	2
Municipalité régionale de comté du Domaine-du-Roy ($vl = $2.28/m^2$)		
Chambord	0.3	0.8
La Doré	0.3	0.8
Lac-Ashuapmushuan	0.3	0.8
Lac-Bouchette	0.3	0.8
Mashteuiatsh (Indian reserve)	0.3	0.8
Roberval	0.3	0.8
Saint-André-du-Lac-Saint-Jean	0.3	0.8
Sainte-Hedwidge	0.3	0.8
Saint-Félicien	0.3	0.8
Saint-François-de-Sales	0.3	0.8
Saint-Prime	0.3	0.8
Municipalité régionale de comté du Fjord-du-Saguenay ($vl = $1.20/m^2$)		
Bégin	0.3	0.8
Ferland-et-Boilleau	0.3	0.8
Lac-Ministuk	0.3	0.8
Lalemant	0.3	0.8
L'Anse-Saint-Jean	0.3	0.8
Larouche	0.3	0.8
Mont-Valin	0.3	0.8
Petit-Saguenay	0.3	0.8
Rivière-Éternité	0.3	0.8
Saint-Ambroise	0.3	0.8
Saint-Charles-de-Bourget	0.3	0.8
Saint-David-de-Falardeau	0.3	0.8
Sainte-Rose-du-Nord	0.3	0.8
Saint-Félix-d'Otis	0.3	0.8
Saint-Fulgence	0.3	0.8
Saint-Honoré	0.3	0.8
Municipalité régionale de comté du Golfe-du-Saint-Laurent ($vl = $0.06/m^2$)		
Blanc-Sablon	0.3	0.8
Bonne-Espérance	0.3	0.8
Côte-Nord-du-Golfe-du-Saint-Laurent	0.3	0.8
Gros-Mécatina	0.3	0.8
La Romaine (Indian reserve)	0.3	0.8
Pakuashipi (Indian reserve)	0.3	0.8
Saint-Augustin	0.3	0.8

Municipalité régionale de comté du Granit (vl = $4.40/m²)		
Audet	0.3	0.8
Courcelles	0.3	0.8
Frontenac	0.3	0.8
Lac-Drolet	0.3	0.8
Lac-Mégantic	0.3	0.8
Lambton	0.3	0.8
Marston	0.3	0.8
Milan	0.3	0.8
Nantes	0.3	0.8
Notre-Dame-des-Bois	0.3	0.8
Piopolis	0.3	0.8
Saint-Augustin-de-Woburn	0.3	0.8
Sainte-Cécile-de-Whitton	0.3	0.8
Saint-Ludger	0.3	0.8
Saint-Robert-Bellarmin	0.3	0.8
Saint-Romain	0.3	0.8
Saint-Sébastien	0.3	0.8
Stornoway	0.3	0.8
Stratford	0.3	0.8
Val-Racine	0.3	0.8
Municipalité régionale de comté du Haut-Richelieu (vl = $18.89/m²)		
Henryville	1.6	1.6
Lacolle	1.6	1.6
Mont-Saint-Grégoire	1.6	1.6
Noyan	1.6	1.6
Saint-Alexandre	1.6	1.6
Saint-Blaise-sur-Richelieu	1.6	1.6
Sainte-Anne-de-Sabrevois	1.6	1.6
Sainte-Brigide-d'Iberville	1.6	1.6
Saint-Georges-de-Clarenceville	1.6	1.6
Saint-Jean-sur-Richelieu	1.6	1.6
Saint-Paul-de-l'Île-aux-Noix	1.6	1.6
Saint-Sébastien	1.6	1.6
Saint-Valentin	1.6	1.6
Venise-en-Québec	1.6	1.6
Municipalité régionale de comté du Haut-Saint-François (vl = $2.50/m²)		
Ascot Corner	0.3	0.8
Bury	0.3	0.8
Chartierville	0.3	0.8
Cookshire-Eaton	0.3	0.8
Dudswell	0.3	0.8

East Angus	0.3	0.8
Hampden	0.3	0.8
La Patrie	0.3	0.8
Lingwick	0.3	0.8
Newport	0.3	0.8
Saint-Isidore-de-Clifton	0.3	0.8
Scotstown	0.3	0.8
Weedon	0.3	0.8
Westbury	0.3	0.8
Municipalité régionale de comté du Haut-Saint-Laurent (vl = $5.22/m²)		
Akwesasne (Indian reserve)	1	1
Dundee	1	1
Elgin	1	1
Franklin	1	1
Godmanchester	1	1
Havelock	1	1
Hinchinbrooke	1	1
Howick	1	1
Huntingdon	1	1
Ormstown	1	1
Saint-Anicet	1	1
Saint-Chrysostome	1	1
Sainte-Barbe	1	1
Très-Saint-Sacrement	1	1
Municipalité régionale de comté du Rocher-Percé (vl = $0.17/m²)		
Chandler	0.3	0.8
Grande-Rivière	0.3	0.8
Mont-Alexandre	0.3	0.8
Percé	0.3	0.8
Port-Daniel - Gascons	0.3	0.8
Sainte-Thérèse-de-Gaspé	0.3	0.8
Municipalité régionale de comté du Val-Saint-François (vl = $1.54/m²)		
Bonsecours	0.3	0.8
Cleveland	0.3	0.8
Kingsbury	0.3	0.8
Lawrenceville	0.3	0.8
Maricourt	0.3	0.8
Melbourne	0.3	0.8
Racine	0.3	0.8
Richmond	0.3	0.8
Saint-Claude	0.3	0.8
Saint-Denis-de-Brompton	0.3	0.8

Sainte-Anne-de-la-Rochelle	0.3	0.8
Saint-François-Xavier-de-Brompton	0.3	0.8
Stoke	0.3	0.8
Ulverton	0.3	0.8
Valcourt (town)	0.3	0.8
Valcourt (township)	0.3	0.8
Val-Joli	0.3	0.8
Windsor	0.3	0.8
Municipalité régionale de comté de L'Érable (vl = $1.65/m^2)		
Inverness	1	1
Laurierville	1	1
Lyster	1	1
Notre-Dame-de-Lourdes	1	1
Plessisville (ville)	1	1
Plessisville (paroisse)	1	1
Princeville	1	1
Sainte-Sophie-d'Halifax	1	1
Saint-Ferdinand	1	1
Saint-Pierre-Baptiste	1	1
Villeroy	1	1
Municipalité régionale de comté des Appalaches (vl = $2.27/m^2)		
Adstock	0.3	0.8
Beaulac-Garthby	0.3	0.8
Disraeli (ville)	0.3	0.8
Disraeli (paroisse)	0.3	0.8
East Broughton	0.3	0.8
Irlande	0.3	0.8
Kinnear's Mills	0.3	0.8
Sacré-Coeur-de-Jésus	0.3	0.8
Saint-Adrien-d'Irlande	0.3	0.8
Sainte-Clotilde-de-Beauce	0.3	0.8
Sainte-Praxède	0.3	0.8
Saint-Fortunat	0.3	0.8
Saint-Jacques-de-Leeds	0.3	0.8
Saint-Jacques-le-Majeur-de-Wolfestown	0.3	0.8
Saint-Jean-de-Brébeuf	0.3	0.8
Saint-Joseph-de-Coleraine	0.3	0.8
Saint-Julien	0.3	0.8
Saint-Pierre-de-Broughton	0.3	0.8
Thetford Mines	0.3	0.8

Municipalité régionale de comté Les Basques ($vl = \$0.55/m^2$)		
Lac-Boisbouscache	0.3	0.8
Notre-Dame-des-Neiges	0.3	0.8
Saint-Clément	0.3	0.8
Sainte-Françoise	0.3	0.8
Saint-Éloi	0.3	0.8
Sainte-Rita	0.3	0.8
Saint-Guy	0.3	0.8
Saint-Jean-de-Dieu	0.3	0.8
Saint-Mathieu-de-Rioux	0.3	0.8
Saint-Médard	0.3	0.8
Saint-Simon	0.3	0.8
Trois-Pistoles	0.3	0.8
Municipalité régionale de comté des Chenaux ($vl = \$3.23/m^2$)		
Batiscan	1	1
Champlain	1	1
Notre-Dame-du-Mont-Carmel	1	1
Sainte-Anne-de-la-Pérade	1	1
Sainte-Geneviève-de-Batiscan	1	1
Saint-Luc-de-Vincennes	1	1
Saint-Maurice	1	1
Saint-Narcisse	1	1
Saint-Prosper-de-Champlain	1	1
Saint-Stanislas	1	1
Municipalité régionale de comté des Collines-de-l'Outaouais ($vl = \$0.84/m^2$)		
Cantley	0.3	0.8
Chelsea	0.3	0.8
La Pêche	0.3	0.8
L'Ange-Gardien	0.3	0.8
Notre-Dame-de-la-Salette	0.3	0.8
Pontiac	0.3	0.8
Val-des-Monts	0.3	0.8
Municipalité régionale de comté des Etchemins ($vl = \$3.96/m^2$)		
Lac-Etchemin	0.3	0.8
Saint-Benjamin	0.3	0.8
Saint-Camille-de-Lellis	0.3	0.8
Saint-Cyprien	0.3	0.8
Sainte-Aurélie	0.3	0.8
Sainte-Justine	0.3	0.8
Sainte-Rose-de-Watford	0.3	0.8
Sainte-Sabine	0.3	0.8

Saint-Louis-de-Gonzague	0.3	0.8
Saint-Luc-de-Bellechasse	0.3	0.8
Saint-Magloire	0.3	0.8
Saint-Prosper	0.3	0.8
Saint-Zacharie	0.3	0.8
Municipalité régionale de comté des Jardins-de-Napierville ($vl = $4.32/m^2$)		
Hemmingford (village)	1.2	1.4
Hemmingford (township)	1.2	1.4
Napierville	1.2	1.4
Saint-Bernard-de-Lacolle	1.2	1.4
Saint-Cyprien-de-Napierville	1.2	1.4
Sainte-Clotilde	1.2	1.4
Saint-Édouard	1.2	1.4
Saint-Jacques-le-Mineur	1.2	1.4
Saint-Michel	1.2	1.4
Saint-Patrice-de-Sherrington	1.2	1.4
Saint-Rémi	1.2	1.4
Municipalité régionale de comté des Laurentides ($vl = $1.10/m^2$)		
Amherst	0.3	0.8
Arundel	0.3	0.8
Barkmere	0.3	0.8
Brébeuf	0.3	0.8
Doncaster (Indian reserve)	0.3	0.8
Huberdeau	0.3	0.8
Ivry-sur-le-Lac	0.3	0.8
La Conception	0.3	0.8
La Minerve	0.3	0.8
Labelle	0.3	0.8
Lac-Supérieur	0.3	0.8
Lac-Tremblant-Nord	0.3	0.8
Lantier	0.3	0.8
Montcalm	0.3	0.8
Mont-Tremblant	0.3	0.8
Sainte-Agathe-des-Monts	0.3	0.8
Sainte-Lucie-des-Laurentides	0.3	0.8
Saint-Faustin - Lac-Carré	0.3	0.8
Val-David	0.3	0.8
Val-des-Lacs	0.3	0.8
Val-Morin	0.3	0.8

Municipalité régionale de comté des Maskoutains ($vl = $18.99/m^2$)		
La Présentation	1.2	1.4
Saint-Barnabé-Sud	1.2	1.4
Saint-Bernard-de-Michaudville	1.2	1.4
Saint-Damase	1.2	1.4
Saint-Dominique	1.2	1.4
Sainte-Hélène-de-Bagot	1.2	1.4
Sainte-Madeleine	1.2	1.4
Sainte-Marie-Madeleine	1.2	1.4
Saint-Hugues	1.2	1.4
Saint-Hyacinthe	1.2	1.4
Saint-Jude	1.2	1.4
Saint-Liboire	1.2	1.4
Saint-Louis	1.2	1.4
Saint-Marcel-de-Richelieu	1.2	1.4
Saint-Pie	1.2	1.4
Saint-Simon	1.2	1.4
Saint-Valérien-de-Milton	1.2	1.4
Municipalité régionale de comté des Moulins ($vl = $12.41 /m^2$)		
Mascouche	2	2
Terrebonne	2	2
Municipalité régionale de comté des Pays-d'en-Haut ($vl = $2.02/m^2$)		
Estérel	0.3	0.8
Lac-des-Seize-Îles	0.3	0.8
Morin-Heights	0.3	0.8
Piedmont	0.3	0.8
Saint-Adolphe-d'Howard	0.3	0.8
Sainte-Adèle	0.3	0.8
Sainte-Anne-des-Lacs	0.3	0.8
Sainte-Marguerite-du-Lac-Masson	0.3	0.8
Saint-Sauveur	0.3	0.8
Wentworth-Nord	0.3	0.8
Municipalité régionale de comté des Sources ($vl = $0.81/m^2$)		
Asbestos	0.3	0.8
Danville	0.3	0.8
Ham-Sud	0.3	0.8
Saint-Adrien	0.3	0.8
Saint-Camille	0.3	0.8
Saint-Georges-de-Windsor	0.3	0.8
Wotton	0.3	0.8

Ville de Lévis ($vl = $19.99/m^2$)		
Lévis	2	2
Municipalité régionale de comté de L'Île-d'Orléans ($vl = $5.56/m^2$)		
Sainte-Famille-de-l'Île-d'Orléans	1.2	1.4
Sainte-Pétronille	1.2	1.4
Saint-François-de-l'Île-d'Orléans	1.2	1.4
Saint-Jean-de-l'Île-d'Orléans	1.2	1.4
Saint-Laurent-de-l'Île-d'Orléans	1.2	1.4
Saint-Pierre-de-l'Île-d'Orléans	1.2	1.4
Municipalité régionale de comté de L'Islet ($vl = $1.31/m^2$)		
L'Islet	0.3	0.8
Saint-Adalbert	0.3	0.8
Saint-Aubert	0.3	0.8
Saint-Cyrille-de-Lessard	0.3	0.8
Saint-Damase-de-L'Islet	0.3	0.8
Sainte-Félicité	0.3	0.8
Sainte-Louise	0.3	0.8
Sainte-Perpétue	0.3	0.8
Saint-Jean-Port-Joli	0.3	0.8
Saint-Marcel	0.3	0.8
Saint-Omer	0.3	0.8
Saint-Pamphile	0.3	0.8
Saint-Roch-des-Aulnaies	0.3	0.8
Tourville	0.3	0.8
Agglomération de Longueuil ($vl = $26.15/m^2$)		
Boucherville	2	2
Brossard	2	2
Longueuil	2	2
Saint-Bruno-de-Montarville	2	2
Saint-Lambert	2	2
Municipalité régionale de comté de Lotbinière ($vl = $8.45/m^2$)		
Dosquet	1	1
Laurier-Station	1	1
Leclercville	1	1
Lotbinière	1	1
Notre-Dame-du-Sacré-Coeur-d'Issoudun	1	1
Saint-Agapit	1	1
Saint-Antoine-de-Tilly	1	1
Saint-Apollinaire	1	1
Sainte-Agathe-de-Lotbinière	1	1

Sainte-Croix	1	1
Saint-Édouard-de-Lotbinière	1	1
Saint-Flavien	1	1
Saint-Gilles	1	1
Saint-Janvier-de-Joly	1	1
Saint-Narcisse-de-Beaurivage	1	1
Saint-Patrice-de-Beaurivage	1	1
Saint-Sylvestre	1	1
Val-Alain	1	1
Municipalité régionale de comté de Manicouagan (vl = $0.08/m^2)		
Baie-Comeau	0.3	0.8
Baie-Trinité	0.3	0.8
Chute-aux-Outardes	0.3	0.8
Franquelin	0.3	0.8
Godbout	0.3	0.8
Pessamit (Indian reserve)	0.3	0.8
Pointe-aux-Outardes	0.3	0.8
Pointe-Lebel	0.3	0.8
Ragueneau	0.3	0.8
Municipalité régionale de comté de Marguerite-D'Youville (vl = $10.87/m^2)		
Calixa-Lavallée	1.6	1.6
Contrecoeur	1.6	1.6
Saint-Amable	1.6	1.6
Sainte-Julie	1.6	1.6
Varennes	1.6	1.6
Verchères	1.2	1.4
Municipalité régionale de comté de Maria-Chapdelaine (vl = $1.95/m^2)		
Albanel	0.1	0.8
Dolbeau-Mistassini	0.1	0.8
Girardville	0.1	0.8
Rivière-Mistassini	0.1	0.8
Normandin	0.1	0.8
Notre-Dame-de-Lorette	0.1	0.8
Passes-Dangereuses	0.1	0.8
Péribonka	0.1	0.8
Saint-Augustin	0.1	0.8
Saint-Edmond-les-Plaines	0.1	0.8
Sainte-Jeanne-d'Arc	0.1	0.8
Saint-Eugène-d'Argentenay	0.1	0.8
Saint-Stanislas	0.1	0.8
Saint-Thomas-Didyme	0.1	0.8

Municipalité régionale de comté de Maskinongé ($vl = \$0.50/m^2$)		
Charette	0.3	0.8
Louiseville	0.3	0.8
Maskinongé	0.3	0.8
Saint-Alexis-des-Monts	0.3	0.8
Saint-Barnabé	0.3	0.8
Saint-Boniface	0.3	0.8
Sainte-Angèle-de-Prémont	0.3	0.8
Saint-Édouard-de-Maskinongé	0.3	0.8
Saint-Élie-de-Caxton	0.3	0.8
Saint-Étienne-des-Grès	0.3	0.8
Sainte-Ursule	0.3	0.8
Saint-Justin	0.3	0.8
Saint-Léon-le-Grand	0.3	0.8
Saint-Mathieu-du-Parc	0.3	0.8
Saint-Paulin	0.3	0.8
Saint-Sévère	0.3	0.8
Yamachiche	0.3	0.8
Municipalité régionale de comté de Matawinie ($vl = \$0.17/m^2$)		
Baie-Atibenne	0.3	0.8
Baie-de-la-Bouteille	0.3	0.8
Baie-Obaoca	0.3	0.8
Chertsey	0.3	0.8
Entrelacs	0.3	0.8
Lac-Cabasta	0.3	0.8
Lac-des-Dix-Milles	0.3	0.8
Lac-Devenyns	0.3	0.8
Lac-du-Taureau	0.3	0.8
Lac-Legendre	0.3	0.8
Lac-Matawin	0.3	0.8
Lac-Minaki	0.3	0.8
Lac-Santé	0.3	0.8
Manawan (Indian reserve)	0.3	0.8
Notre-Dame-de-la-Merci	0.3	0.8
Rawdon	0.3	0.8
Saint-Alphonse-Rodriguez	0.3	0.8
Saint-Côme	0.3	0.8
Saint-Damien	0.3	0.8
Saint-Donat	0.3	0.8
Sainte-Béatrix	0.3	0.8
Sainte-Émélie-de-l'Énergie	0.3	0.8
Sainte-Marcelline-de-Kildare	0.3	0.8
Saint-Félix-de-Valois	0.3	0.8

Saint-Guillaume-Nord	0.3	0.8
Saint-Jean-de-Matha	0.3	0.8
Saint-Michel-des-Saints	0.3	0.8
Saint-Zénon	0.3	0.8
Municipalité régionale de comté de Mékinac (vl = $2.96/m²)		
Grandes-Piles	0.3	0.8
Hérouxville	0.3	0.8
Lac-aux-Sables	0.3	0.8
Lac-Boulé	0.3	0.8
Lac-Masketsi	0.3	0.8
Lac-Normand	0.3	0.8
Notre-Dame-de-Montauban	0.3	0.8
Rivière-de-la-Savane	0.3	0.8
Saint-Adelphe	0.3	0.8
Sainte-Thècle	0.3	0.8
Saint-Roch-de-Mékinac	0.3	0.8
Saint-Séverin	0.3	0.8
Saint-Tite	0.3	0.8
Trois-Rives	0.3	0.8
Municipalité régionale de comté de Memphrémagog (vl = $2.05/m²)		
Austin	0.3	0.8
Ayer's Cliff	0.3	0.8
Bolton-Est	0.3	0.8
Eastman	0.3	0.8
Hatley (municipality)	0.3	0.8
Hatley (township)	0.3	0.8
Magog	0.3	0.8
North Hatley	0.3	0.8
Ogden	0.3	0.8
Orford	0.3	0.8
Potton	0.3	0.8
Saint-Benoît-du-Lac	0.3	0.8
Sainte-Catherine-de-Hatley	0.3	0.8
Saint-Étienne-de-Bolton	0.3	0.8
Stanstead (town)	0.3	0.8
Stanstead (township)	0.3	0.8
Stukely-Sud	0.3	0.8
Municipalité régionale de comté de Minganie (vl = $0.01/m²)		
Aguanish	0.1	0.8
Baie-Johan-Beetz	0.1	0.8
Havre-Saint-Pierre	0.1	0.8
L'Île-d'Anticosti	0.1	0.8

Longue-Pointe-de-Mingan	0.1	0.8
Mingan (Indian reserve)	0.1	0.8
Natashquan	0.1	0.8
Nutashkuan (Indian reserve)	0.1	0.8
Rivière-au-Tonnerre	0.1	0.8
Rivière-Saint-Jean	0.1	0.8
Ville de Mirabel ($vl = $14.79/m^2$)		
Mirabel	1.6	1.6
Municipalité régionale de comté de Montcalm ($vl = $4.62/m^2$)		
Saint-Alexis	1	1
Saint-Calixte	1	1
Sainte-Julienne	1	1
Sainte-Marie-Salomé	1	1
Saint-Esprit	1	1
Saint-Jacques	1	1
Saint-Liguori	1	1
Saint-Lin - Laurentides	1	1
Saint-Roch-de-l'Achigan	1	1
Saint-Roch-Ouest	1	1
Municipalité régionale de comté de Montmagny ($vl = $1.95/m^2$)		
Berthier-sur-Mer	0.3	0.8
Cap-Saint-Ignace	0.3	0.8
Lac-Frontière	0.3	0.8
Montmagny	0.3	0.8
Notre-Dame-du-Rosaire	0.3	0.8
Saint-Antoine-de-l'Isle-aux-Grues	0.3	0.8
Sainte-Apolline-de-Patton	0.3	0.8
Sainte-Euphémie-sur-Rivière-du-Sud	0.3	0.8
Sainte-Lucie-de-Beauregard	0.3	0.8
Saint-Fabien-de-Panet	0.3	0.8
Saint-François-de-la-Rivière-du-Sud	0.3	0.8
Saint-Just-de-Bretenières	0.3	0.8
Saint-Paul-de-Montminy	0.3	0.8
Saint-Pierre-de-la-Rivière-du-Sud	0.3	0.8
Urban agglomeration of Montréal ($vl = $162.98/m^2$)		
Baie-D'Urfé	2	2
Beaconsfield	2	2
Côte-Saint-Luc	2	2
Dollard-Des Ormeaux	2	2
Dorval	2	2
Hampstead	2	2
Kirkland	2	2

L'Île-Dorval	2	2
Montréal	2	2
Montréal-Est	2	2
Montréal-Ouest	2	2
Mont-Royal	2	2
Pointe-Claire	2	2
Sainte-Anne-de-Bellevue	2	2
Senneville	2	2
Westmount	2	2
Municipalité régionale de comté de Nicolet-Yamaska ($vl = \$4.59/m^2$)		
Aston-Jonction	1.2	1.4
Baie-du-Febvre	1.2	1.4
Grand-Saint-Esprit	1.2	1.4
La Visitation-de-Yamaska	1.2	1.4
Nicolet	1.2	1.4
Odanak (Indian reserve)	1.2	1.4
Pierreville	1.2	1.4
Saint-Célestin (village)	1.2	1.4
Saint-Célestin (municipality)	1.2	1.4
Sainte-Eulalie	1.2	1.4
Saint-Elphège	1.2	1.4
Sainte-Monique	1.2	1.4
Sainte-Perpétue	1.2	1.4
Saint-François-du-Lac	1.2	1.4
Saint-Léonard-d'Aston	1.2	1.4
Saint-Wenceslas	1.2	1.4
Saint-Zéphirin-de-Courval	1.2	1.4
Municipalité régionale de comté de Papineau ($vl = \$0.53/m^2$)		
Boileau	0.3	0.8
Bowman	0.3	0.8
Chénéville	0.3	0.8
Duhamel	0.3	0.8
Fassett	0.3	0.8
Lac-des-Plages	0.3	0.8
Lac-Simon	0.3	0.8
Lochaber	0.3	0.8
Lochaber-Partie-Ouest	0.3	0.8
Mayo	0.3	0.8
Montebello	0.3	0.8
Montpellier	0.3	0.8
Mulgrave-et-Derry	0.3	0.8
Namur	0.3	0.8
Notre-Dame-de-Bonsecours	0.3	0.8

Notre-Dame-de-la-Paix	0.3	0.8
Papineauville	0.3	0.8
Plaisance	0.3	0.8
Ripon	0.3	0.8
Saint-André-Avellin	0.3	0.8
Saint-Émile-de-Suffolk	0.3	0.8
Saint-Sixte	0.3	0.8
Thurso	0.3	0.8
Val-des-Bois	0.3	0.8
Municipalité régionale de comté de Pierre-De Saurel (vl = $7.05/m^2)		
Massueville	1.2	1.4
Saint-Aimé	1.2	1.4
Saint-David	1.2	1.4
Sainte-Anne-de-Sorel	1.2	1.4
Sainte-Victoire-de-Sorel	1.2	1.4
Saint-Gérard-Majella	1.2	1.4
Saint-Joseph-de-Sorel	1.2	1.4
Saint-Ours	1.2	1.4
Saint-Robert	1.2	1.4
Saint-Roch-de-Richelieu	1.2	1.4
Sorel-Tracy	1.2	1.4
Yamaska	1.2	1.4
Municipalité régionale de comté de Pontiac (vl = $0.26/m^2)		
Alleyn-et-Cawood	0.3	0.8
Bristol	0.3	0.8
Bryson	0.3	0.8
Campbell's Bay	0.3	0.8
Chichester	0.3	0.8
Clarendon	0.3	0.8
Fort-Coulonge	0.3	0.8
Lac-Nilgaut	0.3	0.8
L'Île-du-Grand-Calumet	0.3	0.8
L'Isle-aux-Allumettes	0.3	0.8
Litchfield	0.3	0.8
Mansfield-et-Pontefract	0.3	0.8
Otter Lake	0.3	0.8
Portage-du-Fort	0.3	0.8
Rapides-des-Joachims	0.3	0.8
Shawville	0.3	0.8
Sheenboro	0.3	0.8
Thorne	0.3	0.8
Waltham	0.3	0.8

Municipalité régionale de comté de Portneuf ($vl = \$3.60/m^2$)		
Cap-Santé	0.3	0.8
Deschambault-Grondines	0.3	0.8
Donnacona	0.3	0.8
Lac-Blanc	0.3	0.8
Lac-Lapeyrère	0.3	0.8
Lac-Sergent	0.3	0.8
Linton	0.3	0.8
Neuville	0.3	0.8
Pont-Rouge	0.3	0.8
Portneuf	0.3	0.8
Rivière-à-Pierre	0.3	0.8
Saint-Alban	0.3	0.8
Saint-Basile	0.3	0.8
Saint-Casimir	0.3	0.8
Sainte-Christine-d'Auvergne	0.3	0.8
Saint-Gilbert	0.3	0.8
Saint-Léonard-de-Portneuf	0.3	0.8
Saint-Marc-des-Carrières	0.3	0.8
Saint-Raymond	0.3	0.8
Saint-Thuribe	0.3	0.8
Saint-Ubalde	0.3	0.8
Urban agglomeration of Québec ($vl = \$22.9/m^2$)		
L'Ancienne-Lorette	2	2
Notre-Dame-des-Anges	2	2
Québec	2	2
Saint-Augustin-de-Desmaures	2	2
Wendake (Indian reserve)	2	2
Municipalité régionale de comté de Rimouski-Neigette ($vl = \$2.77/m^2$)		
Esprit-Saint	0.3	0.8
La Trinité-des-Monts	0.3	0.8
Lac-Huron	0.3	0.8
Rimouski	0.3	0.8
Saint-Anaclet-de-Lessard	0.3	0.8
Saint-Eugène-de-Ladrière	0.3	0.8
Saint-Fabien	0.3	0.8
Saint-Marcellin	0.3	0.8
Saint-Narcisse-de-Rimouski	0.3	0.8
Saint-Valérien	0.3	0.8

Municipalité régionale de comté de Rivière-du-Loup ($vl = \$2.66/m^2$)		
Cacouna (municipality)	0.3	0.8
Cacouna (Indian reserve)	0.3	0.8
L'Isle-Verte	0.3	0.8
Notre-Dame-des-Sept-Douleurs	0.3	0.8
Notre-Dame-du-Portage	0.3	0.8
Rivière-du-Loup	0.3	0.8
Saint-Antonin	0.3	0.8
Saint-Arsène	0.3	0.8
Saint-Cyprien	0.3	0.8
Saint-Épiphane	0.3	0.8
Saint-François-Xavier-de-Viger	0.3	0.8
Saint-Hubert-de-Rivière-du-Loup	0.3	0.8
Saint-Modeste	0.3	0.8
Saint-Paul-de-la-Croix	0.3	0.8
Whitworth (Indian reserve)	0.3	0.8
Municipalité régionale de comté de Robert-Cliche ($vl = \$3.67/m^2$)		
Beauceville	0.3	0.8
Saint-Alfred	0.3	0.8
Saint-Frédéric	0.3	0.8
Saint-Joseph-de-Beauce	0.3	0.8
Saint-Joseph-des-Érables	0.3	0.8
Saint-Jules	0.3	0.8
Saint-Odilon-de-Cranbourne	0.3	0.8
Saint-Séverin	0.3	0.8
Saint-Victor	0.3	0.8
Tring-Jonction	0.3	0.8
Municipalité régionale de comté de Roussillon ($vl = \$15.78/m^2$)		
Candiac	2	2
Châteauguay	2	2
Delson	2	2
Kahnawake (Indian reserve)	2	2
La Prairie	2	2
Léry	2	2
Mercier	2	2
Saint-Constant	2	2
Sainte-Catherine	2	2
Saint-Isidore	2	2
Saint-Mathieu	2	2
Saint-Philippe	2	2

Municipalité régionale de comté de Rouville (vl = $4.81/m²)		
Ange-Gardien	1.2	1.4
Marieville	1.2	1.4
Richelieu	1.2	1.4
Rougemont	1.2	1.4
Saint-Césaire	1.2	1.4
Sainte-Angèle-de-Monnoir	1.2	1.4
Saint-Mathias-sur-Richelieu	1.2	1.4
Saint-Paul-d'Abbotsford	1.2	1.4
Ville de Rouyn-Noranda (vl = $4.14/m²)		
Rouyn-Noranda	0.1	0.8
Ville de Saguenay (vl = $6.10/m²)		
Saguenay	1.6	1.6
Municipalité régionale de comté de Sept-Rivières (vl = $0.05/m²)		
Maliotenam (Indian reserve)	0.3	0.8
Port-Cartier	0.3	0.8
Sept-Îles	0.3	0.8
Uashat (Indian reserve)	0.3	0.8
Ville de Shawinigan (vl = $1.70/m²)		
Shawinigan	0.3	0.8
Ville de Sherbrooke (vl = $6.55/m²)		
Sherbrooke	2	2
Municipalité régionale de comté de Témiscamingue (vl = $0.08/m²)		
Béarn	0.3	0.8
Belleterre	0.3	0.8
Duhamel-Ouest	0.3	0.8
Fugèreville	0.3	0.8
Guérin	0.3	0.8
Hunter's Point (Indian reserve)	0.3	0.8
Kebaowek (Indian reserve)	0.3	0.8
Kipawa	0.3	0.8
Laforce	0.3	0.8
Laniel	0.3	0.8
Latulipe-et-Gaboury	0.3	0.8
Laverlochère-Angliers	0.3	0.8
Les Lacs-du-Témiscamingue	0.3	0.8
Lorrainville	0.3	0.8
Moffet	0.3	0.8
Nédélec	0.3	0.8

Notre-Dame-du-Nord	0.3	0.8
Rémigny	0.3	0.8
Saint-Bruno-de-Guigues	0.3	0.8
Saint-Édouard-de-Fabre	0.3	0.8
Saint-Eugène-de-Guigues	0.3	0.8
Témiscaming	0.3	0.8
Timiskaming (Indian reserve)	0.3	0.8
Ville-Marie	0.3	0.8
Winneway (Indian reserve)	0.3	0.8
Municipalité régionale de comté de Témiscouata (vl = $0.48/m^2)		
Auclair	0.3	0.8
Biencourt	0.3	0.8
Dégelis	0.3	0.8
Lac-des-Aigles	0.3	0.8
Lejeune	0.3	0.8
Packington	0.3	0.8
Pohénégamook	0.3	0.8
Rivière-Bleue	0.3	0.8
Saint-Athanase	0.3	0.8
Saint-Elzéar-de-Témiscouata	0.3	0.8
Saint-Eusèbe	0.3	0.8
Saint-Honoré-de-Témiscouata	0.3	0.8
Saint-Jean-de-la-Lande	0.3	0.8
Saint-Juste-du-Lac	0.3	0.8
Saint-Louis-du-Ha! Ha!	0.3	0.8
Saint-Marc-du-Lac-Long	0.3	0.8
Saint-Michel-du-Squatec	0.3	0.8
Saint-Pierre-de-Lamy	0.3	0.8
Témiscouata-sur-le-Lac	0.3	0.8
Municipalité régionale de comté de Thérèse-De Blainville (vl = $17.14/m^2)		
Blainville	2	2
Boisbriand	2	2
Bois-des-Filion	2	2
Lorraine	2	2
Rosemère	2	2
Sainte-Anne-des-Plaines	2	2
Sainte-Thérèse	2	2
Ville de Trois-Rivières (vl = $9.13/m^2)		
Trois-Rivières	2	2

Municipalité régionale de comté de Vaudreuil-Soulanges (vl = $9.25/m^2)		
Coteau-du-Lac	1.6	1.6
Hudson	1.6	1.6
Les Cèdres	1.6	1.6
Les Coteaux	1.6	1.6
L'Île-Cadieux	1.6	1.6
L'Île-Perrot	1.6	1.6
Notre-Dame-de-l'Île-Perrot	1.6	1.6
Pincourt	1.6	1.6
Pointe-des-Cascades	1.6	1.6
Pointe-Fortune	1.6	1.6
Rigaud	1.6	1.6
Rivière-Beaudette	1.6	1.6
Saint-Clet	1.6	1.6
Sainte-Justine-de-Newton	1.6	1.6
Sainte-Marthe	1.6	1.6
Saint-Lazare	1.6	1.6
Saint-Polycarpe	1.6	1.6
Saint-Télesphore	1.6	1.6
Saint-Zotique	1.6	1.6
Terrasse-Vaudreuil	1.6	1.6
Très-Saint-Rédempteur	1.6	1.6
Vaudreuil-Dorion	1.6	1.6
Vaudreuil-sur-le-Lac	1.6	1.6

* For the purpose of this Schedule, the term “Indian reserve” refers to a reserve within the meaning of the Indian Act (R.S.C. 1985, c. I-5), an Indian establishment and the Kanesatake Mohawk interim land base within the meaning of the Kanesatake Interim Land Base Governance Act (S.C. 2001, c. 8).”.

REGULATION RESPECTING SAND PITS AND QUARRIES

13. The Regulation respecting sand pits and quarries (chapter Q-2, r. 7.1), as amended by section 3 of the Regulation to amend the Regulation respecting sand pits and quarries, made by Order in Council 871-2020 dated 19 August 2020, is amended in section 20 by replacing “section 344” in the fourth paragraph by “sections 343.2 and 344”.

REGULATION RESPECTING THE REGULATORY SCHEME APPLYING TO ACTIVITIES ON THE BASIS OF THEIR ENVIRONMENTAL IMPACT

14. The Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 871-2020 dated 19 August 2020, is amended in section 4 by adding the following at the end:

"(14) bioclimatic domains are those referred to in Schedule III.".

15. Section 24 is amended by replacing subparagraph 1 in the first paragraph by the following:

"(1) maintenance work on a watercourse is work

(*a*) to maintain it in a functional hydraulic and ecological state by

i. maintaining or restoring the watercourse to a dynamic balance, as reflected in a hydraulic geometry adapted to the conditions of the watershed; or

ii. maintaining or re-establishing the ecological functions of the watercourse;

(*b*) carried out by cleaning;

(*c*) ensuring proper management of vegetation and sediments in the littoral zone or on a riverbank, lakeshore or floodplain;".

16. Section 51 is amended, in subparagraph 6 of the first paragraph,

(1) by striking out "cannabis,";

(2) by inserting "raised in wetlands and bodies of water and crops" after "crops".

17. Section 132 is replaced by the following:

"**132.** This Division applies to the cultivation of non-aquatic plants and mushrooms in a building or greenhouse."

18. Section 133 is amended by inserting ", other than cannabis," after "plants" in paragraph 2.

19. Section 134 is revoked.

20. Section 135 is amended by replacing the first paragraph by the following:

"The cultivation of non-aquatic plants, other than cannabis, or of mushrooms in a building or greenhouse, carried on by an operator on a total area of more than 10,000 m2 but less than 50,000 m2, is eligible for a declaration of compliance on the condition that all wastewater discharged into the environment is stored in a watertight container before being spread on a cultivated parcel in accordance with an agri-environmental fertilization plan, or before being eliminated.".

21. Section 136 is amended

(1) by replacing “All activities involved in the” by “The”;

(2) by striking out the letter “s” at the end of the word “exercées” in the French text.

22. Section 137 is renumbered 340.1.

23. Section 138 is revoked.

24. Section 139 is renumbered 345.1.

25. Section 328 is amended by adding the following paragraph at the end:

“For the construction of a building used for maple syrup production as part of a forest development activity in a wooded wetland, the conditions set out in subparagraphs 2 and 3 of the first paragraph do not apply but the area of the building must not exceed 100 m^2.”.

26. Section 341 is amended by adding the following at the end:

“(6) the cultivation of non-aquatic plants or mushrooms and tree-clearing work to prepare the land for cultivation.”.

27. The following is inserted before section 342:

“§ 1. — *General provision*”.

28. The following is inserted before section 343:

“§ 2. — *Activities eligible for a declaration of compliance*”.

29. The following is inserted after section 343:

“**343.1.** Tree-clearing work to prepare the land for cultivation, and the subsequent cultivation of non-aquatic plants or mushrooms, are eligible for a declaration of compliance when carried out in a wooded wetland with an area of not more than 10 ha, on the following conditions:

(1) the activity is carried out outside the sugar maple-bitternut hickory and sugar maple-basswood bioclimatic domains;

(2) the activity is carried out more than 100 m from an open peat bog.

In addition to the elements provided for in section 41, a declaration of compliance under the first paragraph must include a declaration from an agronomist attesting that the activity complies with the conditions applicable under this Division and the conditions, if any, provided for by regulation.

343.2. An activity carried out in a wetland of more than 1,000 m2 but less than 3,000 m2 in area, of human origin, is eligible for a declaration of compliance on the following conditions:

(1) the activity is carried out outside the sugar maple-bitternut hickory bioclimatic domain;

(2) the activity is carried out more than 30 m from any other wetland and from the littoral zone;

(3) the wetland has been present for at least 10 years;

(4) the wetland does not result from work performed under a program to promote the restoration and creation of wetlands and bodies of water drawn up pursuant to the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2) or work performed in accordance with the Regulation respecting compensation for adverse effects on wetlands and bodies of water (chapter Q-2, r. 9.1).".

"§ 3. — *Exempted activities*".

30. Section 345 is amended by adding the following at the end:

"(4) in connection with a forest development activity carried out in a wooded wetland, the burying of pipes to carry sap and the associated wires.".

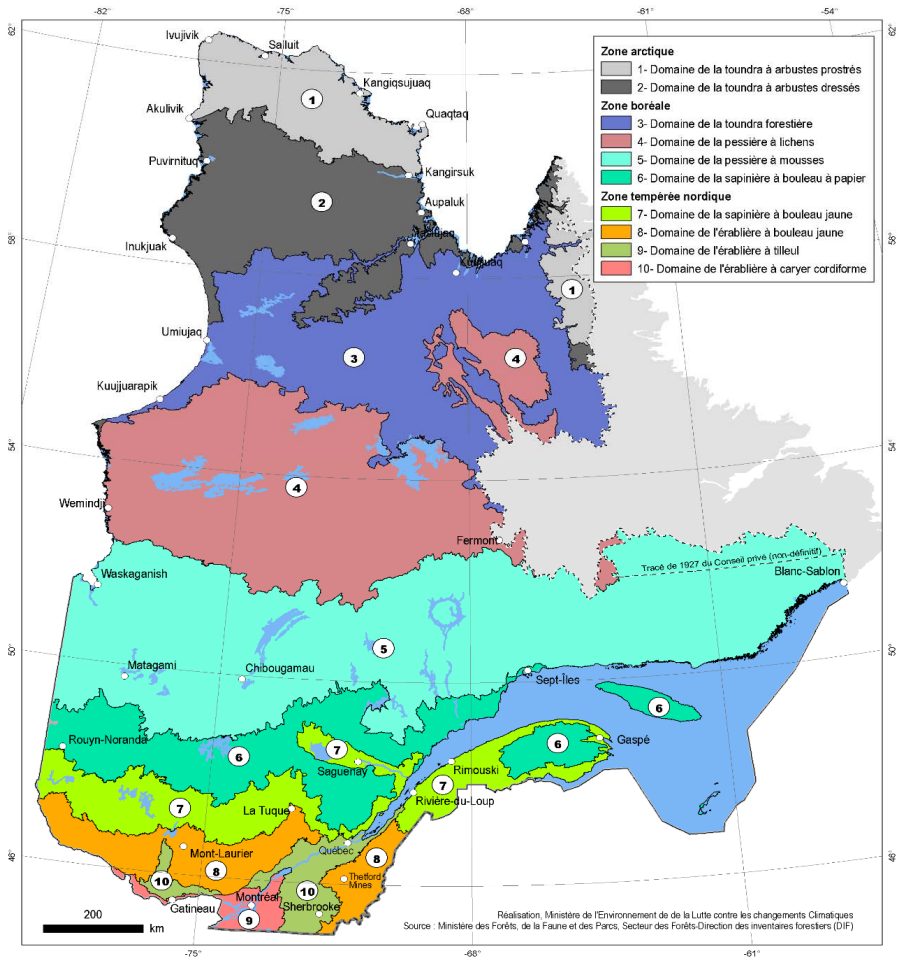
31. The following is added at the end:

“**SCHEDULE III –**
(*section 4*)

BIOCLIMATIC DOMAINS

When an activity is carried out in the territory of a municipality that overlaps more than one bioclimatic domain, the bioclimatic domain applicable to the activity is the domain that represents the largest part of the territory of the municipality.

Zones de végétation et domaines bioclimatiques du Québec



».

TRANSITIONAL AND FINAL

32. Every application for the issuance, amendment or renewal of an authorization filed with the Minister under the Environment Quality Act (chapter Q-2) that are pending on (*insert the date of coming into force of this Regulation*) are continued and decided in accordance with the Regulation respecting compensation for adverse effects on wetlands and bodies of water (chapter Q-2, r. 9.1) as amended by this Regulation.

33. A person or municipality that, before (*insert the date of coming into force of this Regulation*), is awaiting the issuance, amendment or renewal of an authorization under the Environment Quality Act (chapter Q-2) for an activity that, on or after date, is eligible for a declaration of compliance may file a declaration of compliance with the Minister for that activity.

Any documents required for a declaration of compliance that were previously filed for the application for authorization, amendment or renewal need not be re-filed.

The fee payable for the declaration of compliance need not be paid if the fee payable for the application for authorization, amendment or renewal has been deposited.

34. Every application for the issuance, amendment or renewal of an authorization filed with the Minister under the Environment Quality Act (chapter Q-2) before (*insert the date of coming into force of this Regulation*) for an activity that, on or after that date, is exempted, is continued and decided solely with respect to the activities that remain subject to ministerial authorization or an amendment of authorization pursuant to that Act.

The fee payable for the part of the application concerning an exempted activity may be refunded on request.

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

105153

Notice

Act respecting land use planning and development (chapter A-19.1)

Declaration of a special planning zone to permit the development and the continued operation of an engineered landfill on certain lots situated in the territory of Ville de Drummondville

Notice is hereby given that, under section 158 of the Act respecting land use planning and development (chapter A-19.1), the Government may make the Draft Order respecting the declaration of a special planning zone to permit the development and the continued operation of an engineered landfill on certain lots situated in the territory of Ville de Drummondville, appearing below, upon completion of the consultation mentioned below.

Under section 161 of the Act, a special planning zone order may be passed only if a draft order has been previously published in the *Gazette officielle du Québec* and notified to each responsible body or municipality concerned.

Under the first paragraph of section 163 of the Act, before the adoption of the order, the Minister or the Minister's representative must hold a consultation on the content of the draft order.

Further information on the draft Order may be obtained by contacting Martin Létourneau, Director, Direction des matières résiduelles, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 4705; email: martin.letourneau@environnement.gouv.qc.ca.

Benoît Charette
Minister of the Environment and the Fight Against Climate Change

Draft Order

Declaration of a special planning zone to permit the development and the continued operation of an engineered landfill on certain lots situated in the territory of Ville de Drummondville

Whereas, under sections 158 and 159 of the Act respecting land use planning and development (chapter A-19.1), the Government may, by order, declare any part of the territory of Québec to be a special planning zone for the purpose of solving a development or environmental problem whose urgency or seriousness, in the opinion of the Government, warrants its intervention;

Whereas the Saint-Nicéphore engineered landfill, situated in the territory of Ville de Drummondville, is to reach its maximum authorized capacity in the month of September 2021;

Whereas, by Décret 993-2020 dated 23 September 2020, the Government issued an authorization to WM Québec inc. for the continued operation, up to a maximum of 10 years, of the expansion project for the Saint-Nicéphore engineered landfill in the territory of Ville de Drummondville;

Whereas the zoning by-laws of Ville de Drummondville do not allow an engineered landfill to be operated on certain lots situated in the territory of Ville de Drummondville that are included within the perimeter of the project referred to by Décret 993-2020 dated 23 September 2020;

Whereas it is not possible to send all of the residual materials currently eliminated at the Saint-Nicéphore engineered landfill to other engineered landfills;

Whereas the closure of the Saint-Nicéphore engineered landfill and the impossibility of sending all of the residual materials to other engineered landfills could considerably affect public sanitation;

Whereas the Government is of the opinion that the circumstances expose an environmental problem whose seriousness warrants its intervention;

Whereas, in accordance with the second paragraph of section 267 of the Act respecting land use planning and development, the Minister of Municipal Affairs and Housing authorized the Minister of the Environment and the Fight Against Climate Change to exercise the powers and perform the duties granted to the Minister under sections 158 to 165 of the Act for the purpose of declaring this special planning zone;

It is ordered, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

That the territory corresponding to lots 3 920 256, 3 920 261, 3 920 262, 3 920 263 and 5 894 954 of the cadastre du Québec, registration division of Drummond, be declared a special planning zone;

That the objectives pursued be the following:

(1) preserve public sanitation from the consequences of the Saint-Nicéphore engineered landfill closing;

(2) avoid a serious problem with regard to the management and elimination of residual materials in Québec;

THAT the following land use planning and development controls apply within the perimeter of the special planning zone:

(1) the operation of an engineered landfill is permitted;

(2) any intervention necessary or incidental to the development or operation of an engineered landfill is permitted;

(3) for the purposes of paragraph 2, an intervention includes any activity, construction, alteration, addition, demolition or installation, or any new use of land;

(4) the development standards contained in any instrument of a local municipality or a regional county municipality, including any interim control measure, remain applicable to the extent that the standards are compatible with the controls provided for by this Order, which excludes, in particular, any municipal standard that would

(a) prevent an intervention referred to in paragraph 2;

(b) subject such an intervention to a municipal authorization;

(5) any intervention referred to in paragraph 2 is subject to the authorization of the Minister of the Environment and the Fight Against Climate Change;

(6) the Minister issues an authorization if the Minister is of the opinion that the proposed intervention complies with the applicable land use planning and development controls;

(7) the Minister may consult Ville de Drummondville and Municipalité régionale de comté de Drummond before issuing an authorization under paragraph 6;

THAT the Minister of the Environment and the Fight Against Climate Change be the authority responsible for the administration of the controls provided for by this Order;

THAT the controls provided for by this Order may be amended or revoked by an order of the Minister of the Environment and the Fight Against Climate Change published in the *Gazette officielle du Québec*.

105155

Draft Regulation

Act respecting municipal taxation
(chapter F-2.1)

Form and minimum content of various documents relative to municipal taxation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the form and minimum content of various documents relative to municipal taxation, appearing below, may be made by the Minister of Municipal Affairs and Housing on the expiry of 45 days following this publication.

The draft Regulation makes mainly consequential amendments to the minimum content of the notice of assessment required by the amendments made by the Act mainly to control the cost of the farm property tax and to simplify access to the farm property tax credit (2020, chapter 7). The amendments concern the terms governing the registration of agricultural operations, the determination of the maximum taxable value of the land of such an operation, and the introduction of a new category of forest immovables to the Act respecting municipal taxation (chapter F-2.1) concerning land the forest area of which is registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1).

It also provides for other amendments to the minimum content of the notice of assessment and the notice of alteration, the publication of the Manuel d'évaluation foncière du Québec, and the consequential amendments required by the changes in the organization and governance of school boards that became school service centres.

Further information on the draft Regulation may be obtained by contacting Nicolas Bouchard, Direction générale de la fiscalité et de l'évaluation foncière, Ministère des Affaires municipales et de l'Habitation, 10, rue Pierre-Olivier-Chauveau, aile Tour, 5e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 83817; email: nicolas.bouchard@mamh.gouv.qc.ca.

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

ANDRÉE LAFOREST
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

Regulation to amend the Regulation respecting the form and minimum content of various documents relative to municipal taxation

Act respecting municipal taxation
(chapter F 2.1, s. 263, 1st par., subpars. 1 and 2)

1. The Regulation respecting the form and minimum content of various documents relative to municipal taxation (chapter F-2.1, r. 6.1) is amended in section 1 by replacing "by Les Publications du Québec" in the definition of "Manual" by "on the website of the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire".

2. Section 9 is amended

(1) by inserting the following after paragraph 4:

"(4.1) an indication whether or not the unit is made up of land the forest area of which is registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1);".

(2) by replacing paragraph 5 by the following:

"(5) the agricultural zoned area referred to in paragraph 3 of a registered agricultural operation referred to in paragraph 4, its area the maximum taxable value of which is determined under section 231.3.1 of the Act, and its total area;

(5.1) the forest area referred to in paragraph 4.1 of a unit included in an agricultural zone referred to in paragraph 3 and the total forest area of the unit, except in both cases the part of such land that is used or intended for the purpose of harvesting non-timber forest products and is included in an agricultural operation referred to in paragraph 4;".

(3) by inserting the following after paragraph 6:

"(6.1) the value of the land of an agricultural operation referred to in paragraph 4 and included in an agricultural zone referred to in paragraph 3 whose maximum taxable value is determined under section 231.3 or 231.3.1 of the Act, and the value of the land that exceeds the maximum taxable value;".

(4) by inserting "4.1," after "paragraphs 2, 4," in paragraph 15;

(5) by inserting the following after paragraph 17:

"(17.1) a reference to the legislative provision under which a maximum taxable value is applicable for the purpose of computing any property tax imposed on the whole territory of a municipality;".

3. Section 18 is amended by inserting "and, if they are not mentioned under another heading of the account," after "the grant,".

4. Section 19 is amended by inserting the following after paragraph 3:

"(3.1) the number of the notice of alteration;".

5. Schedule V is amended

(1) by inserting "Registered forest area" after "Registered agricultural operation" in the "Display name" column of the "Characteristics of the unit of assessment" section;

(2) in the "Display name" column of the "Registered agricultural operation (RAO)*" section

(a) by replacing "RAO zoned area*" by "Agricultural zoned area";

(b) by replacing "Total area of RAO*" by "Total area*";

(c) by inserting "Area subject to maximum taxation*" after "Total area of RAO*";

(d) by replacing the words "agricultural zoned" wherever they appear in the display names "Value of the land (RAO and agricultural zoned)*" and "Value of the building (RAO and agricultural zoned)*" by the words "in an agricultural zone";

(3) by inserting the following after the "Registered agricultural operation (RAO)*" section:

"

Registered forest area (RFA)*	Total area*
	Area in an agricultural zone*

";

(4) by replacing "Total taxable value of an RAO for school purposes*" in the "Display name" column of the "Tax breakdown" section by "Tax breakdown of the value of an RAO for school purposes*".

6. Schedule I is replaced by the attached Schedule I.

7. Schedules IX and XIV are amended by inserting ", as the case may be, the school service centre or" after "local municipality or" in the second paragraph of the second heading.

8. Until the date of coming into force of the first regulation made by the Government under section 231.3.1 of the Act respecting municipal taxation (chapter F-2.1), for the purpose of computing any municipal property tax imposed on the whole territory of a municipality, a reference to that section under section 9 of the Regulation respecting the form and minimum content of various documents relative to municipal taxation (chapter F-2.1 r. 6.1), as amended by section 2 of this Regulation, is a reference to section 38 of the Act mainly to control the cost of the farm property tax and to simplify access to the farm property tax credit (2020, chapter 7).

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

(1) section 1, which comes into force on 1 November 2021;

(2) sections 2, 4, 5 and 8, which come into force on 1 July 2022.

ANNEXE I

(a. 3)

APPLICATION FOR REVIEW IN RESPECT OF THE PROPERTY ASSESSMENT ROLL

Québec

Administrative review of municipal property assessment

The property assessment roll

IMPORTANT – Read the instructions below carefully before completing the application for review.

1. What is an administrative review?

The Act respecting municipal taxation (sections 124 to 138.4) provides for an administrative review of any entry on the property assessment roll where an application for review has been filed. The review is provided to correct errors or omissions that escaped the notice of the assessor of the municipal body responsible for assessment concerned.

The assessor seized of an admissible application for review (see question No. 4) must assess the merits of the contestation. Depending on the nature and accuracy of the grounds invoked in the application, the assessor may proceed with the review by means the assessor deems appropriate. During that review, the assessor may, in particular,

1. verify the various calculation parameters that resulted in the establishment of the value; and
2. meet with the applicant or visit the immovable concerned.

2. Who may apply for review?

Any person having an interest in contesting the correctness, existence or absence of an entry on the property assessment roll relative to a unit of assessment the person or another person owns, may file an application for review in that regard with the municipal body responsible for assessment concerned.

A person bound to pay tax or compensation to the local municipality or, as the case may be, the school service centre or the school board that uses the property assessment roll is deemed to have the interest required to make such an application.

3. Which situations give the right to file an application?

The Act provides for four situations that give the right to apply for a review and sets the time limits for each:

Situations that may lead to an application for review	Time limit set for filing the application
1. **Deposit of the property assessment roll,** followed by the sending of a notice of assessment to the owner	Whichever is later: ▪ before 1 May following the coming into force of the assessment roll; ▪ 60 days after the sending of the notice of assessment (120 days in the case of a unit valued at $3,000,000 or more and the roll deposited is not published, from a date included within 60 days following its deposit, on the municipality's website).
2. **Alteration to the roll** made by certificate, followed by the sending of a notice of alteration	Whichever is later: ▪ before 1 May following the coming into force of the assessment roll; ▪ 60 days after the sending of the notice of alteration.
3. **Sending of a notice of correction *ex officio*** to the owner, to inform the owner of a planned correction	Whichever is later: ▪ before 1 May following the coming into force of the assessment roll; ▪ 60 days after the sending of the notice of correction *ex officio*.
4. **Failure of the assessor to make an alteration to the roll,** despite an event provided for by the Act that should have led to such an alteration	Before the end of the fiscal year in which the event justifying the alteration occurred.

4. How to make an application for review?

To be admissible to the municipal body responsible for assessment, an application for review must meet the following conditions:

1. **Be made on the form prescribed for that purpose**, namely, this document;
2. **Be filed at the location determined** by the municipal body responsible for assessment, namely, the location indicated on the notice of assessment or the notice of alteration. The application may also be sent by registered mail to that location, in which case it must be sent according to the same time limits and conditions as those for filing in person. The day of sending of the application is considered to be the date of filing. It is important to keep proof of sending in case of dispute;
3. **Briefly state the grounds** or arguments invoked in support of the application and the conclusions sought. The amount of taxes to be paid does not constitute grounds justifying an alteration to the roll;
4. **Be filed within the time limits set** (see question No. 3). Where an application for review could not be filed due to circumstances of irresistible force, the application may be filed within 60 days after those circumstances cease to exist;
5. **Include the sum of money** determined and applicable to the unit of assessment concerned, if prescribed by a by-law of the municipal body responsible for assessment.

5. What are the steps following the filing of the application?

At the end of the review process, the assessor provides a written reply to the applicant within the time limits indicated in the table below. A time limit also appears in the "For official use only" section on the copy of the application for review handed to the applicant or on the certificate of filing sent to the applicant. The assessor may propose an alteration or alterations to be made to the roll, in which case the applicant has 30 days following the sending of the reply to accept. The assessor may, however, indicate that no alteration will be proposed.

Situations giving the right to file an application	Time limit for assessor to reply
1. Deposit of the property assessment roll (situation No. 1 stated in question No. 3)	1 September following the coming into force of the assessment roll. Since that time limit may be extended to the following 1 April, it is advisable to contact the municipal body responsible for assessment to obtain the applicable time limit.
2. All other cases (situations Nos. 2, 3 and 4 stated in question No. 3)	Whichever is later: ▪ 4 months after the filing of the application; ▪ 1 September following the coming into force of the assessment roll.

6. What happens if there is no agreement?

Any person who has made an application for review and who has not reached an agreement with the assessor may exercise a recourse before the immovable property division of the Administrative Tribunal of Québec. **The recourse must be on the same subjects as the application for review**. To be valid, such a recourse must be exercised

1. by means of a written motion with the Tribunal. A copy of the application for review which was previously filed may be required; and
2. within 60 days after the date of sending of the assessor's reply or, if the assessor has not sent a reply, within 30 days after the time limit the assessor has to reply (see question No. 5).

Definitions

Municipal body responsible for assessment: regional county municipality or local municipality in respect of which a regional county municipality has no jurisdiction over assessment that is responsible for preparing and updating every assessment roll within its jurisdiction and justify its content.

Property assessment roll: public document containing information prescribed by the Act on each immovable situated in the territory of a municipality.

Unit of assessment: the greatest possible aggregate of immovables that: are owned by the same owner or the same group of owners in undivided ownership; are contiguous or would be contiguous if they were not separated by a watercourse, a thoroughfare or a public utility network; are used for a single primary purpose; and can normally and in the short term be transferred only as one whole and not in parts.

Actual value: exchange value of a unit of assessment in the free and open market, that is, the price most likely to be paid at a sale by agreement made in the following conditions:

1. the vendor and the purchaser are willing, respectively, to sell and to purchase the unit of assessment, and they are not compelled to do so;
2. the vendor and the purchaser are reasonably informed of the condition of the unit of assessment, of the use that can most likely be made of it and of conditions in the property market.

Québec

Application for review in respect of the property assessment roll

IMPORTANT – Read the instructions carefully before completing the application for review.

On request, the personnel on duty at the location determined for filing an application for review must assist you in completing the form..

Name of the local municipality on whose roll the unit is entered

Fiscal years to which the roll applies

For official use only

Application number

Value of immovable $

Amount received $

Date of receipt Year Month Day

Geographic code

Signature of officer

Time limit for reply Year Month Day

1. Information on the unit of assessment

Address of the unit of assessment

Number

Name of the public road

Apt. number

Cadastre(s) and lot number(s) (only in the case of a parcel of land without a building or a building without an address)

File number (as entered on the roll or the notice of assessment)

2. Information on the applicant

Given name

Surname or name (of the natural person or the legal person)

Mailing address (if different from the address of the unit of assessment)

Number

Name of the public road

Apt. number

Municipality, province or State, country

Postal code

Daytime telephone number (and extension, if applicable)

Email

The applicant is:

- ◯ the owner of the unit of assessment or one of its co-owners
- ◯ the representative of the owner
- ◯ other, please specify: ⇨

3. Situation at the origin of the application for review

Among the following situations, which is at the origin of this application?

- ◯ Deposit of a new roll
- ◯ Alteration to the roll ⇨ Number of the notice of alteration
- ◯ Alteration not made by the assessor
- ◯ Correction *ex officio* of the roll ⇨ Number of the nottice of correction *ex officio*

4. Subject of and grounds for the application for review

Which entries or omissions are you contesting?

- ◯ The value of the immovable ⇨ $ Actual value according to the applicant, for information
- ◯ Other entry, please specify: ⇨ Nature of the entry concerned and conclusions sought

Grounds invoked in support of the application for review (if necessary, you may attach one or more sheets)

5. Signature of the applicant

Signature | Name of signatory | Date of signing (Year / Month / Day)

Reminder of important information

To be admissible to the municipal body responsible for assessment, an application for review must meet the following conditions:

1. **Be made on the form prescribed for that purpose**, namely, this document. Additional explanatory documents may be attached to the duly completed form;
2. **Be filed at the location determined** by the municipal body responsible for assessment, namely, the location indicated on the notice of assessment or the notice of alteration. The application may also be sent by registered mail to that location, in which case it must be sent according to the same time limits and conditions as those for filing in person. The day of sending of the application is considered to be the date of filing. It is important to keep proof of sending in case of dispute;
3. **Briefly state the grounds** or arguments invoked in support of the application and the conclusions sought. The amount of taxes to be paid does not constitute grounds justifying an alteration to the roll;
4. **Be filed within the time limits set (**see question No. 3 of instructions). Where an application for review could not be filed due to circumstances of irresistible force, the application may be filed within 60 days after those circumstances cease to exist;
5. **Include the sum of money** determined and applicable to the unit of assessment concerned, if prescribed by a by-law of the municipal body responsible for assessment.

At the end of the review process, the assessor of the municipal body responsible for assessment provides a written reply to the applicant within the time limits (see question No. 5 of instructions). The assessor may propose an alteration or alterations to be made to the roll, in which case the applicant has 30 days following the sending of the reply to accept. The assessor may, however, indicate that no alteration will be proposed. Furthermore, in the cases provided for by the Act respecting municipal taxation, an alteration resulting from an agreement between the assessor and the applicant may be contested before the Administrative Tribunal of Québec by other persons directly concerned by the effect of the alteration.

FDR-F-Angl (2021-04)

KEEP A COPY FOR YOUR RECORDS

105148

Draft Regulation

Professional Code
(chapter C-26)

Advocates
— Professional activities that may be engaged in by persons other than advocates

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the professional activities that may be engaged in by persons other than advocates, made by the board of directors of the Barreau du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation mainly allows law students, subject to certain conditions, to give legal advice or consultations on legal matters in a legal clinic established by a professional training school established under the Act respecting the Barreau du Québec or by a university-level educational institution, or in a legal clinic recognized by such an institution, in order to increase the legal service offer in Québec.

The draft Regulation also prescribes the terms and conditions under which a person legally authorized to practise outside Québec the same profession as advocates may engage in certain activities reserved for advocates.

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

Further information on the draft Regulation may be obtained by contacting Mtre. André-Philippe Mallette, assistant secretary of the Order and attorney, legal affairs division, 445, boulevard Saint-Laurent, Montréal (Québec) H2Y 3T8; telephone: 1 800 361-8495, extension 5100; email: apmallette@barreau.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Roxanne Guévin, Secretary, Office des professions du Québec, 800, place D'Youville, 10e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Higher Education and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

Roxanne Guévin
Secretary, Office des professions du Québec

Regulation respecting the professional activities that may be engaged in by persons other than advocates

Act respecting the Barreau du Québec
(chapter B-1, s. 128.1, 2nd par.)

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *h*)

DIVISION I
OBJECT

1. The object of this Regulation is to determine the terms and conditions according to which the following persons may engage in, as the case may be, the professional activities reserved for advocates or certain of those activities:

(1) a person who is registered in a study program leading to a diploma that meets the requirements for the permit issued by the Barreau du Québec and who earned 60 credits in that program;

(2) a person who holds a diploma that meets the requirements for the permit issued by the Barreau or whose diploma or training equivalence was recognized pursuant to the Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec (chapter B-1, r. 16) and who is registered in a graduate study program in legal studies;

(3) a person who holds a diploma that meets the requirements for the permit issued by the Barreau or whose diploma or training equivalence was recognized pursuant to the Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec and who is registered in the professional training program dispensed by the École du Barreau;

(4) a person who is legally authorized to practise, outside of Québec, the same profession as advocates.

DIVISION II
APPLICABLE TERMS AND CONDITIONS

§1. Practise within an established legal clinic or one recognized by a university-level educational institution

2. A person referred to in paragraph 1 or 2 of section 1 may give legal advice and consultations on legal matters within an established legal clinic or one recognized by a university-level educational institution which grants a diploma that meets the requirements for the permit issued by the Barreau, provided

(1) the person has completed a course in ethics and professional conduct of a minimum duration of 3 hours that is recognized by the Barreau;

(2) the person engages in those activities under the close supervision and responsibility of a practising advocate referred to in section 3;

(3) the person communicates verbally with a client only in the presence of the supervising advocate or, in the case of a written communication, only after obtaining the supervising advocate's approval, except in the case of communications that are administrative in nature; and

(4) the person engages in those activities in compliance with the regulatory standards applicable to advocates relating to professional conduct, accounting and professional practice standards, with the necessary modifications.

3. An advocate may act as a supervisor under the following terms and conditions:

(1) the advocate has been entered on the Roll as a practising advocate for at least 5 years or was re-entered as such after being entered on the Roll as a retired advocate for less than 5 years;

(2) the advocate is covered under the professional liability insurance fund of the Barreau;

(3) the advocate keeps up the records he opens within a legal clinic or ensures that they are kept up by another practising advocate who complies with the terms and conditions provided for in this section and who is designated to do so by the university-level educational institution;

(4) the advocate is not the subject of a complaint in accordance with section 116 of the Professional Code (chapter C-26);

(5) the advocate is not the subject, nor was the subject, in the 5 years preceding the date when the supervision began, of a decision imposing

(a) a penalty pursuant to section 156 or 175 of the Professional Code;

(b) refresher training or a refresher course pursuant to section 55 of the Professional Code; or

(c) a striking off the Roll or a restriction or suspension of the right to engage in professional activities pursuant to subparagraph *a* of the first paragraph of section 51 or section 52.1, 55.0.1, 55.1 or 55.2 of the Professional Code.

An advocate who holds a special permit issued in accordance with the Regulation respecting the issuance of special permits of the Barreau du Québec (chapter B-1, r. 8) or a temporary restrictive permit issued in accordance with section 42.1 of the Professional Code may not act as a supervisor.

§2. Practise within a legal clinic established by the École du Barreau

4. A person referred to in paragraph 3 of section 1 may engage in the professional activities reserved for advocates within a legal clinic established by the École du Barreau, provided

(1) the person successfully completed the ethics and professional conduct examination provided for in the professional training program dispensed by the École du Barreau;

(2) the person engages in those activities under the close supervision and responsibility of a practising advocate referred to in section 3, with the necessary modifications; and

(3) the person engages in those activities in compliance with the regulatory standards applicable to advocates relating to professional conduct, accounting and professional practice standards, with the necessary modifications.

§3. Practise regarding a case before an international arbitration tribunal

5. A person referred to in paragraph 4 of section 1 may give advice and consultations on legal matters, provided

(1) the person acts as an advocate or counsel before an international arbitration tribunal;

(2) the person gives advice and consultations on legal matters regarding the case for which said person is acting as advocate or counsel before an international arbitration tribunal.

DIVISION III
FINAL

6. This Regulation replaces the Regulation respecting professional acts that may be performed by persons other than members of the Barreau du Québec (chapter B-1, r. 1).

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

105143

Draft Regulation

Professional Code
(chapter C-26)

Notaries
— Professional activities that may be engaged in by persons other than 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 professional activities that may be engaged in by persons other than notaries, made by the board of directors of the Chambre des notaires du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation mainly allows law students, subject to certain conditions, to give legal advice or consultations on legal matters in a legal clinic established or recognized by a university-level educational institution in order to increase the legal service offer in Québec.

The draft Regulation also prescribes the terms and conditions under which a person who is serving a training period or who is admitted to the professional training program of the Order may engage in certain activities reserved for notaries.

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

Further information on the draft Regulation may be obtained by contacting Mtre. Nathalie Provost, consulting notary, Services juridiques, Direction Secrétariat, services juridiques, relations institutionnelles et gouvernance, 2045, rue Stanley, bureau 101, Montréal (Québec) H3A 2V4; telephone: 1 800 263-1793, extension 5222; email: nathalie.provost@cnq.org.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Roxanne Guévin, Secretary, Office des professions du Québec, 800, place D'Youville, 10e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Higher Education and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

Roxanne Guévin
Secretary, Office des professions du Québec

Regulation respecting the professional activities that may be engaged in by persons other than notaries

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *h*)

Notaries Act
(chapter N-3, s. 15.1, 2nd par.)

DIVISION I
OBJECT

1. The object of this Regulation is to determine the terms and conditions according to which the following persons may engage in, as the case may be, the professional activities that may be engaged in by notaries or certain of those activities:

(1) a person who is enrolled in an undergraduate study program leading to one of the diplomas, the combination of which meets the requirements for the permit issued by the Chambre des notaires du Québec, and who earned 60 credits in that program;

(2) a person who holds an undergraduate diploma, the combination of which meets the requirements for the permit issued by the Order or whose diploma or training equivalence was recognized for the purpose of issuing a permit pursuant to a regulation made in accordance with paragraph *c* and *c*.1 of section 93 of the Professional Code (chapter C-26), and who is enrolled in a master's degree program in notarial law;

(3) a person who holds an undergraduate diploma, the combination of which meets the requirements for the permit issued by the Order or whose diploma or training equivalence was recognized for the purpose of issuing a permit pursuant to a regulation made in accordance with paragraphs *c* and *c*.1 of section 93 of the Professional Code, and who is enrolled in a graduate study program in legal studies, other than the master's degree program in notarial law, or in a doctoral program in legal studies;

(4) a person who is admitted to the professional training program of the Order provided for in the regulation made in accordance with subparagraph *i* of the first paragraph of section 94 of the Professional Code.

DIVISION II
APPLICABLE TERMS AND CONDITIONS

§1. Practise within a legal clinic established or recognized by a university-level educational institution

2. A person referred to in paragraph 1, 2 or 3 of section 1 may give legal advice or consultations on legal matters on behalf of others within a legal clinic established or recognized by a university-level educational institution that grants one of the diplomas, the combination of which meets the requirements for the permit issued by the Order, provided

(1) the person has completed a course in ethics and professional conduct of a minimum duration of 3 hours that is recognized by the Order;

(2) the person engages in those activities under the close supervision and responsibility of a notary referred to in section 3 and, in particular, the person communicates verbally with a client only in the presence of the supervising notary, and in writing only after obtaining the supervising notary's approval, except in the case of communications that are administrative in nature; and

(3) the person engages in those activities in accordance with the regulations made under sections 87 and 91 of the Professional Code (chapter C-26), with the necessary modifications.

3. A notary may act as a supervisor under the following terms and conditions:

(1) the notary has been entered on the roll for at least 5 years;

(2) the notary is covered under the professional liability insurance fund of the Chambre des notaires du Québec or works exclusively for a university-level educational institution referred to in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1) that stands surety, holds harmless and is financially responsible for any fault committed by the notary in the performance of duties;

(3) the notary keeps the records the notary opens within a legal clinic or ensures that they are kept by another notary or a practising advocate who is designated for that purpose by the university-level educational institution and who complies with the same terms and conditions as the notary referred to in this section;

(4) the notary is not the subject of a complaint pursuant to section 116 of the Professional Code (chapter C-26) or of a request pursuant to section 122.0.1 of the Code;

(5) the notary is not the subject, nor was the subject in the 5 years preceding the date when the supervision began,

(a) of a conviction handed down by the disciplinary council of a professional order, by the Professions Tribunal or by a higher authority, or by an authority of a professional organization that exercises the same control as a professional order;

(b) of a decision imposing a refresher course or a refresher training period, a restriction or suspension of the right to engage in professional activities or a striking off the roll pronounced by the board of directors of a professional order or by another one of its authorities pursuant to a provision of the Professional Code, of the Notaries Act (chapter N-3) or the regulations made thereunder, or pursuant to a provision of another professional law or one of the regulations made thereunder, or a decision rendered by an authority of a professional organization that exercises the same control as a professional order;

(c) of a decision declaring the notary guilty of a penal offence referred to in section 188 of the Professional Code;

(d) of a decision by a Canadian court declaring the notary guilty of a criminal offence involving an act of collusion, corruption, malfeasance, breach of trust, fraud, influence peddling, or abusive gestures or comments of a sexual nature;

(e) of a decision by a court declaring the notary guilty of a criminal offence and that, in the reasoned opinion of the committee constituted pursuant to section 12 of the Notaries Act, is related to the practise of the notarial profession.

§2. Practise within a location other than a legal clinic

4. A person referred to in paragraph 2 of section 1 who is serving a professional training period may, among the professional activities that may be engaged in by a notary, engage in professional activities that do not fall within the province of a public officer, provided

(1) the person engages in those activities under the close supervision and responsibility of a notary authorized to act as a tutor by the university concerned; and

(2) the person engages in those activities in accordance with the Notaries Act (chapter N-3), the Professional Code (chapter C-26) and the regulations made thereunder.

5. A person referred to in paragraph 4 of section 1 may, among the professional activities that may be engaged in by a notary, engage in professional activities that do not fall within the province of a public officer, provided

(1) the person engages in those activities under the close supervision and responsibility of a notary authorized by the Order; and

(2) the person engages in those activities in accordance with the Notaries Act (chapter N-3), the Professional Code (chapter C-26) and the regulations made thereunder.

The person referred to in the first paragraph may engage in those activities until the earlier of the following dates:

(1) the date of issue of the person's permit to practise;

(2) the date on which the person abandons the professional training program or the date on which the person is precluded from completing it;

(3) the date that is 45 days after the date on which the person successfully completed the professional training program.

A person who is granted an extension of the period to complete the professional training program pursuant to a regulation made in accordance with subparagraph *i* of the first paragraph of section 94 of the Professional Code for a reason other than university studies may not engage in those activities for as long as the reason for the extension prevents the person from completing the program.

DIVISION III
FINAL

6. This Regulation replaces the Regulation respecting the professional activities that may be engaged in by persons other than notaries (chapter N-3, r. 0.1).

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

105144

Draft Regulation

Professional Code
(chapter C-26)

Nurses
— Certain professional activities which may be engaged in by nursing assistants

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting certain professional activities which may be engaged in by nursing assistants, made by the board of directors of the Ordre des infirmières et infirmiers du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation gives more autonomy to assistant nurses in the carrying on of the activities authorized in the current Regulation regarding the maintenance care of a tracheostomy connected to a ventilator and the administration of intravenous therapy. It also amends and increases certain training and supervision requirements for the carrying on of those activities.

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

Further information on the draft Regulation may be obtained by contacting Bianca Roberge, Attorney, Direction des affaires juridiques, Ordre des infirmières et infirmiers du Québec, 4200, rue Molson, Montréal (Québec) H1Y 4V4; telephone: 514-935-2501, extension 484, or 1 800 363-6048, extension 484; email: bianca.roberge@oiiq.org.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Roxanne Guévin, Secretary, Office des professions du Québec, 800, place D'Youville, 10e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Higher Education; they may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

Roxanne Guévin
Secretary Office des professions du Québec

Regulation respecting certain professional activities which may be engaged in by nursing assistants

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *h*)

DIVISION I
GENERAL

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by nurses, those that, following the issue of a prescription and in accordance with the other terms and conditions provided for herein, may be engaged in by

(1) a nursing assistant;

(2) a student registered in a program of study leading to a diploma giving access to the permit issued by the Order;

(3) a person eligible by equivalence, namely, a person registered in a program of study or a period of additional training required for the purpose of obtaining training equivalence for the issue of a permit by the Order; and

(4) a candidate for the profession of nursing assistant, namely, a person who has successfully completed a program of study leading to a diploma giving access to the permit issued by the Order or to whom the Order has recognized a diploma or training equivalence for the purpose of issuing such a permit.

In this Regulation,

"institution" means an institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or an institution within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5);

"nurse" means a nurse;

"nursing assistant" means a nursing assistant;

"Order" means the Ordre des infirmières et infirmiers auxiliaires du Québec.

DIVISION II
TRACHEOSTOMY CONNECTED
TO A VENTILATOR

2. A nursing assistant may engage in the following professional activities:

(1) provide maintenance care of a tracheostomy connected to a ventilator, when the parameters of the ventilator are set;

(2) open a device incorporated into the ventilation circuit in order to administer a metered-dose inhaler;

(3) ventilate using a manual, self-inflating resuscitator, whether connected to an oxygen source or not;

(4) reinstall the tracheal cannula in case of decannulation, in emergency situations where an authorized professional is not available to perform an immediate intervention.

3. In order to engage in the professional activities described in section 2, a nursing assistant must meet the following conditions:

(1) hold an attestation issued by the Order confirming

(a) the successful completion of theoretical and practical training of at least 10 hours recognized by the Order, covering the following aspects:

i. anatomy of the respiratory system;

ii. techniques related to maintenance care of a tracheostomy connected to a ventilator;

iii. complications and limitations associated with maintenance care of a tracheostomy connected to a ventilator;

iv. the operation of a device incorporated into the ventilation circuit;

v. the interventions and procedures applicable in emergency situations;

(b) the successful carrying on of each of the professional activities provided for in paragraphs 1 to 3 of section 2 at least 3 times under the immediate supervision of a nurse or a respiratory therapist, and such supervision has been recorded in a document including the dates, locations, as well as the names and signatures of the professionals who have supervised them;

(2) engage in those professional activities

(a) in one of the following centres operated by an institution:

i. a residential and long-term care centre;

ii. a hospital centre, when the patient is in rehabilitation, lodging or long-term care;

iii. a rehabilitation centre for physically impaired persons; or

(b) as part of a home care program provided by a centre operated by an institution;

(3) a nurse or a respiratory therapist must

(a) be available on the premises to intervene with the patient rapidly if the professional activities are engaged in in a centre in accordance with subparagraph *a* of subparagraph 2 of the first paragraph; or

(b) be available at all times to give the nursing assistant any instructions if the professional activities are engaged in as part of a home care program in accordance with subparagraph *b* of subparagraph 2 of the first paragraph;

(4) the state of health of the patient is not in a critical or acute phase; and

(5) all the conditions set out in the protocol of the institution, including the descriptions of procedures, methods, limits or standards applicable for caring for a patient on a ventilator, are complied with.

A nursing assistant who engages in those professional activities as part of a home care program in accordance with subparagraph *b* of subparagraph 2 of the first paragraph must also hold an attestation issued by the Order confirming

(1) the successful completion of theoretical and practical training of at least 7 hours recognized by the Order, covering the following aspects:

(a) the role and intervention of nursing assistants in a home care context;

(b) particularities associated with the maintenance and sanitization of equipment used in tracheostomy maintenance care, including home care infection prevention and control;

(c) knowledge, use and maintenance of equipment used in home care;

(d) interventions and procedures applicable in emergency situations; and

(2) the successful carrying on of each of the professional activities provided for in paragraphs 1 to 3 of section 2 at least 3 times in the patient's home and under the immediate supervision of a nurse or a respiratory therapist, and such supervision has been recorded in a document including the dates, locations, as well as the names and signatures of the professionals who have supervised them.

4. A nursing assistant may, as part of the supervision referred to in subparagraph *b* of subparagraph 1 of the first paragraph or in subparagraph 2 of the second paragraph of section 3, engage in the professional activities provided for in section 2, if the conditions set out in subparagraphs 2 to 5 of the first paragraph of section 3 are complied with.

DIVISION III
PARTICIPATION IN THE ADMINISTRATION OF INTRAVENOUS THERAPY

5. A nursing assistant may engage in the following professional activities:

(1) install a short peripheral intravenous catheter, measuring less than 7.5 cm;

(2) administer an intravenous solution without additives using a short peripheral intravenous catheter measuring less than 7.5 cm;

(3) monitor intravenous infusions without additives and maintain the flow rate;

(4) stop intravenous infusions administered using a short peripheral intravenous catheter measuring less than 7.5 cm;

(5) remove a short peripheral intravenous catheter measuring less than 7.5 cm.

6. In order to engage in the professional activities provided for in section 5, a nursing assistant must

(1) hold an attestation issued by the Order confirming

(a) the successful completion of theoretical and practical training of at least 21 hours recognized by the Order, covering the following aspects:

i. anatomy of the vascular system;

ii. short peripheral intravenous catheter installation techniques;

iii. administration of an intravenous solution without additives;

iv. installation and irrigation of a short intermittent injection peripheral intravenous catheter;

v. complications and limitations associated with the installation and irrigation of a short peripheral intravenous catheter;

vi. complications and limitations associated with the administration of an intravenous solution without additives;

vii. prevention of infections related to the use of a short peripheral intravenous catheter; and

(b) the successful carrying on of each of those professional activities at least 3 times under the immediate supervision of a nurse, and such supervision has been recorded in a document including the dates, locations, as well as the names and signatures of the nurses who have supervised them; and

(2) not engage in those professional activities with a neonatal clientele.

The nursing assistant who engages in the professional activities provided for in paragraphs 1 and 2 of section 5 with a pediatric clientele must also obtain a prior assessment of the patient by a professional authorized to engage in the professional activities provided for in section 5 and in assessment activities.

7. A nursing assistant may, as part of the supervision provided for in subparagraph *b* of subparagraph 1 of the first paragraph of section 6, engage in the professional activities provided for in section 5, if the conditions set out in subparagraph 2 of the first paragraph and in the second paragraph of section 6 are complied with.

8. Subparagraph 1 of the first paragraph of section 6 does not apply to nursing assistants who are in any of the following situations:

(1) they have completed the training provided for in that subparagraph as part of a program of study leading to a diploma giving access to the permit issued by the Order;

(2) they have had a diploma or training equivalence recognized by the Order after the training that is provided for in that subparagraph has been incorporated into the program of study leading to a diploma giving access to the permit issued by the Order.

9. Students registered in a program of study leading to a diploma giving access to the permit issued by the Order may engage in the professional activities provided for in section 5, if they

(1) engage in the professional activities as part of that program of study;

(2) engage in the professional activities under the supervision of a nurse or a nursing assistant authorized to engage in the activities who is present on the premises in order to intervene with the patient rapidly or to respond rapidly to the student's request; and

(3) comply with the conditions set out in subparagraph 2 of the first paragraph and in the second paragraph of section 6.

10. Persons eligible by equivalence may engage in the professional activities provided for in section 5, if

(1) the carrying on of those activities is required in order to obtain training equivalence;

(2) those activities are engaged in under the supervision of a nurse or a nursing assistant authorized to engage in the activities who is present on the premises in order to intervene with the patient rapidly or to respond rapidly to the request of the person eligible by equivalence; and

(3) the conditions set out in subparagraph 2 of the first paragraph and in the second paragraph of section 6 are complied with.

11. Candidates for the profession of nursing assistant may engage in the professional activities provided for in section 5, if

(1) they engage in those activities under the supervision of a nurse or a nursing assistant authorized to engage in the activities who is available to respond rapidly to the candidate's request; and

(2) they comply with the conditions set out in subparagraph 2 of the first paragraph and in the second paragraph of section 6.

DIVISION IV
TRANSITIONAL AND FINAL

12. A nursing assistant who engaged in the professional activities provided for in section 2 on (*insert the date preceding the date of coming into force of this Regulation*) is not required to meet the condition set out in subparagraph 1 of the first paragraph of section 3 to continue to engage in those activities.

The nursing assistant must however complete, not later than (*insert the date occurring one year after the date of coming into force of this Regulation*), complementary theoretical training of at least 3 hours recognized by the Order, covering, in particular, the following aspects:

(1) the interventions and procedures applicable in emergency situations;

(2) the particularities related to tracheostomy on a pediatric clientele.

If such training is not completed within the time prescribed, the nursing assistant must comply with the conditions set out in subparagraph 1 of the first paragraph of section 3 to continue to engage in those activities.

13. This Regulation replaces the Regulation respecting certain professional activities which may be engaged in by nursing assistants (chapter I-8, r. 3).

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

105141

Draft Regulation

Professional Code
(chapter C-26)

Physiotherapy
— Categories of permits issued by the Order
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec, made by the board of directors of the Ordre professionnel de la physiothérapie du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government, which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends the framework within which professionals who hold a physiotherapy technologist diploma issued by the Order may practise, in particular, to increase their autonomy and therefore improve care channels for patients and public access to physiotherapy services.

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

Further information on the draft Regulation may be obtained by contacting Daphné Thériault de Carufel, coordinator of legal services and admission, and secretary of the disciplinary council, Ordre professionnel de la physiothérapie du Québec, 7151, rue Jean-Talon Est, bureau 700, Anjou (Québec) H1M 3N8; telephone: 514 351-2770, extension 250, or 1 800 361-2001; email: consultationreglement@oppq.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Roxanne Guévin, Secretary, Office des professions du Québec, 800, place D'Youville, 10e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Higher Education and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

Roxanne Guévin
Secretary, Office des professions du Québec

Regulation to amend the Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *m*)

1. The Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec (chapter C-26, r. 196.1) is amended by replacing section 4 by the following:

"**4.** A physiotherapy technologist who has an assessment by a physical therapist or a medical diagnosis that specifies the type of structural disorder, if applicable, with relevant medical information, may ensure the follow-up required by the state of health of a patient suffering from a loss of autonomy or sequelae resulting from a known and controlled health problem that requires rehabilitation to optimize or maintain functional autonomy.

A physiotherapy technologist who has an assessment by a physical therapist or a medical diagnosis that is not restricted to symptoms and specifies the type of structural disorder, if applicable, with relevant medical information, may,

(1) where the physiotherapy technologist also has the list of problems or treatment objectives, ensure the follow-up required by the state of health of a patient suffering from an orthopedic or rheumatic disorder that does not interfere with normal growth;

(2) where the physiotherapy technologist also has the list of problems and treatment objectives, ensure the follow-up required by the state of health of a patient suffering from

(a) an orthopedic or rheumatic disorder with neurological signs or that interferes with normal growth;

(b) a neurological disorder affecting an adult with no intensive period of functional rehabilitation or for which the intensive period of functional rehabilitation has ended;

(c) a chronic and controlled respiratory disorder;

(d) a peripheral vascular disorder;

(e) a skin disorder, pressure ulcer or burns, except a serious burn;

(f) a geriatric profile that requires an investigation; or

(g) a recent amputation, until the prosthetic phase; and

(3) where the physiotherapy technologist also has the list of problems, treatment objectives and contraindications or precautions, apply the means of treatment prescribed by the physiotherapist, physician or other qualified professional for a patient with a disorder or health problem other than those provided for in the first paragraph and in subparagraphs 1 and 2 of the second paragraph of this section.".

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

105142

Draft Regulation

Act respecting municipal taxation
(chapter F-2.1)

Real estate assessment roll
— Modification

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the real estate assessment roll, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation provides that the Manuel d'évaluation foncière du Québec is published on the website of the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire, and that the Minister may publish, in an open document format or in another manner that the Minister determines, the entries in the roll concerning an assessment unit.

Further information may be obtained by contacting Nicolas Bouchard, Direction générale de la fiscalité et de l'évaluation foncière, Ministère des Affaires municipales et de l'Habitation, 10, rue Pierre-Olivier-Chauveau, Aile Tour, 5e étage, Québec (Québec) G1R 4J3; telephone 418 691-2015, extension 83817; email: nicolas.bouchard@mamh.gouv.qc.ca.

Any person wishing to comment of the draft Regulation is requested to submit written comments within the 45-day period to Nicolas Bouchard at the above mentioned contact information.

Andrée Laforest
Minister of Municipal Affairs and Housing

Regulation to amend the Regulation respecting the real estate assessment roll

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

1. The Regulation respecting the real estate assessment roll (chapter F-2.1, r. 13) is amended in section 1 by replacing "by Les Publications du Québec" in the definition of "Manual" by "on the website of the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire".

2. Section 20 is amended by adding the following at the end:

"The Minister may publish, in an open document format or in another manner that the Minister determines, the entries in the roll concerning an assessment unit, except the name and address of the person in whose name a unit is entered on the roll. The first two paragraphs do not apply to such publication by the Minister.".

3. This Regulation comes into force on the 1 November 2021.

105149

Draft Regulation

Code of Civil Procedure
(chapter C-25.01)

Superior Court of Québec in family matters — Amendment

Notice is hereby given, in accordance with article 64 of the Code of Civil Procedure (chapter C-25.01), that the Chief Justice of the Superior Court of Québec is publishing the Regulation to amend the Regulation of the Superior Court of Québec in family matters, appearing below. The draft Regulation will be adopted on the expiry of 45 days following the date of this publication.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronique Boucher, Director, Service de recherche, Superior Court, 300, boulevard Jean-Lesage, Bureau R-3.04, Québec (Québec), G1K 8K6; email: veronique.boucher@judex.qc.ca.

The Honourable Jacques R. Fournier
Chief Justice of the Superior Court

Regulation to amend the Regulation of the Superior Court of Québec in family matters

Code of Civil Procedure
(chapter C-25.01, art. 63)

1. The Regulation of the Superior Court of Québec in family matters (chapter C-25.01, r. 0.2.4) is amended in section 4 by replacing the fourth paragraph by the following:

"The appellant may invoke grounds not stated in the notice of appeal by filing a notice with the clerk of the Court stating such grounds precisely and concisely, together with proof of notification to the respondent or the respondent's lawyer, before the appeal is heard and not later than 15 days after the filing of the complete transcript of the proceedings.".

2. Section 8 is amended by replacing "served" by "notified".

3. Section 11 is amended by replacing "served" by "notified".

4. Section 15 is replaced by the following:

"**15. Interim release in the field of youth criminal justice**: The Court may, after the filing of the notice of appeal or an application for review of the sentencing decision, upon a written application presented with at least 3 days' written notice, notified to the prosecutor and filed with the court office, order the interim release of the appellant and set conditions.".

5. Section 16 is replaced by the following:

"**16. Mandatory information:** In all pending cases, the parties must attest to whether or not they are subject to

(a) a civil protection order provided for in article 509 of the Code of Civil Procedure (chapter C-25.01) or an application concerning such an order;

(b) an order, an application, an agreement or a decision relating to youth protection; or

(c) an order, an indictment, an undertaking or a recognizance relating to a criminal matter.

A party in one of the situations referred to in subparagraph *a* or *c* of the first paragraph must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the order, undertaking, recognizance, indictment or application concerning a protection order.

A party in the situation referred to in subparagraph *b* of the first paragraph must file a notice with the court office and, if a child concerned by the proceedings is named, include a copy of the order, application, agreement or decision.

If the situation changes in the course of the proceedings, the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.

A model notice is posted on the Superior Court website.".

6. Section 17 is replaced by the following:

"**17. Documents attesting to the birth of the parties:** In every application for divorce, separation, the annulment of marriage, or the annulment or dissolution of a civil union, a photocopy of the birth certificate, of the copy of the act of birth or of any other document issued by a competent authority other than the registrar of civil

status in Québec and attesting to the birth of the parties concerned by the application must be filed; however, if the information shown in the photocopy is contested, the original must be filed.".

7. The following is inserted after section 17:

"**17.1. Documents attesting to the birth of a child:** In every originating application concerning custody, access, parenting time, contact or tutorship to a child, a photocopy of the birth certificate, of the copy of the act of birth or of any other document issued by a competent authority other than the registrar of civil status in Québec attesting to the birth of the child concerned by the application must be filed; however, if the information shown in the photocopy is contested, the original must be filed.

In every application concerning the filiation of a child, the original of the child's birth certificate, of the copy of the child's act of birth or of any other document issued by a competent authority other than the registrar of civil status in Québec attesting to the child's birth must be filed.

"**17.2. Documents attesting to marriage:** In every application for divorce, separation or the annulment of marriage, a photocopy of the marriage certificate or of the copy of the act of marriage must be filed, unless the information shown in the photocopy is contested or the document was issued by a competent authority other than the registrar of civil status in Québec, in which case the original must be filed.

In every application for the annulment or dissolution of a civil union, a photocopy of the civil union certificate or of the copy of the act of civil union must be filed as evidence, unless the information shown in the photocopy is contested or the document was issued by a competent authority other than the registrar of civil status in Québec, in which case the original must be filed.".

8. The following is inserted after section 18:

"**18.1. Attestation:** An application for divorce and any pleading filed by a party in response to such an application must include a statement by that party that it is aware of its obligations under sections 7.1 to 7.5 of the Divorce Act (R.S.C. 1985, c. 3 (2nd Supp.)).

An application for divorce and any pleading filed in response to such an application by a lawyer or notary must include a statement attesting that the lawyer or notary has complied with the obligations imposed by section 7.7 of the Divorce Act.".

9. Section 21 is amended by replacing "déposées" in the French text by "produites".

10. The heading of Division II of Chapter III is replaced by the following: "SUPPORT FOR A SPOUSE, FORMER SPOUSE OR CHILD".

11. Section 22 is replaced by the following:

"**22.** In any application for support for a spouse or former spouse or for the varying of support, the parties must complete Form III, notify it and file it with the court office within the time prescribed in the second paragraph of article 413 of the Code of Civil Procedure (chapter C-25-01).".

12. Sections 23 and 24 are revoked.

13. Section 26 is replaced by the following:

"**26. Trial on the merits:** Both parties must notify to each other an up-to-date statement of their financial situation drawn up in accordance with Form III and an up-to-date child support determination form at least 10 days before the date of the trial on the merits, or at the time fixed by the person who presides over the pre-trial conference.".

14. The following is inserted after section 26:

"**26.1.** In every application concerning the parents' obligation of support towards their children, the parties must file, in addition to the child support determination form duly completed by each parent, the statement of the tax calculations, if any, used to determine their income or the expenses claimed for the benefit of their children.".

15. Section 27 is replaced by the following:

"**27. Mandatory information:** In every application for separation as to bed and board, the annulment of marriage, divorce, or the annulment or dissolution of a civil union, the applicant must communicate to the respondent and file in the court record either a declaration by the parties that they are not subject to the rules governing family patrimony, a renunciation of partition, a declaration that partition is not contested, or a form used to calculate the state of the family patrimony accompanied by a sworn statement within 180 days of serving the application.

If the respondent contests the form used to calculate the state of the family patrimony, the respondent must communicate to the applicant and file in the court record the respondent's own form used to calculate the state of the family patrimony supported by a sworn statement within 30 days after the applicant communicated the original form used to calculate the state of the family patrimony.

The form used to calculate the state of the family patrimony is drawn up as established by directive by the Chief Justice and published on the Superior Court website.".

16. Section 29 is replaced by the following:

"**29. Mandatory information:** In every application for separation as to bed and board, the annulment of marriage, divorce, or the annulment or dissolution of a civil union, the applicant must communicate to the respondent and file in the court record a form used to calculate the state of the partnership of acquests supported by a sworn statement within 180 days of service of the application.

If the respondent contests the form used to calculate the state of the partnership of acquests, the respondent must communicate to the applicant and file in the court record the respondent's own form used to calculate the state of the partnership of acquests within 30 days after the applicant communicated the original form used to calculate the state of the partnership of acquests.

The form used to calculate the state of the partnership of acquests is drawn up as established by directive by the Chief Justice and published on the Superior Court website.".

17. The heading of Division V of Chapter III is replaced by the following: "PSYCHOSOCIAL EVALUATION AND REPORTS TO BE FILED IN A SEALED ENVELOPE".

18. Section 31 is amended

(1) by inserting ", access rights, the allocation and exercise of parenting time or contact," after "child custody" in the first paragraph;

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

"Where applicable, consent, drafted in accordance with Form IV and signed by the parties, their lawyers and the child if 14 years of age or older, is filed in the record.".

19. Section 32 is amended by replacing "**Forwarding of expert report**" by "**Forwarding of report from the Service d'expertise psychosociale**".

20. Section 34 is amended

(1) by replacing "Form V," by "Form V or made by judgment,";

(2) by replacing "on the same form" by "in the same order or judgment, authorize access to the judicial record or".

21. Section 35 is amended by replacing "**Submission of report**" by "**Submission of report from the Service d'expertise psychosociale**".

22. The following is inserted after section 35:

"**35.1. Medical record and expert report.** The medical record, the report on a physical or mental examination and the psychosocial evaluation report must be filed and kept in the record in a sealed envelope.".

23. Section 36 is amended by replacing "article" by "articles 293 and".

24. The heading of Division VI of Chapter III is amended by replacing "SUPERVISED ACCESS" by "SUPERVISED ACCESS, PARENTING TIME OR CONTACT".

25. Section 37 is replaced by the following:

"**37. Supervised access rights, parenting time or contact:** Every request or offer to exercise supervised access rights, parenting time or contact with respect to a minor child, made by a natural person other than a supervision resource, must include a written commitment by that designated person to comply with the requirements of Schedule A.

The order fixing supervised access rights, parenting time or contact must be notified to the designated supervisor and include the notice in Schedule A to this Regulation, unless the judge decides otherwise.".

26. Section 38 is replaced by the following:

"**38. Mandatory information:** Every application to vary the conclusions of a previous judgment or order must be supported by an affidavit and contain the following information:

(a) the current civil status of the parties;

(b) the residential address of the parties and the residential address, age and sex of their dependent children;

(c) the current arrangements for custody, access, the allocation of parenting time, contact and the exercise of parental authority and parental decision-making responsibility;

(d) the current amount of support and the amount requested;

(e) the amount of arrears, if any;

(f) the changes presented to support the application and, if applicable, the notice of relocation provided for in subsection 16.9(1) of the Divorce Act (R.S.C. 1985, c. 3 (2nd Supp.)).

Every application made under the Divorce Act to vary a support order, with respect to a respondent who resides in another province or territory of Canada and has not filed a defence or requested a conversion, must be accompanied by written proof of its notification to the administrator of a last resort assistance program in the province or territory to which the debt may have been assigned."

27. Section 39 is replaced by the following:

"**39. Previous judgment or order issued in another case:** In the case of an application for the variation of a judgment or order issued in another case, copies of the prior judgments and of any pleadings on which the judgment or order was rendered must be filed in the record by the applicant unless they have already been included.".

28. Section 42 is replaced by the following:

"**42. Duties of the clerk:** In each of the judicial districts of Québec, the Divorce Office is administered by the clerk. The duties of the clerk are as follows:

(a) to file separately the divorce records and to keep registers, an index, a court ledger and a special register available to the public where every divorce judgment is entered without delay;

(b) to receive and register applications after ascertaining that they comply with the requirements of the Divorce Act (R.S.C. 1985, c. 3 (2nd Suppl.)) and of the Rules of Practice;

(c) to keep a register of pleadings containing

i. with respect to each application, the names and addresses of the parties and the date of filing; and

ii. with respect to each divorce judgment, the names and addresses of the parties and the date it was rendered;

(d) to fill out the forms required by the Rules of Practice or the regulations made pursuant to the Divorce Act;

(e) once the divorce has taken effect, to issue a certificate of divorce in accordance with Form VIII, upon request;

(f) in accordance with subsection 17(11) of the Divorce Act, to forward, when the Court has issued an order varying a support order, parenting order or contact order made by another court, a copy of the variation order certified as true by a judge or officer to that other court or to any other court that varied the original order;

(g) to forward to the competent court, following a transfer order issued under section 6, 6.1 or 6.2 of the Divorce Act, a certified true copy of the record and the order;

(h) to hire the personnel necessary for the performance of the clerk's duties, including deputy clerks, according to the number of cases filed in the Divorce Office for which the clerk has complete responsibility.".

29. Schedule A is replaced by the following:

"**SCHEDULE A**
NOTICE TO SUPERVISORS OF ACCESS RIGHTS, PARENTING TIME OR CONTACT IN ACCORDANCE WITH SECTION 37 OF THIS REGULATION

You have been designated by an order of the Superior Court, a copy of which is appended to this notice, to act as a supervisor of access rights, parenting time or contact. The order allows a parent to see his or her child or children, or a third person to have contact with one or more children, on certain conditions. The "exercise of access rights or parenting time" is the time during which the parent sees his or her child or children. The "exercise of contact" is the time during which a third person sees or communicates with one or more children.

As a result, you must

□ be present for each and every exercise of access rights, parenting time or contact;

□ be present for the entire duration of the exercise of access rights, parenting time or contact.

You cannot choose to stop acting as the supervisor of access rights, parenting time or contact or have yourself replaced at your own convenience or discretion.

If you are no longer willing or able to act as the supervisor of access rights, parenting time or contact, you must advise both parents and, where applicable, the third person in whose favour a contact order has been made, in writing and as soon as possible, in other words well in advance of the next scheduled exercise of access rights, parenting time or contact.".

30. Form I is replaced by the form in Schedule I.

31. Form V is amended

(1) by replacing de "PAR CES MOTIFS" in the French text by "POUR CES MOTIFS";

(2) by replacing the choices under "ORDERS that the evaluation address" by the following:

"□ Allocation of parenting or custody time and/or access rights (married, divorced or separated parents);

□ Contact with the child or children;

□ Other issues affecting the child or children – specify:".

32. Form VII is amended

(1) by replacing "(s. 8, Divorce Act, 1985)" by "(s. 8, Divorce Act)";

(2) by striking out "20" under "NO.";

(3) by replacing "Par ces motifs" in the French text by "Pour ces motifs";

(4) by striking out "OR CLERK" under the signature line.

33. Form VIII is amended by replacing "s. 12(7), Divorce Act, 1985" by "s. 12(7), Divorce Act".

34. Form IX is revoked.

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

SCHEDULE I

Section 18

FORM I

(A summons in conformity with the model established by the Minister of Justice must be attached to the application for divorce)

CANADA	SUPERIOR COURT (Family Chamber)
PROVINCE OF QUÉBEC	
District of	APPLICANT(S)
NO.	and, if appropriate,
	RESPONDENT

APPLICATION FOR DIVORCE

It is declared that:

Civil and family status

1. The spouse was born on (date) _____ at (place) _____ , and is (age) _____ years old and the child of _____ and _____ as appears from the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec numbered Exhibit P-1;

(If the information shown in the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec is contested, the original must be filed.)

1.1 At the time of the marriage, the spouse's civil status was (indicate the civil status)

2. The spouse was born on (date) _____ at (place) _____ , and is (age) _____ years old and the child of _____ and _____ as appears from the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec numbered Exhibit P-1;

(If the information shown in the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec is contested, the original must be filed.)

2.1 At the time of the marriage, the spouse's civil status was (indicate the civil status)

3. The marriage of the parties was solemnized on _____ (date) at _____ (place) as appears from a photocopy of the marriage certificate or the act of marriage numbered Exhibit P-3;

(If the information shown in the photocopy of the marriage certificate or the copy of the act of marriage is contested, or if the document was issued by a competent authority other than the registrar of civil status in Québec, the original must be filed.)

4. The matrimonial regime adopted by the spouses was _____ as appears from a photocopy of the supporting documents numbered Exhibit P-4;

There has been no change to this regime.

(If changes to the matrimonial regime have occurred, specify them and file a photocopy of the supporting documents.)

5. The parties are or are not subject to an order, an indictment, an undertaking or a recognizance relating to a criminal matter.

(A party subject to such a document must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the order, indictment, undertaking or recognizance. If the situation changes in the course of the proceedings, the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.)

5.1 .The parties are or are not subject to a civil protection order provided for in article 509 of the *Code of Civil Procedure* or an application concerning such an order.

(A party subject to such an order must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the protection order or application for an order. If the situation changes in the course of the proceedings the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.)

5.2. The parties are or are not subject to an order, application, agreement or decision relating to youth protection.

(A party subject to such a document must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the order, application, agreement or decision. If the situation changes in the course of the proceedings, the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.)

6. The family name, given name, age, sex and date of birth of each child of the marriage are as follow:

	Family name	**Given name**	**Age**	**Sex**	**Date of birth**
1.					
2.					
3.					
4.					
5.					

The photocopies of the birth certificate, of the copy of the act of birth or of the document issued by a competent authority other than the registrar of civil status in Québec attesting to the birth of each child concerned by the application are numbered Exhibit P-5.

(If the information shown in the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec is contested, the original must be filed.)

Residence

7. The spouse ordinarily resides at _____ (*no.*) _____
_____ (*street*) _____ (*city*)
_____
_____ (*province*) _____ since _____ (*day*) _____
_____ (*month*) _____ (*year*) _____

The spouse ordinarily resides at _____ (*no.*) _____
_____ (*street*) _____ (*city*)
_____
_____ (*province*) _____ since _____ (*day*) _____
_____ (*month*) _____ (*year*) _____

Reasons

8. There has been a breakdown of the marriage for the following reasons:

(Give here particulars of the grounds for divorce, as provided in section 8(2) of the Divorce Act)

Reconciliation and mediation

9. Before this application was signed,

(A) The lawyer or notary for the applicant(s) has discussed the possibility of reconciliation and provided information about marriage counselling or guidance services.

(If not, give reasons.)

(B) The lawyer or notary has given the applicant(s) information about the family justice services that may help resolve the points covered by the order and discussed the need to negotiate those points.

(C) The lawyer or notary has informed the applicant(s) of the obligations of the parties under the Divorce Act.

Safeguard and provisional measures (if the application contains conclusions to that effect), corollary relief and other claims

10. (A) There is an agreement between the parties as to corollary relief, a copy of which is numbered Exhibit P-6;

or

(B) There is no agreement between the parties as to all safeguard and provisional measures and corollary relief, and

i. the grounds in support of the conclusions for provisional relief are (enumerate the facts):

ii. the grounds in support of corollary relief are (enumerate the facts):

Other proceedings

11. There have been no other proceedings with respect to the marriage; (otherwise, give all details and file a certified true copy of all previous judgments).

12. There has been no collusion between the parties.

13. (Where the application is based on section 8(2) b). There has been no condonation or connivance at the act or conduct complained of.

WHEREFORE, may it please this Court to:

ISSUE the following safeguard orders, if applicable:

ISSUE the following provisional orders, if applicable:

PRONOUNCE the divorce of the parties;

ISSUE the following orders of corollary relief (if applicable):

and GRANT the following additional conclusions (if applicable):

(or)

RATIFY the agreement between the parties and ORDER the parties to conform therewith,
_____ costs.

Signed at _____, on _____

20_____

_____
_____

APPLICANT(S)

DECLARATION BY THE LAWYER OR NOTARY

I, the undersigned lawyer or notary for the applicant(s), hereby certify that I have complied with the requirements of section 7.7 of the Divorce Act.

Signed at _____, on _____
20_____

_____

Lawyer or notary for the APPLICANT(S)

DECLARATION BY THE APPLICANT(S)

I (We), the undersigned, attest that I (we) am (are) aware of my (our) obligations under sections 7.1 to 7.5 of the Divorce Act:

> 7.1 A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.

7.2 A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.

7.3 To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.

7.4 A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.

7.5 For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

Signed at _____, on _____20_____

_____

APPLICANT(S)

CERTIFICATE OF CLERK

I, the undersigned, clerk for the District of _____
certify that an application for divorce, a declaration by the lawyer or notary, a declaration by the applicant(s) and (where applicable) a notice from the respondent concerning contestation have been received and filed with the court office.

(Place and date)

_____

CLERK

105150