



Part 2

LAWS AND REGULATIONS

13 April 2022 / Volume 154

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Part 2 – LAWS AND REGULATIONS

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Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
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PROVINCE OF QUÉBEC

2ND SESSION

42ND LEGISLATURE

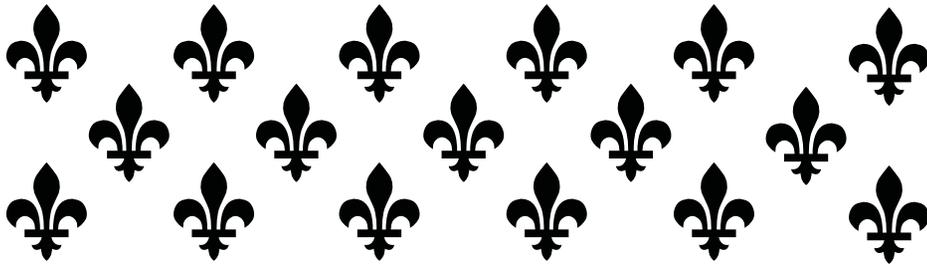
QUÉBEC, 18 MARCH 2022

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 18 March 2022*

This day, at ten o'clock in the morning, the Honourable the Administrator of Québec was pleased to assent to the following bill:

- 24 An Act to amend the Act respecting the Québec correctional system to provide for the power to require that an offender be connected to a device that allows the offender's whereabouts to be known

To this bill the Royal assent was affixed by the Honourable the Administrator of Québec.



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 24
(2022, chapter 4)

**An Act to amend the Act respecting
the Québec correctional system to
provide for the power to require that
an offender be connected to a device
that allows the offender's
whereabouts to be known**

**Introduced 2 February 2022
Passed in principle 8 February 2022
Passed 17 March 2022
Assented to 18 March 2022**

**Québec Official Publisher
2022**

EXPLANATORY NOTES

The purpose of this Act is to expressly provide, in the Act respecting the Québec correctional system, for the cases where, for public security reasons, it may be required that an offender be connected to a device that allows the offender's whereabouts to be known, in particular an anti-approach bracelet to increase the safety of a person who is a victim.

More precisely, the Act allows the correctional services to require that an offender in respect of whom they exercise community supervision be connected to such a device as a control intervention to ensure compliance with the conditions imposed on the offender. The director of a correctional facility may also require this as a condition attached to a temporary absence for reintegration purposes that the director grants to the person. Lastly, the Commission québécoise des libérations conditionnelles may require it as a condition attached to a temporary absence or conditional release that the Commission grants to the person.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the Québec correctional system (chapter S-40.1).

Bill 24

AN ACT TO AMEND THE ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM TO PROVIDE FOR THE POWER TO REQUIRE THAT AN OFFENDER BE CONNECTED TO A DEVICE THAT ALLOWS THE OFFENDER'S WHEREABOUTS TO BE KNOWN

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 26 of the Act respecting the Québec correctional system (chapter S-40.1) is amended by adding the following sentence at the end of the first paragraph: “For that purpose, where a condition such as refraining from communicating with a person or from entering or leaving a place or geographical area is attached to a measure referred to in the first paragraph of section 25, the correctional services may, in particular, require that the person be connected to a device that allows the person’s whereabouts to be known for public security reasons, such as an anti-approach bracelet to increase the safety of a person who is a victim.”

2. Section 55 of the Act is amended by adding the following sentence at the end of the first paragraph: “As a condition, the facility director may, in particular, require that the person be connected to a device that allows the person’s whereabouts to be known for public security reasons, such as an anti-approach bracelet to increase the safety of a person who is a victim.”

3. Section 119 of the Act is amended by adding the following sentence at the end of the first paragraph: “As a condition that may be attached to any of those measures, the parole board may, in particular, require that such a person be connected to a device that allows the person’s whereabouts to be known for public security reasons, such as an anti-approach bracelet to increase the safety of a person who is a victim.”

4. The Minister of Public Security must, not later than 10 May 2024, report to the Government on the application of the provisions of this Act.

The report must be tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

5. This Act comes into force on 18 March 2022.

Regulations and other Acts

Gouvernement du Québec

O.C. 628-2022, 30 March 2022

Environment Quality Act
(chapter Q-2)

Clean Air
— **Amendment**

Regulation to amend the Clean Air Regulation

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 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

Whereas the Government made the Clean Air Regulation (chapter Q-2, r. 4.1);

Whereas, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Clean Air Regulation was published in Part 2 of the *Gazette officielle du Québec* of 22 december 2021 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

Whereas the period was extended to 60 days;

Whereas it is expedient to make the Regulation without amendment;

It is ordered, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

That the Regulation to amend the Clean Air Regulation, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

**Regulation to amend the
Clean Air Regulation**

Environment Quality Act
(chapter Q-2, s. 95.1)

1. The Clean Air Regulation (chapter Q-2, r. 4.1) is amended in Schedule G by replacing the line

“Nickel compound (measured in PM_{10}) ² ”	7440-02-0	0.014	0.002	24 hours”
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by the following lines:

“Nickel compounds (expressed as Ni, measured in PM_{10}) ² ”	7440-02-0	0.07	0.005	24 hours
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Nickel compounds (expressed as Ni, measured in PM_{10}) ² ”	7440-02-0	0.02	0.002	1 year”.
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2. Schedule K of this regulation is amended by replacing the line

“Nickel compounds (measured in PM_{10}) ² ”	7440-02-0	0.014	0.002	24 hours”
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by the following lines:

“Nickel compounds (expressed as Ni, measured in PM_{10}) ² ”	7440-02-0	0.07	0.005	24 hours
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Nickel compounds (expressed as Ni, measured in PM_{10}) ² ”	7440-02-0	0.02	0.002	1 year”.
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3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

105646

Gouvernement du Québec

O.C. 630-2022, 30 March 2022

Sustainable Forest Development Act
(chapter A-18.1)

Reimbursement of property taxes of certified forest producers
— Amendment

Regulation to amend the Regulation respecting the reimbursement of property taxes of certified forest producers

WHEREAS, under paragraph 5 of section 173 of the Sustainable Forest Development Act (chapter A-18.1), the Government may, by regulation, define the content of the report described in paragraph 3 of section 131 of the Act and specify, for the purposes of that paragraph, the eligible protection or development expenses, prescribing exclusions, ceilings and deductions;

WHEREAS, under paragraph 6 of section 173 of the Act, the Government may, by regulation, establish rules for the calculation and substantiation of eligible development expenses, and authorize carry-forwards of those expenses;

WHEREAS the Government made the Regulation respecting the reimbursement of property taxes of certified forest producers (chapter A-18.1, r. 12.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the reimbursement of property taxes of certified forest producers was published in Part 2 of the *Gazette officielle du Québec* of 17 November 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 with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the reimbursement of property taxes of certified forest producers, attached to this Order in Council, be made.

YVES OUELLET

Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the reimbursement of property taxes of certified forest producers

Sustainable Forest Development Act
(chapter A-18.1, s. 173, pars. 5 and 6)

1. The Regulation respecting the reimbursement of property taxes of certified forest producers (chapter A-18.1, r. 12.1) is amended by replacing section 5.1 by the following:

“**5.1.** Every value of development expenses eligible for the reimbursement of property taxes of certified forest producers indicated in Schedule 1 is adjusted on 1 January of each year by a rate corresponding to the sum of the weighted indices defined in the table below for each family of non-commercial development expenses and for each activity in the family of commercial development expenses.

For the indices in the table below for which data is made available on a monthly basis, the annual change is calculated with both 12-month periods ending on 30 September of the year preceding the year for which a value must be adjusted.

For the indices in the table below for which data is made available on a quarterly basis, the annual change is calculated with both 4-quarter periods ending on 30 September of the year preceding the year for which a value must be adjusted.

The result of an adjustment is rounded off to the nearest multiple of \$1.00. The result of an adjustment that is equidistant from 2 multiples must be rounded off to the higher of the two.

Where the rounding off of the result of the adjustment does not make it possible to increase or decrease the expense value by at least \$1.00, the adjustment of the expense value is carried forward to the year in which the sum of the adjustment rates applicable to each of the years for which the adjustment is carried forward varies the expense value by at least \$1.00.

The Minister of Natural Resources and Wildlife publishes the results of the adjustment in Part 1 of the *Gazette officielle du Québec* and by any other means.

Indices¹ used for the adjustment of the value of an expense on the basis of the family of development expenses

	Index	Family of non-commercial development expenses				
		PtRMe ²	PtRMa ³	E. P. ⁴	T. T. ⁵	M ⁶
		Weight of index				
Index A – Labour	Annual change in average weekly earnings by industry	44.9%	73.0%	83.6%	75.9%	66.1%
Index B – Machinery, equipment and maintenance	Annual change in the machinery and equipment price index, by industry of purchase	26.6%	6.4%	1.7%	4.1%	5.8%
Index C – Fuel	Annual change in the monthly average retail price, gasoline and heating oil	12.3%	3.7%	2.8%	2.2%	0.9%
Index D – Machinery transportation	Annual change in the for-hire motor carrier freight services price index	5.2%	0.9%	N/A	N/A	N/A
Index E – Seedling transportation	In accordance with the composite transportation index for the family of commercial development expenses	N/A	1.1%	N/A	N/A	N/A
Index F – Other types of transportation	Annual change in the consumer price index	3.4%	6.4%	4.3%	11.9%	13.4%
Index G – Roads	Annual change in the forest road composite index for the family of commercial development expenses	0.1%	N/A	0.5%	N/A	N/A
Index H – Other expenses including overheads	Annual change in the monthly consumer price index, together	75%	8.5%	7.1%	5.9%	13.8%

		Family of commercial development expenses			
		C.T. ⁷			
		Activity			
		Harvesting	Road work	Transportation	Supervision
	Index	Weight of index			
Index A – Labour	Annual change in average weekly earnings by industry	27.02%	34.14%	28.16%	100%
Index B – Machinery, equipment and maintenance	Annual change in the machinery and equipment price index, by industry of purchase	55.42%	21.4%	17.8%	N/A
Index C – Fuel	Annual change in the monthly average retail price, gasoline and heating oil	17.6%	24.1%	38.54%	N/A
Index D – Parts and maintenance	Annual change in the monthly consumer price index, passenger vehicle parts, maintenance and repairs	N/A	19.51%	15.92%	N/A

¹ Based on the data published by Statistics Canada, CANSIM tables

² Site preparation and mechanized reforestation

³ Site preparation and manual reforestation

⁴ Stand tending

⁵ Technical work

⁶ Marking

⁷ Commercial treatments².

2. Schedule 1 is replaced by the following:

SCHEDULE 1
(ss. 2 and 5.1)

DEVELOPMENT EXPENSES ELIGIBLE FOR REIMBURSEMENT OF PROPERTY TAXES OF CERTIFIED FOREST PRODUCERS

Development expenses for the technical component include planning, monitoring and operational supervision costs.

Development expenses for the execution component include implementation costs.

A silvicultural treatment must be applied in compliance with the scientific foundations presented in the Guide sylvicole du Québec.

A silvicultural treatment is part of a silvicultural scenario to be applied to a stand or combination of stands during a given period based on management objectives.

1. Return to production

1.1 Site preparation

Definition

A silvicultural treatment that involves working the forest soil to make the physical environment suitable for germination or for the survival and the growth of seedlings of a desired species. Site preparation must create a sufficient number of microsites suitable for natural or artificial regeneration.

Description of eligible silvicultural site preparation activities

- 1.1.1 Mechanical site clearing: a silvicultural treatment that involves windrowing or piling logging residue in order to facilitate replanting, scarification or stand tending.
- 1.1.2 Shear-blading with a shear-blade-equipped tractor: brush-cutting and windrowing in a single operation.
- 1.1.3 Bush clearing and site clearing: elimination and removal of brush and non-merchantable timber.
 - 1.1.3.1 High competition: an operation carried out where the coverage of brush two metres or more in height exceeds 50%.
 - 1.1.3.2 Low competition: an operation carried out where the coverage of brush one metre or more in height exceeds 25%.
- 1.1.4 Chipping: the removal and chipping of brush and non-merchantable timber in a single operation.
- 1.1.5 Forest harrowing: brush removal and soil scarification using a forest harrow.
- 1.1.6 Agricultural ploughing and harrowing: loosening of the soil using a plough and harrow to facilitate the planting of seedlings.
- 1.1.7 Scarification: a silvicultural treatment that involves disturbing the humus layer and low-growing competing vegetation to expose and loosen the mineral soil and mix it with organic matter.
 - 1.1.7.1 Light scarification: TTS-type disc trenchers.
 - 1.1.7.2 Medium scarification: TTS-type trenchers with hydraulic discs, Donaren, Equisyl, etc.
 - 1.1.7.3 Manual scarification: manual tools.
- 1.1.8 Salvage, bush clearing and site clearing: the harvesting of all mature merchantable timber or deteriorating timber in a low-value stand followed by bush clearing and mechanical site clearing.
- 1.1.9 Site clearing with a “stone-fork” excavator: a silvicultural treatment that involves windrowing or piling logging residue in order to facilitate replanting.
- 1.1.10 Mounding scarification: an operation involving the mounding of soil using an excavator or feller to create at least 800 microsites per hectare in order to perform intensive silviculture or reforestation with hardwood, white pine or red pine.
- 1.1.11 Forest ploughing and harrowing: brush removal and loosening of the soil using a forest plough and harrow.

Value of site preparation treatments

TREATMENT	EXECUTION		TECHNICAL		TOTAL VALUE	UNIT
	VALUE	FAMILY OF DEVELOPMENT EXPENSES	VALUE	FAMILY OF DEVELOPMENT EXPENSES		
Mechanical site clearing	\$845	PtRMe	\$220	Technical work	\$1,065	hectare (ha)
Shear-blading with a shear-blade-equipped tractor	\$1,413	PtRMe	\$220	Technical work	\$1,633	ha
Bush clearing and site clearing – high competition	\$1,573	PtRMe	\$220	Technical work	\$1,793	ha
Bush clearing and site clearing – low competition	\$528	PtRMe	\$220	Technical work	\$748	ha
Chipping	\$1,574	PtRMe	\$220	Technical work	\$1,794	ha
Forest harrowing – single pass	\$445	PtRMe	\$220	Technical work	\$665	ha
Forest harrowing – double pass	\$762	PtRMe	\$220	Technical work	\$982	ha
Agricultural ploughing and harrowing	\$529	PtRMe	\$220	Technical work	\$749	ha
Light scarification	\$235	PtRMe	\$220	Technical work	\$455	ha
Medium scarification	\$362	PtRMe	\$220	Technical work	\$582	ha
Manual scarification	\$329	PtRMa	\$141	Technical work	\$470	1,000 microsities
Salvage, bush clearing and site clearing	\$1,096	PtRMe	\$467	Technical work	\$1,563	ha
Site clearing with a “stone-fork” excavator	\$1,343	PtRMe	\$220	Technical work	\$1,563	ha
Mounding scarification	\$766	PtRMe	\$325	Technical work	\$1,091	ha
Forest ploughing and harrowing	\$1,327	PtRMe	\$564	Technical work	\$1,891	ha

1.2 Planting

Definition

An operation involving burying the root system of artificial seedlings in a mineral soil or a mixture of mineral and organic soil.

Description of eligible silvicultural planting treatments

- 1.2.1 Planting: an artificial regeneration treatment involving placing seeds or seedlings in the ground, with regular spacing, to create a stand.
- 1.2.2 Infill planting in plantations or naturally-regenerated areas: an artificial regeneration treatment that involves planting trees of a commercial species to fill gaps in areas where the regeneration, whether natural or artificial, has not achieved a suitable density or distribution coefficient. Infill planting takes place in a natural stand or a plantation containing trees of similar dimension to the seedling in order to achieve full stocking of the area.
- 1.2.3 Enrichment planting: an artificial regeneration treatment that involves planting trees in a stand to introduce or re-introduce a species that is in decline or has greater value, or to increase the abundance of that species. Enrichment planting may take place in the understorey of a stand to maintain or improve biodiversity or increase the value of the stand.

Value of planting treatments

TREATMENT	EXECUTION		TECHNICAL		TOTAL VALUE	UNIT
	VALUE	FAMILY OF DEVELOPMENT EXPENSES	VALUE	FAMILY OF DEVELOPMENT EXPENSES		
Mechanized planting – mechanical planter	\$1,505	PtRMe	\$251	Technical work	\$1,756	1,000 seedlings
Manual planting - Bare-root, large size	\$500	PtRMa	\$264	Technical work	\$764	1,000 seedlings
Manual planting - containers of 50 to 109 cubic centimetres (cc)	\$195	PtRMa	\$243	Technical work	\$438	1,000 seedlings
Manual planting - containers of 110 to 199 cc	\$264	PtRMa	\$248	Technical work	\$512	1,000 seedlings
Manual planting - containers of 200 to 299 cc	\$395	PtRMa	\$261	Technical work	\$656	1,000 seedlings
Manual planting - containers of 300 cc and over	\$446	PtRMa	\$279	Technical work	\$725	1,000 seedlings
Manual planting - containers of 300 cc and over (15 cells)	\$504	PtRMa	\$279	Technical work	\$783	1,000 seedlings
Manual planting - hybrid poplar	\$709	PtRMa	\$279	Technical work	\$988	1,000 seedlings
Infill/enrichment planting - Bare-root, large size	\$607	PtRMa	\$264	Technical work	\$871	1,000 seedlings
Infill/enrichment planting - containers of 50 to 109 cc	\$315	PtRMa	\$243	Technical work	\$558	1,000 seedlings
Infill/enrichment planting - containers of 110 to 199 cc	\$371	PtRMa	\$248	Technical work	\$619	1,000 seedlings
Infill/enrichment planting - containers of 200 to 299 cc	\$505	PtRMa	\$261	Technical work	\$766	1,000 seedlings
Infill/enrichment planting - containers of 300 cc and over	\$531	PtRMa	\$279	Technical work	\$810	1,000 seedlings
Infill/enrichment planting - containers of 300 cc and over (15 cells)	\$600	PtRMa	\$279	Technical work	\$879	1,000 seedlings
Infill/enrichment planting - hybrid poplar	\$709	PtRMa	\$279	Technical work	\$988	1,000 seedlings

2. Tending of regeneration

Definition

A silvicultural tending treatment that involves eliminating competing vegetation, mainly using mechanical or manual methods, to release regeneration of the desired species or to create an environment suitable for the establishment of regeneration.

Description of eligible silvicultural treatments for the tending of regeneration

- 2.1 **Cleaning (1st, 2nd, 3rd):** an operation that involves cutting back competing trees and shrubs.
- 2.2 **Weeding:** an operation that involves controlling competing herbaceous vegetation, either by mowing or harrowing or by straightening seedlings.
- 2.3 **Mulching:** an operation that involves controlling competing trees and shrubs by mulching
- 2.4 **Fertilization and amendment:** a treatment that involves the application of chemical or organic fertilizers to improve timber production in stands of quick-growth species and in maple stands used for forestry or syrup production under a silvicultural diagnosis by a forest engineer.
- 2.5 **Artificial pruning:** a silvicultural tending treatment that involves systematically removing dead or living branches from the lower part of a tree stem to produce knot-free timber. The treatment aims to increase the value of the butt log in the production of high-quality timber for sawing or rotary cutting.
- 2.6 **Phytosanitary pruning of white pine and red pine:** a silvicultural tending treatment that involves removing parts of a tree (generally branches or twigs) that are dead, damaged or affected by pathogens. This silvicultural treatment aims to prevent the spread of parasites and pathogens.
- 2.7 **Protective treatment:** a treatment to combat insects, disease or animals to stop their spread or minimize damage to trees.

Value of eligible treatments for the tending of regeneration

TREATMENT	EXECUTION		TECHNICAL		TOTAL VALUE	UNIT
	VALUE	FAMILY OF DEVELOPMENT EXPENSES	VALUE	FAMILY OF DEVELOPMENT EXPENSES		
Cleaning (1 st , 2 nd , 3 rd)	\$1,584	E. P.	\$554	Technical work	\$2,138	hectare (ha)
Weeding	\$341	E. P.	\$554	Technical work	\$895	ha
Mulching	\$1,054	PtRMe	\$448	Technical work	\$1,502	ha
Fertilization and amendment	\$575	PtRMe	\$244	Technical work	\$819	ha
Artificial pruning	\$480	E. P.	\$203	Technical work	\$683	ha
Phytosanitary pruning of white pine and red pine	\$876	E. P.	\$546	Technical work	\$1,422	ha
Protective treatment	\$510	PtRMa	\$219	Technical work	\$729	ha

3. Stand tending

3.1 Precommercial thinning

Definition

A silvicultural tending treatment that involves cutting trees with non-merchantable dimensions to reduce the competition for final crop trees and improve their growth. Precommercial thinning aims mainly to reduce competition between trees of a desired species.

Description of eligible silvicultural stand tending treatments

3.1.1 Systematic precommercial thinning: a variant characterized by the removal of trees and shrubs that compete with the selected crop trees, using a defined spacing that ensures that the crop trees make up the entire cover in the stand.

3.1.2 Precommercial thinning with light opening: a variant characterized by the removal of competing trees and shrubs (competing vegetation) within a defined radius around a number of selected crop trees to ensure that they form a predominant portion of the stand. Precommercial thinning by light opening retains the trainer (filler) trees.

Value of stand tending treatments

TREATMENT	EXECUTION		TECHNICAL		TOTAL VALUE	UNIT
	VALUE	FAMILY OF DEVELOPMENT EXPENSES	VALUE	FAMILY OF DEVELOPMENT EXPENSES		
Systematic precommercial thinning—softwood and mixed stands: 8 000 to 15 000 stems/hectare (ha)	\$1,233	Stand tending	\$546	Technical work	\$1,779	hectare (ha)
Systematic precommercial thinning – softwood and mixed stands: 15 000 stems/ha and over	\$1,647	Stand tending	\$546	Technical work	\$2,193	ha
Systematic precommercial thinning – poplar	\$892	Stand tending	\$379	Technical work	\$1,271	ha
Precommercial thinning with light opening and marking	\$1,137	Stand tending	\$814	Technical work	\$1,951	ha

4 Commercial treatments

Definition

All silvicultural treatments involving the partial or total harvesting of the merchantable trees in a stand.

Description of eligible commercial silvicultural treatments

- 4.1 Commercial thinning: silvicultural tending treatment that involves harvesting some merchantable stems in an even-aged stand prior to maturity.
- 4.2 Shelterwood cutting: a silvicultural treatment that involves harvesting the stand in a series of partial cuts spaced at about one-fifth of the rotation, to establish one or more regeneration cohorts under the protection of mature forest cover containing seed trees.
- 4.3 Selection cutting: the periodic harvesting of trees in an uneven-aged or “gardened” stand to promote regeneration.
- 4.4 Salvage cutting: an operation that involves harvesting merchantable stems in a deteriorating stand, to safeguard or replace the regeneration of commercial species damaged by windthrow, insect epidemic, ice storm or fire.
- 4.5 Technical assistance for timber development: assistance provided to a forest producer to plan silvicultural work and technical advice on the implementation of treatments, which may cover silvicultural prescriptions, performance reports, marking, permit applications, compliance with municipal by-laws and environmental regulations, and timber marketing.
- 4.6 Marking: an operation that involves marking trees, generally using spray paint, either to be felled (negative marking) or to be left standing (positive marking) during a planned selection cut. Marking may be used for commercial thinning, shelterwood cutting, selection cutting, partial salvage cutting, sanitation cutting or improvement cutting.
- 4.7 Succession cutting: the harvesting of overstorey trees while retaining the regeneration of desired species established in the understorey, in order to improve stand composition.
- 4.8 Sanitation cutting: the removal of trees killed or weakened by diseases or insects to avoid their spread to the remainder of the stand.
- 4.9 Improvement cutting: the removal of undesired species or poorly-formed trees in a stand that is beyond the sapling stage, in order to improve stand composition, structure and condition.

Value of commercial treatments

TREATMENT	EXECUTION		TECHNICAL		TOTAL VALUE	UNIT
	VALUE	FAMILY OF DEVELOPMENT EXPENSES	VALUE	FAMILY OF DEVELOPMENT EXPENSES		
First commercial thinning: softwoods - fir, spruce, jackpine and larch (FSJL) 9 to 15 centimetres (cm) diameter at breast height (DBH) -mechanized	\$1,001	T. C.	\$507	Technical work	\$1,508	hectare (ha)
First commercial thinning: softwoods (FSJL), 9 to 15 cm DBH - manual	\$1,432	T. C.	\$507	Technical work	\$1,939	ha
First commercial thinning: softwoods (FSJL), 15.1 to 19 cm DBH - mechanized	\$820	T. C.	\$507	Technical work	\$1,327	ha
First commercial thinning: softwoods (FSJL), 15.1 to 19 cm DBH - manual	\$1,173	T. C.	\$507	Technical work	\$1,680	ha
Second commercial thinning: softwood (FSJL) plantations – mechanized	\$557	T. C.	\$507	Technical work	\$1,064	ha
Second commercial thinning: softwood (FSJL) plantations - manual	\$796	T. C.	\$507	Technical work	\$1,303	ha
First commercial thinning: white pine and red pine plantations – mechanized	\$851	T. C.	\$507	Technical work	\$1,358	ha
First commercial thinning: white pine and red pine plantations - manual	\$1,217	T. C.	\$507	Technical work	\$1,724	ha
Second commercial thinning: white pine and red pine plantations – mechanized	\$476	T. C.	\$507	Technical work	\$983	ha
Second commercial thinning: white pine and red pine plantations – manual	\$681	T. C.	\$507	Technical work	\$1,188	ha

Commercial thinning, natural stands – hardwoods and other softwoods – mechanized	\$747	T. C.	\$507	Technical work	\$1,254	ha
Commercial thinning, natural stands – hardwoods and other softwoods - manual	\$1,069	T. C.	\$507	Technical work	\$1,576	ha
Shelterwood cutting - softwoods (FSJL) - mechanized	\$549	T. C.	\$507	Technical work	\$1,056	ha
Shelterwood cutting - softwoods (FSJL) - manual	\$785	T. C.	\$507	Technical work	\$1,292	ha
Shelterwood cutting – shade-tolerant hardwoods and other softwoods - mechanized	\$808	T. C.	\$507	Technical work	\$1,315	ha
Shelterwood cutting - shade-tolerant hardwoods and other softwoods - manual	\$1,156	T. C.	\$507	Technical work	\$1,663	ha
Selection cutting - softwoods (FSJL) - mechanized	\$724	T. C.	\$507	Technical work	\$1,231	ha
Selection cutting - softwoods (FSJL) - manual	\$1,035	T. C.	\$507	Technical work	\$1,542	ha
Selection cutting – shade-tolerant hardwoods and other softwoods - mechanized	\$723	T. C.	\$507	Technical work	\$1,230	ha
Selection cutting - shade-tolerant hardwoods and other softwoods - manual	\$1,034	T. C.	\$507	Technical work	\$1,541	ha
Salvage cutting - partial, manual	\$1,020	T. C.	\$507	Technical work	\$1,527	ha
Salvage cutting - partial, mechanized	\$713	T. C.	\$507	Technical work	\$1,220	ha
Salvage cutting - total, manual	\$437	T. C.	\$306	Technical work	\$743	ha
Salvage cutting - total, mechanized	\$306	T. C.	\$306	Technical work	\$612	ha
Technical assistance for timber development	\$0	N/A	\$306	Technical work	\$306	ha
Marking, hardwoods ¹	\$0	N/A	\$172	M.	\$172	ha
Marking, softwoods ¹	\$0	N/A	\$197	M.	\$197	ha
Succession cutting	\$774	T. C.	\$329	Technical work	\$1,103	ha
Sanitation cutting	\$715	T. C.	\$304	Technical work	\$1,019	ha
Improvement cutting	\$958	T. C.	\$408	Technical work	\$1,366	ha

¹The marking rate applies only to eligible commercial treatments

5 Other activities

Description of other eligible activities

- 5.1 Forest roads: the construction or improvement of access roads, bridges and culverts to facilitate forest operations.
- 5.2 Forest development plan: the drafting of an information and planning tool by a forest engineer for benefit of a forest producer, in order to protect and develop a forest property.
- 5.3 Supplemental forest development plan: the inclusion of extra information in the forest development plan concerning the presence of at least one sensitive element on a forested property, as confirmed by cartographic data from a recognized source or the gathering of ecological data. The eligible sensitive elements are:
 - 5.3.1 Wetlands;
 - 5.3.2 Occurrences or potential habitats of a designated threatened or vulnerable species or a species likely to be designated threatened or vulnerable;
 - 5.3.3 Exceptional forest ecosystems;
 - 5.3.4 Sensitive forest ecosystems, or forest ecosystems that are vulnerable to climate change, as well as ecological hubs and corridors.

The inclusion of sensitive elements must be supported by an ecological description and mitigation measures in the silvicultural treatments proposed in the forest development plan.

- 5.4 Delimitation of sensitive areas: on-site delimitation of a sensitive element described in point 5.3 for conservation purposes, prior to the implementation of a planned forest management activity.
- 5.5 Multi-resource component provided for in the forest development plan: the drafting of an information tool for potential multi-resources based on a multi-resource data collection; the component is added to the forest development plan, as it is described in point 5.2 of this Schedule.
- 5.6 Forest-fauna work: forest development activities provided for in this Regulation if they are implemented to conserve or improve a wildlife habitat. The work results from an analysis of the wildlife potential and is provided for in the forest development plan or the silvicultural prescription of a forest engineer. The value of the development expense for the technical component or execution component is increased by 10%.
- 5.7 Advisory visit: an advisory visit, including an on-site analysis to follow up on the forest development plan with the owner, or to advise the owner on the implementation of development work on the owner's forested land. The visit must be conducted under the responsibility and supervision of a forest engineer. Maximum number of visits per forest development plan per year: 1.
- 5.8 Forest certification: work to obtain or maintain forest certification under a recognized group program.

Value of other activities

TREATMENT	EXECUTION		TECHNICAL		TOTAL VALUE	UNIT
	VALUE	FAMILY OF DEVELOPMENT EXPENSES	VALUE	FAMILY OF DEVELOPMENT EXPENSES		
Construction of access roads ¹	\$2,013	T. C.	\$855	Technical work	\$2,868	Kilometre (km)
Improvement of access roads ¹	\$958	T. C.	\$408	Technical work	\$1,366	km
Construction of bridges or culverts ¹	\$1,128	T. C.	\$479	Technical work	\$1,607	One bridge or one culvert
Improvement of bridges or culverts ¹	\$153	T. C.	\$66	Technical work	\$219	One bridge or one culvert
Forest development plan (4 to 10 hectares (ha)) ¹	\$0	N/A	\$543	Technical work	\$529	One forest development plan
Forest development plan (11 to 50 ha) ¹	\$0	N/A	\$597	Technical work	\$582	One forest development plan
Forest development plan (51 to 100 ha) ¹	\$0	N/A	\$780	Technical work	\$760	One forest development plan
Forest development plan (101 to 799 ha) ¹	\$0	N/A	\$1,085	Technical work	\$1,057	One forest development plan
Forest development plan (800 ha and over) ¹	\$0	N/A	\$1,302	Technical work	\$1,268	One forest development plan
Supplemental forest development plan ¹	\$0	N/A	\$255	Technical work	\$255	Per sensitive element
Delimitation of sensitive areas	\$0	N/A	\$168	Technical work	\$168	ha
Multi-resource component provided for in the forest development plan ¹	\$0	N/A	\$218	Technical work	\$218	Per forest development plan
Forest-fauna work	\$0	N/A	\$0	N/A	10%	N/A
Advisory visit	\$0	N/A	\$380	Technical work	\$380	One visit
Forest certification	\$0	N/A	\$3	Technical work	\$3	ha

¹Upon presentation of eligible invoices and proof of payment by the producer (to be attached to the forest engineer's report for validation), the value of the expense indicated in the above table may correspond to the total of the amount of the validated invoices, up to twice the indicated value.

3. This Regulation comes into force on 1 May 2022.

105647

Gouvernement du Québec

O.C. 644-2022, 30 March 2022

Act respecting occupational health and safety
(chapter S-2.1)

Occupational health and safety

— Amendment

Regulation to amend the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 3, 7, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations

— listing contaminants or dangerous substances, classifying them, identifying the biological or chemical agents and determining for each class or each contaminant a maximum permissible quantity or concentration of emission, deposit, issuance or discharge at a workplace, prohibiting or restricting the use of a contaminant or prohibiting any emission, deposit, issuance or discharge of a contaminant;

— prescribing measures for the supervision of the quality of the work environment and standards applicable to every establishment or construction site in view of ensuring the health, safety and physical well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where the employer makes premises available to workers for lodging, meal service or leisure activities;

— prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

— generally prescribing any other measure to facilitate the application of the Act;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply. The regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety was published in Part 2 of the *Gazette officielle du Québec* of 26 August 2020 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 17 December 2020;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety

Act respecting occupational health and safety

(chapter S-2.1, s. 223, 1st par., subpars. 3, 7, 19 and 42, and 2nd par.)

1. The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended, as of 28 October 2022, by replacing the definition of "respirable asbestos fibre" in section 1 by the following:

"respirable asbestos fibre" means asbestos fibre having a ratio of length to diameter of more than 3:1; only fibres longer than 5 µm must be taken into account for measurement purposes;"

2. Schedule I is amended

(1) by inserting the following paragraphs after paragraph 14:

"(14.1) S(D): a substance that, through skin contact, shows specific signs of sensitization on the skin.;

(14.2) S(R): a substance that shows specific signs of respiratory tract sensitization.";

(2) by replacing the following substances and their characteristics in Part 1 by the following:

"

Substance	[#CAS]	TWAEV ppm	mg/m ³	STEV/Ceiling ppm	mg/m ³	Designation and remarks
Acetone	[67-64-1]	250		500		
Allyl propyl disulfide	[2179-59-1]	0.5				<i>S(D)</i>
Azinphos-methyl	[86-50-0]		0.2			<i>Pc,S(D),IVF</i>
Benomyl	[17804-35-2]		1			<i>C3,S(D),Id</i>
n-Butyl acrylate	[141-32-2]	2				<i>S(D)</i>
n-Butyl glycidyl ether (BGE)	[2426-08-6]	3				<i>Pc, S(D)</i>
Carbofuran	[1563-66-2]		0.1			<i>IVF</i>
Carbon monoxide	[630-08-0]	35		175		
Cyclohexene	[110-82-7]	100				
1,2-Dichloropropane	[78-87-5]	10				<i>S(D)</i>
Dimethylamine	[124-40-3]	5		15		<i>S(D)</i>
Disulfoton	[298-04-4]		0.05			<i>Pc,IVF</i>
Endosulfan	[115-29-7]		0.1			<i>Pc,IVF</i>
Ethion	[563-12-2]		0.05			<i>Pc,IVF</i>
Fenthion	[55-38-9]		0.05			<i>Pc,IVF</i>
Fonofos	[944-22-9]		0.1			<i>Pc,IVF</i>
Formaldehyde	[50-00-0]			P1.5		<i>C2,EM,RP, S(D),S(R)</i>

Substance	[#CAS]	TWA/VEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Glutaraldehyde	[111-30-8]			P0.05		<i>RP,S(D),S(R)</i>
Hard metals containing cobalt and tungsten carbide, as cobalt			0.005			<i>C2,RP,EM,S(R),Thord</i>
Hydrogen sulfide	[7783-06-4]		8		P10	
Hydroquinone	[123-31-9]			1		<i>C3, S(D)</i>
2-Hydroxypropyl acrylate	[999-61-1]		0.5			<i>Pc, S(D)</i>
Lindane	[58-89-9]			0.5		<i>C3,Pc</i>
Maleic anhydride	[108-31-6]			0.01		<i>IVF, S(D),S(R)</i>
Methyl acrylate	[96-33-3]		2			<i>Pc, S(D)</i>
Methyl isoamyl ketone	[110-12-3]		20		50	
Methyl methacrylate (monomer)	[80-62-6]		50		100	<i>S(D)</i>
Mineral oil (mist)						
Little or unrefined			Without applicable permissible exposure value			<i>C2,EM,RP</i>
Pure, highly and ultra-refined Nitrogen dioxide	[10102-44-0]		3	5	5	<i>Id</i>
Parathion	[56-38-2]			0.05		<i>Pc,IVF</i> <i>Pc,S(D),C3</i>
Phenyl glycidyl ether (PGE)	[122-60-1]		0.1			
Phenyl isocyanate	[103-71-9]		0.005		0.015	<i>S(D),S(R),Pc</i>
Propylene oxide	[75-56-9]					<i>C3,S(D)</i>
			2			
Rosin core solder pyrolysis products	[8050-09-7]		Without applicable permissible exposure value			<i>S(R),S(D)</i>
Styrene (monomer)	[100-42-5]			50	75	
Sulfotep	[3689-24-5]			0.1		<i>Pc,IVF</i> <i>Thord,</i> <i>RP,EM(C2 for strong acid mist)</i>
Sulfuric acid	[7664-93-9]			0.2		

Substance	[#CAS]	TWAEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Trimellitic anhydride	[552-30-7]		0.0005		0.002	<i>Pc,S(D),S(R),IVF</i>
Turpentine and certain monoterpenes						
Turpentine	[8006-64-2]		20		112	<i>S(D)</i>
D-3 Carene	[13466-78-9]		20		112	<i>S(D)</i>
a-Pinene	[80-56-8]		20		112	<i>S(D)</i>
b-Pinene	[127-91-3]		20		112	<i>S(D)</i>
"						

(3) by striking out the following substances and their characteristics in Part 1:

Substance	[#CAS]	TWAEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Aluminum (as Al)	[7429-90-5]					
Alkyls			2			
Metal			10			
Pyrotechnical powders			5			
Soluble salts			2			
Welding fumes			5			
Aluminum oxide (as Al)	[1344-28-1]		10			<i>Td, note 1</i>
Corundum	[1302-74-5]		10			<i>Td, note 1</i>
Emery	[12415-34-8]		10			<i>Td, note 1</i>
"						

(4) by inserting the following substances and their characteristics in alphabetical order in Part I:

Substance	[#CAS]	TWAEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Alachlore	[15972-60-8]		1			<i>C3,S(D),IVF</i>
Aluminum and its compounds			5			<i>Rd</i>
Benzene (trichloromethyl)	[98-07-7]			P0.1		<i>C2,Pc, RP,EM</i>

Substance	[#CAS]	TWA EV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Flour dust			3			<i>Id,S(R)</i>
Kerosene	[8008-20-6; 64742-81-0]		200			<i>C3,Pc</i>
Terbufos	[13071-79-9]		0.01			<i>Pc,IVF</i> ", ,

(5) by striking out the following substance in Part 4:

"1344-28-1 Aluminum oxide";

(6) by inserting the following substances in numerical order in Part 4:

"98-07-7 Benzene (trichloromethyl)
13071-79-9 Terbufos
8008-20-6 Kerosene
15972-60-8 Alachlore
64742-81-0 Kerosene
77536-67-5 Anthophyllite asbestos".

3. As of 28 October 2022, Schedule I is amended by replacing the following substance and its characteristics in Part 1 by the following:

"

Substance	[#CAS]	TWA EV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Asbestos – All forms (note 2a) (note 2b)	[1332-21-4]		0.1 fibre/cm ³			<i>C1,EM</i>
Actinolite	[12172-67-7]		0.1 fibre/cm ³			<i>C1,EM</i>
Amosite (note 3)	[12172-73-5]		0.1 fibre/cm ³			<i>C1,EM</i>
Anthophyllite	[77536-67-5]		0.1 fibre/cm ³			<i>C1,EM</i>
Chrysotile	[12001-29-5]		0.1 fibre/cm ³			<i>C1,EM</i>
Crocidolite (note 3)	[12001-28-4]		0.1 fibre/cm ³			<i>C1,EM</i>
Tremolite	[14567-73-8]		0.1 fibre/cm ³			<i>C1,EM</i> ".

4. As of 28 April 2024, Schedule I is amended

(1) by replacing the following substances and their characteristics in Part 1 by the following:

"

Substance	[#CAS]	TWA/24h		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Aldrin	[309-00-2]		0.05			<i>C3,Pc,IVF</i>
Atrazine and symmetric triazine analogs	[1912-24-9]		2			<i>C3,Id</i>
Captan	[133-06-2]		5			<i>C3,Id,S(D)</i>
Carbaryl	[63-25-2]		0.5			<i>Pc,IVF</i>
Chlorpyrifos	[2921-88-2]		0.1			<i>Pc,IVF</i>
2,4-D	[94-75-7]		10			<i>Pc,Id</i>
Demeton®	[8065-48-3]		0.05			<i>Pc,IVF</i>
Diazinon®	[333-41-5]		0.01			<i>Pc,IVF</i>
Dichlorvos	[62-73-7]		0.1			<i>Pc,S(D),IVF</i>
Dicrotophos	[141-66-2]		0.05			<i>Pc,IVF</i>
Dioxathion	[78-34-2]		0.1			<i>Pc,IVF</i>
Fenamiphos	[22224-92-6]		0.05			<i>Pc,IVF</i>
Fensulfothion	[115-90-2]		0.01			<i>Pc,IVF</i>
Ferbam	[14484-64-1]		5			<i>Id</i>
Hexachlorobenzene	[118-74-1]		0.002			<i>C3,Pc</i>
Malathion	[121-75-5]		1			<i>Pc,IVF</i>
Methomyl	[16752-77-5]		0.2			<i>Pc,IVF</i>
Methyl demeton	[8022-00-2]		0.05			<i>Pc,IVF</i>
Methyl formate	[107-31-3]	50		100		<i>Pc</i>
Methyl isocyanate	[624-83-9]	0.02		0.06		<i>Pc,S(D)</i>
Methyl parathion	[298-00-0]		0.02			<i>Pc,IVF</i>
Monocrotophos	[6923-22-4]		0.05			<i>Pc,IVF</i>
Naled (Dibrom®)	[300-76-5]		0.1			<i>Pc,S(D),IVF</i>
Phorate	[298-02-2]		0.05			<i>Pc, IVF</i>
Phosdrin	[7786-34-7]		0.01			<i>Pc,IVF</i>
Pyridine	[110-86-1]	1				<i>C3</i>
Ronnel	[299-84-3]		5			<i>IVF</i>
Silica cristalline, cristobalite	[14464-46-1]		0.05			<i>Rd,C2,EM</i>
Sulprofos	[35400-43-2]		0.1			<i>Pc,IVF</i>
Temephos	[3383-96-8]		1			<i>Pc,IVF</i>
TEPP	[107-49-3]		0.01			<i>Pc,IVF</i>
Thionyl chloride	[7719-09-7]			P0.2		
Thiram®	[137-26-8]		0.05			<i>S(D),IVF</i>
Warfarin	[81-81-2]		0.01			<i>Id,Pc</i>

";

(2) by striking out the following substances and their characteristics in Part 1:

"

Substance	[#CAS]	TWAEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Diquat	[231-36-7]		0.5			<i>Td, note 1</i>
			0.1			<i>Td, note 1</i>
Paraquat, respirable particulates	[4685-14-7]		0.1			
Piperazine dihydrochloride	[142-64-3]		5			
Silica - Crystalline, Quartz	[14808-60-7]		0.1			<i>Rd,C2,EM</i>
Silica - Crystalline, Tridymite	[15468-32-3]		0.05			<i>Rd</i>
Silica - Crystalline, Tripoli	[1317-95-9]		0.1			<i>Rd</i>
						";

(3) by inserting the following substances and their characteristics in alphabetical order in Part 1:

"

Substance	[#CAS]	TWAEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
1-Bromopropane	[106-94-5]	0.1				<i>C3</i>
Citral	[5392-40-5]	5				<i>Pc, S(D), IFV</i>
Coumaphos	[56-72-4]		0.05			<i>Pc,IFV</i>
Diquat, as cation	[2764-72-9; 85-00-7; 6385-62-2]		0.5			<i>Id, Pc</i>
			0.1			<i>Rd,Pc</i>
Ethyl isocyanate	[109-90-0]	0.02		0.06		<i>S(D),Pc</i>
Paraquat, as cation	[4685-14-7]		0.5			
			0.1			<i>Rd</i>
Piperazine and salts [110-85-0], as piperazine		0.03				<i>S(D), S(R),IFV</i>
Silica – Crystalline/Tripoli	[14808-60-7; 1317-95-9]		0.05			<i>Rd,C2,EM</i>
Simazine	[122-34-9]		0.5			<i>C3, Id</i>
						";

(4) by striking out the following substances in Part 4:

"142-64-3 Piperazine dihydrochloride
231-36-7 Diquat
1317-95-9 Silica - Crystalline, Tripoli
14808-60-7 Silica - Crystalline, Quartz
15468-32-3 Silica - Crystalline, Tridymite";

(5) by inserting the following substances in numerical order in Part 4:

"56-72-4	Coumaphos
85-00-7	Diquat
106-94-5	1-Bromopropane
109-90-0	Ethyl isocyanate
110-85-0	Piperazine and salts
122-34-9	Simazine
1317-95-9	Silica crystalline, Quartz/Tripoli
2764-72-9	Diquat
4685-14-7	Paraquat
6385-62-2	Diquat
14808-60-7	Silica crystalline, Quartz/Tripoli".

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

105652

Gouvernement du Québec

O.C. 645-2022, 30 March 2022

Act respecting occupational health and safety
(chapter S-2.1)

Safety Code for the construction industry —Amendment

Regulation to amend the Safety Code for the construction industry

WHEREAS, under subparagraphs 7, 14 and 19 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations

—prescribing measures for the supervision of the quality of the work environment and standards applicable to every establishment or construction site in view of ensuring the health, safety and physical well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where the employer makes premises available to workers for lodging, meal service or leisure activities;

—indicating the cases or circumstances in which new construction or alterations to existing installations must not be undertaken without prior transmission to the Commission of the architect's or engineer's plans and specifications, and indicating the time, terms and conditions of their transmission; prescribing standards of construction, development, maintenance and demolition;

—prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply. The regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting health and safety in forest development work and the First-aid Minimum Standards Regulation was published in Part 2 of the *Gazette officielle du Québec* of 5 May 2021 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 18 November 2021;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is to be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Safety Code for the construction industry, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry

Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7, 14 and 19, and 2nd par.)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 3.23.1.1 by inserting the following before the definition of “work carried out outside”:

““wetting agent” means a surfactant or liquid detergent added to water according to the manufacturer’s instructions in order to increase its ability to penetrate materials containing asbestos;”

2. Section 3.23.2 is amended

(1) by adding “that fully covers the work area” after “high-efficiency filter” in subparagraph *b* of paragraph 1;

(2) by striking out subparagraph *c* of paragraph 1;

(3) by inserting “, otherwise than in the case referred to in subparagraph *f*,” after “removal” in subparagraph *e* of paragraph 2;

(4) by adding the following after subparagraph *e* of paragraph 2:

“(f) the removal of drywall installed with asbestos joint-filling compounds;”

(5) by adding “that fully covers the work area” after “high-efficiency filter” in subparagraph *e* of paragraph 3.

3. Section 3.23.8 is amended by adding “using a wetting agent” at the end of subparagraph *a* of paragraph 2.

4. Section 3.23.9 is replaced by the following:

“**3.23.9.** For the duration of work carried out inside a building, friable materials that contain asbestos and that are likely to be spread shall be kept thoroughly wetted using a wetting agent.

For the duration of work carried out outside, the employer shall prevent the dispersal of the dust of friable materials containing asbestos by spraying them. The employer shall ensure that those materials are kept wet or covered in order to prevent their dispersal.

Wetting is to be used, except where the procedure may create a danger to the health, safety and physical integrity of the worker and where the danger cannot be eliminated by another means.”

5. Section 3.23.10 is amended

(1) by inserting “inside a building” after “During work” in the first paragraph;

(2) by replacing “by wetting the debris before it is removed” in the first paragraph by “by first wetting the debris using a wetting agent”;

(3) by striking out the second paragraph;

(4) by adding “The employer shall dispose of the debris using airtight containers, film, or any other means making it possible to ensure airtightness during transportation, depending on its intended use.” at the end of the third paragraph.

6. The following is inserted after section 3.23.12:

“**3.23.12.1.** The outside of containers for the debris of materials containing asbestos, the tools and the equipment shall be cleaned by wetting or by means of a vacuum cleaner equipped with a high-efficiency filter immediately before they are removed from the work area.”

7. Section 3.23.15 is amended

(1) by inserting the following after paragraph 4:

“(4.1) where a worker wearing disposable protective clothing leaves the work area, the employer shall ensure that the clothing is immediately placed in a hermetically sealed airtight container or in a receptacle filled with water or supplied by him until it is washed;”

(2) by replacing “leaves the work premises referred to in this section, the employer shall ensure that the clothing is placed in a plastic bag supplied by him and he shall ensure that the bag is hermetically sealed immediately” in paragraph 7 by “leaves the work area, the employer shall ensure that the clothing is immediately placed in a hermetically sealed airtight container supplied by him”;

(3) by replacing “outside the work premises referred to this section” in paragraph 8 by “outside the work area”;

(4) by adding “that has an exhaust ventilation system equipped with a high-efficiency filter providing at least 4 changes of air per hour” at the end of paragraph 9;

(5) by inserting the following after paragraph 9:

“(9.1) during work to handle or remove friable materials containing asbestos having a volume of debris not exceeding 0.03 m³, the employer shall isolate the work area with an enclosure made of materials impervious to asbestos fibres that has an exhaust ventilation system equipped with a high-efficiency filter providing at least 4 changes of air per hour;

(9.2) during work to remove friable materials containing asbestos in a work area sealed off from the worker’s breathing area, if the worker uses a glove bag, the employer shall ensure

(a) that it is used solely for the purposes and conditions for which it was designed, according to the manufacturer’s instructions;

(b) that it is not reused after it has been filled;

(c) that it is not used if there is a risk that it will not remain hermetically sealed during the work, in particular due to the location of the tube, the deterioration of the insulation or the temperature of the tube, duct or structure; and

(d) that, before the glove bag is dismantled, any part of the tube where insulating materials that could release asbestos fibres is encapsulated, and that the glove bag is sealed above the debris of materials so that the debris is isolated from the upper compartment;”;

(6) by replacing “the employer shall isolate the work area with an enclosure made of materials impervious to asbestos fibre and protect the building’s ventilation system from any contamination” in paragraph 10 by “the employer shall protect the building’s ventilation system from any contamination and isolate the work area with

an enclosure made of materials impervious to asbestos fibres that has an exhaust ventilation system equipped with a high-efficiency filter providing at least 4 changes of air per hour”;

(7) by adding “, 9.1” after “9” in paragraph 12.

8. The following is inserted after section 3.23.15:

“**3.23.15.1.** On a construction site where moderate-risk work is being carried out, workers must, before removing their protective clothing and other individual protective equipment, decontaminate them using a wet cloth or a vacuum cleaner equipped with a high-efficiency filter.”.

9. Section 3.23.16 is amended by inserting “, 4.1” after “2” in the portion before paragraph 1.

10. Section 3.23.16.1 is amended

(1) by replacing “4 and 6 to 12” in the portion before paragraph 1 by “4, 6 to 9 and 10 to 12”;

(2) by replacing “a ventilation system equipped with a high-efficiency filter;” in paragraph 2 by “an exhaust ventilation system equipped with a high-efficiency filter providing at least 4 changes of air per hour;”.

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

105653

Gouvernement du Québec

O.C. 646-2022, 30 March 2022

Act respecting occupational health and safety
(chapter S-2.1)

**Safety Code for the construction industry
— Amendment**

Regulation to amend the Safety Code for the construction industry

WHEREAS, under subparagraphs 3, 7, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l’équité, de la santé et de la sécurité du travail may make regulations

—listing contaminants or dangerous substances, classifying them, identifying the biological or chemical agents and determining for each class or each contaminant a maximum permissible quantity or concentration of emission, deposit, issuance or discharge at a workplace, prohibiting or restricting the use of a contaminant or prohibiting any emission, deposit, issuance or discharge of a contaminant;

—prescribing measures for the supervision of the quality of the work environment and standards applicable to every establishment or construction site in view of ensuring the health, safety and physical well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where the employer makes premises available to workers for lodging, meal service or leisure activities;

—prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

—generally prescribing any other measure to facilitate the application of the Act;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply. The regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Safety Code for the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 26 August 2020 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry 45 days following that publication;

WHEREAS an erratum was published in Part 2 of the *Gazette officielle du Québec* of 30 September 2020;

WHEREAS the Commission made the Regulation with amendments at its sitting of 17 December 2020;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Safety Code for the construction industry, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry

Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 3, 7, 19 and 42, and 2nd par.)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended, as of 28 October 2022, by replacing the definition of “respirable asbestos fibre” in section 1.1 by the following:

““respirable asbestos fibre” means asbestos fibre having a ratio of length to diameter of more than 3:1; only fibres longer than 5 µm must be taken into account for measurement purposes;”

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

105654

Gouvernement du Québec

O.C. 652-2022, 6 April 2022

Act respecting the Barreau du Québec
(chapter B-1)

Act to improve justice accessibility and efficiency,
in particular to address consequences
of the COVID-19 pandemic
(2020, chapter 29)

Professional Code
(chapter C-26)

Advocates — Professional activities that may be engaged in by persons other than advocates

Regulation respecting the professional activities that
may be engaged in by persons other than advocates

WHEREAS the Act to improve justice accessibility and
efficiency, in particular to address consequences of the
COVID-19 pandemic (2020, chapter 29) was assented to
on 11 December 2020;

WHEREAS, under paragraph 1 of section 68 of the
Act, sections 5 to 7 of the Act come into force on the
date of coming into force of the first by-law made under
section 128.1 of the Act respecting the Barreau du Québec
(chapter B-1), enacted by section 6 of the Act;

WHEREAS, under the second paragraph of section 128.1
of the Act respecting the Barreau du Québec, enacted
by section 6 of the Act to improve justice accessibility
and efficiency, in particular to address consequences of
the COVID-19 pandemic, the board of directors of the
Barreau du Québec must determine, by by-law, from
among the regulatory standards applicable to advocates,
those standards applicable to students who may give legal
advice or consultations on legal matters for others as well
as the terms and conditions that apply to the advocates
supervising them, and the by-law may also prescribe addi-
tional terms and conditions according to which students
may perform such acts;

WHEREAS, under subparagraph *h* of the first paragraph
of section 94 of the Professional Code (chapter C-26), the
board of directors of a professional order may, by regu-
lation, determine, among the professional activities that
may be engaged in by members of the order, those that
may be engaged in by the persons or categories of persons
indicated in the regulation, and the terms and conditions
on which such persons may engage in such activities;

WHEREAS, in accordance with the third paragraph
of section 128.1 of the Act respecting the Barreau du
Québec, enacted by section 6 of the Act to improve
justice accessibility and efficiency, in particular to address
consequences of the COVID-19 pandemic, and with sub-
paragraph *h* of the first paragraph of section 94 of the
Professional Code, the board of directors of the Barreau
du Québec consulted the Ordre des notaires du Québec
before adopting the Regulation respecting the professional
activities that may be engaged in by persons other than
advocates on 20 May 2021;

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

WHEREAS, in accordance with sections 10 and 11 of
the Regulations Act (chapter R-18.1), a draft Regulation
respecting the professional activities that may be engaged
in by persons other than advocates was published in
Part 2 of the *Gazette officielle du Québec* of 7 July 2021
with a notice that it could be examined by the Office then
submitted to the Government which may approve it, with
or without amendment, on the expiry of 45 days following
that publication;

WHEREAS, in accordance with section 95 of the
Professional Code, the Office examined the Regulation on
21 February 2022 and then submitted it to the Government
with its recommendation;

WHEREAS it is expedient to approve the Regulation with
amendments;

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

THAT the Regulation respecting the professional
activities that may be engaged in by persons other than
advocates, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

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, subsec. 1, 2nd par.)

Act to improve justice accessibility and efficiency,
in particular to address consequences
of the COVID-19 pandemic
(2020, chapter 29, s. 6)

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 to 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 45 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 for the purpose of issuing such a permit has been recognized pursuant to a regulation under paragraphs *c* and *c.1* of section 93 of the Professional Code (chapter C-26) 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 for the purpose of issuing such a permit has been recognized pursuant to a regulation under paragraphs *c* and *c.1* of section 93 of the Professional Code 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. *Practice within a legal clinic established or recognized by a university-level educational institution*

2. A person referred to in paragraph 1 or 2 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 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) except in the case of communications that are administrative in nature, the person communicates alone with a client only after obtaining the approval of the supervising advocate, who determines whether his or her presence is required given the complexity of the case or the nature of the legal matters involved;

(4) the person gives verbal advice on legal matters to a client only in the presence of the supervising advocate or, in the case of written advice on legal matters, only after obtaining the supervising advocate's approval; and

(5) the person engages in those activities in conformity 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 or she opens within a legal clinic or ensures that they are kept up by another practising advocate or by a notary who complies, as applicable, with the terms and conditions provided for in this section or in section 3 of the

Regulation respecting the professional activities that may be engaged in by persons other than notaries, approved by Order in Council 653-2022 dated 6 April 2022 and who is designated to do so by the university-level educational institution;

(4) the advocate is not the subject of a disciplinary complaint or a request in accordance with section 116 or 122.0.1 of the Professional Code (chapter C-26) or a proceeding for an offence punishable by a term of imprisonment of 5 years or more;

(5) the advocate is not the subject, nor was the subject, in the 5 years preceding the date on which the supervision began, of

(a) a decision or order rendered under the Professional Code, the Act respecting the Barreau du Québec (chapter B-1) or a regulation made for their application imposing a penalty, a striking off the Roll, a restriction or suspension of the right to engage in professional activities or conditions the advocate must meet in order to be allowed to continue to practise the profession, refresher courses, periods of refresher training, or any other requirement provided for in a regulation made under section 90 of the Professional Code;

(b) a decision finding the advocate guilty of an offence under the Professional Code, the Act respecting the Barreau du Québec or a regulation made for their application;

(c) a judicial decision described in subparagraph 1, 2, 5 or 6 of the first paragraph of section 45 of the Professional Code.

An advocate who holds a special permit issued in accordance with a regulation under subparagraph *r* of the first paragraph of section 94 of the Professional Code or a temporary restrictive permit issued in accordance with section 42.1 of the Professional Code may not act as a supervisor.

§2. *Practice 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 conformity with the regulatory standards applicable to advocates relating to professional conduct, accounting and professional practice standards, with the necessary modifications.

§3. *Practice 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 on behalf of another person, 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 the 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*.

105662

Gouvernement du Québec

O.C. 653-2022, 6 April 2022

Notaries Act
(chapter N-3)

Act to improve justice accessibility and efficiency,
in particular to address consequences of
the COVID-19 pandemic
(2020, chapter 29)

Professional Code
(chapter C-26)

Notaries — Professional activities that may be engaged in by persons other than notaries

Regulation respecting the professional activities that
may be engaged in by persons other than notaries

Whereas the Act to improve justice accessibility and
efficiency, in particular to address consequences of the
COVID-19 pandemic (2020, chapter 29) was assented to
on 11 December 2020;

Whereas, under paragraph 4 of section 68 of the Act,
sections 61 and 62 of the Act come into force on the date
of coming into force of the first by-law made under sec-
tion 15.1 of the Notaries Act (chapter N-3), enacted by
section 62 of the Act;

Whereas, under the second paragraph of section 15.1
of the Notaries Act, enacted by section 62 of the Act to
improve justice accessibility and efficiency, in particu-
lar to address consequences of the COVID-19 pandemic,
the board of directors of the Ordre des notaires du Québec
must determine, by by-law, from among the regulatory
standards applicable to notaries, those standards applicable
to students who may give legal advice or opinions for
others as well as the terms and conditions that apply to
the notaries supervising them, and the by-law may also
prescribe additional terms and conditions according to
which students may perform such acts;

Whereas, under subparagraph *h* of the first paragraph
of section 94 of the Professional Code (chapter C-26), the
board of directors of a professional order may, by regu-
lation, determine, among the professional activities that
may be engaged in by members of the order, those that
may be engaged in by the persons or categories of persons
indicated in the regulation, and the terms and conditions
on which such persons may engage in such activities;

Whereas, in accordance with the third paragraph of
section 15.1 of the Notaries Act, enacted by section 62
of the Act to improve justice accessibility and efficiency,
in particular to address consequences of the COVID-19
pandemic, the board of directors of the Ordre des notaires
du Québec consulted the Barreau du Québec before
adopting, at its sittings of 28 and 29 May 2021 the
Regulation respecting the professional activities that may
be engaged in by persons other than notaries;

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

Whereas, in accordance with sections 10 and 11 of
the Regulations Act (chapter R-18.1), a draft Regulation
respecting the professional activities that may be engaged
in by persons other than notaries was published in Part 2
of the *Gazette officielle du Québec* of 7 July 2021 with a
notice that it could be examined by the Office then sub-
mitted to the Government which may approve it, with or
without amendment, on the expiry of 45 days following
that publication;

Whereas, in accordance with section 95 of the
Professional Code, the Office examined the Regulation on
21 February 2022 and then submitted it to the Government
with its recommendation;

Whereas it is expedient to approve the Regulation
with amendments;

It is ordered, therefore, on the recommendation of the
Minister of Higher Education:

THAT the Regulation respecting the professional
activities that may be engaged in by persons other than
notaries, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by persons other than notaries

Notaries Act
(chapter N-3, s. 15.1, 2nd par.)

Act to improve justice accessibility and efficiency, in particular to address consequences of the COVID-19 pandemic
(2020, chapter 29, s. 62)

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 certain of the professional activities reserved to notaries:

(1) a person who is registered 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 45 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 has been recognized for the purpose of issuing such a permit pursuant to a regulation under paragraphs *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 such 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 holds a master's degree, the combination of which meets the requirements for the permit issued by the Order or whose diploma or training equivalence has been recognized for the purpose of issuing such a permit pursuant to a regulation under paragraphs *c* and *c.1* of section 93 of the Professional Code, and who is admitted to the professional training program of the Order provided for in the regulation under subparagraph *i* of the first paragraph of section 94 of the Professional Code.

DIVISION II APPLICABLE TERMS AND CONDITIONS

§1. *Practice 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;

(3) except in the case of communications that are administrative in nature, the person communicates alone with a client only after obtaining the approval of the supervising notary, who determines whether his or her presence is required given the complexity of the case or the nature of the legal matters involved;

(4) the person gives verbal advice on legal matters to a client only in the presence of the supervising notary or, in the case of written advice on legal matters, only after obtaining the supervising notary's approval; and

(5) the person engages in those activities in conformity with the regulatory standards applicable to notaries relating to ethics and the keeping of records and offices, 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 subparagraph *b* of paragraph 2 of section 3 of the Règlement sur l'assurance de la responsabilité professionnelle des notaires (chapter N-3, r. 1.1) which undertakes to stand surety for, defend, and accept financial responsibility for any fault committed by the notary in the practice of his or her profession;

(3) the notary keeps the records he or she opens within a legal clinic or ensures that they are kept by another notary or by a practising advocate who complies with, as applicable, the terms and conditions provided for in this section or in section 3 of the Regulation respecting the professional activities that may be engaged in by persons other than advocates, approved by Order in Council 652-2022 dated 6 April 2022, and who is designated for that purpose by the university-level educational institution;

(4) the notary is not the subject of a disciplinary complaint or a request in accordance with section 116 or 122.0.1 of the Professional Code (chapter C-26) or a proceeding for an offence punishable by a term of imprisonment of 5 years or more;

(5) the notary is not the subject, nor was the subject, in the 5 years preceding the date on which the supervision began, of

(a) a decision or order rendered under the Professional Code, the Notaries Act (chapter N-3) or a regulation made for their application imposing a penalty, a striking off the roll, a restriction or suspension of the right to engage in professional activities or conditions the notary must meet in order to be allowed to continue to practise the profession, refresher courses, periods of refresher training, or any other requirement provided for in a regulation made under section 90 of the Professional Code;

(b) a decision finding the notary guilty of an offence under the Professional Code, the Notaries Act or a regulation made for their application;

(c) a judicial decision described in subparagraph 1, 2, 5 or 6 of the first paragraph of section 45 of the Professional Code.

§2. *Practice 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 competence 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-level educational institution 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 for their application.

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 competence of a public officer, provided

(1) the person engages in those activities under the close supervision and responsibility of a notary who complies with the terms and conditions provided for in section 3, with the necessary modifications, and who is authorized for that purpose 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 for their application.

The person 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.

Where a person 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, the person 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*.

105663

Gouvernement du Québec

O.C. 663-2022, 6 April 2022

Act respecting labour standards
(chapter N-1.1)

Labour standards — Amendment

Regulation to amend the Regulation respecting labour standards

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

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

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

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

Whereas it is expedient to amend the Regulation;

Whereas, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting labour standards was published in Part 2 of the *Gazette officielle du Québec* of 19 January 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

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

It is ordered, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

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

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting labour standards

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

1. The Regulation respecting labour standards (chapter N-1.1, r. 3) is amended in section 3 by replacing “\$13.50” by “\$14.25”.

2. Section 4 is amended by replacing “\$10.80” by “\$11.40”.

3. Section 4.1 is amended

(1) by replacing “\$4.01” in subparagraph 1 of the first paragraph by “\$4.23”;

(2) by replacing “\$1.07” in subparagraph 2 of the first paragraph by “\$1.13”.

4. This Regulation comes into force on 1 May 2022.

105661

M.O., 2022

Order of the Minister of Agriculture, Fisheries and Food dated 1 April 2022

Food Products Act
(chapter P-29)

Pilot project concerning the operation of a chicken slaughterhouse at the farm

MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING the first paragraph of section 56.1.1 of the Food Products Act (chapter P-29), which provides that the Minister may, by order, authorize the implementation of pilot projects aimed at enabling innovation with respect to food or concerning the disposal of inedible meats, or aimed at studying, improving or defining standards applicable to those matters;

CONSIDERING the first paragraph of section 56.1.1 of the Act, which also provides that the Minister determines the standards and obligations applicable to a pilot project, which may differ from those prescribed by the Act and the regulations, and the Minister may, as part of a pilot project, authorize any person to carry on an activity governed by the Act in compliance with the standards and rules prescribed by the Minister;

CONSIDERING the second paragraph of section 56.1.1 of the Act, which provides that a pilot project is conducted for a period of up to four years, which the Minister may, if the Minister considers it necessary, extend by up to one year;

CONSIDERING the second paragraph of section 56.1.1 of the Act, which also provides that the Minister may determine the provisions of a pilot project whose violation is an offence and determine the amount for which the offender is liable, which may not be less than \$250 or more than \$5,000;

CONSIDERING the third paragraph of section 56.1.1 of the Act, which provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under that section;

CONSIDERING that, in order to foster sustainable development and proximity circuits, it is expedient to evaluate practices of chicken slaughtering at the farm by a person who raises chickens, in particular with respect to their impact on the wholesomeness of the meat;

CONSIDERING that local and regional development was taken into consideration;

CONSIDERING that it is expedient to authorize the implementation of the Pilot project concerning the operation of a chicken slaughterhouse at the farm;

ORDERS AS FOLLOWS:

The Pilot project concerning the operation of a chicken slaughterhouse at the farm, attached to this Order, is hereby made.

Québec, April 1, 2022

ANDRÉ LAMONTAGNE
The Minister of Agriculture, Fisheries and Food

Pilot project concerning the operation of a chicken slaughterhouse at the farm

Food Products Act
(chapter P-29)

CHAPTER I PRELIMINARY

1. The implementation of a Pilot project concerning the operation of a chicken slaughterhouse at the farm is authorized on the following basis:

(1) evaluating practices of chicken slaughtering at the farm by a person who raises chickens, in particular with respect to their impact on the wholesomeness of the meat;

(2) gathering information regarding the feasibility and relevance of implementing standards for such practices;

(3) where applicable, define standards that could allow the operation of a chicken slaughterhouse at the farm.

2. To be authorized to participate in the pilot project, the applicant

(1) apply to the Minister using the prescribed form, in which the following information must be provided:

(a) the applicant's name, address, telephone number and email address; the same information is also required with regard to the applicant's representative if that representative is a legal person, partnership or association without legal personality;

(b) the Québec business number assigned to the applicant under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable;

(c) the name under which the slaughterhouse will operate, where applicable;

(d) the address of the farm on which the slaughterhouse will be located;

(2) provide a description of the project;

(3) if the water that will be supplied to the slaughterhouse does not come from a waterworks system, provide a report of analysis demonstrating that that water is drinkable; and

(4) certify that the applicant will have facilities and equipment that comply with sections 5 to 8 of this Order.

An application to participate in the Pilot project must be accompanied by a statement that the information and documents provided under the first paragraph are true, and be signed by the person making the application.

CHAPTER II PROVISIONS APPLICABLE TO THE PILOT PROJECT

DIVISION I GENERAL

3. The operation of a chicken slaughterhouse at the farm is authorized for the exclusive purpose of retail sale under the conditions provided for in this Order.

“Chicken slaughterhouse at the farm” means mobile or stationary facilities, either temporary or permanent, that are situated on the farm and where chickens are raised, including the equipment and material found there that is used to slaughter chickens.

4. Persons authorized to participate in a pilot project, hereinafter referred to as “authorized operators”, may only slaughter chickens in their slaughterhouses at the farm.

The chickens slaughtered must be raised on the site of the farm where the slaughterhouse is situated.

The maximum number of chickens that may be slaughtered under the Pilot project is set at 300 per year.

DIVISION II

PROVISIONS RELATING TO FACILITIES AND EQUIPMENT

5. The chicken slaughterhouse at the farm must be dedicated exclusively to slaughtering operations. It must be laid out so as to preserve the wholesomeness of products and the sanitary conditions of the operation.

6. The slaughterhouse must include areas dedicated to the following activities:

- (1) slaughtering;
- (2) dressing.

The areas must also be laid out so as to

(1) prevent the introduction of any undesirable substance; and

(2) ensure that carcasses cannot be contaminated by surfaces, in particular the floor, or by any other species of animal, including insects and rodents.

7. The areas of the chicken slaughterhouse at the farm must also be laid out in such manner that there is a continuous progression of the chickens before and during slaughtering, and of the resulting carcasses, without any possibility of backtracking, overlapping or crossing over between live chickens, carcasses and inedible meat.

8. The chicken slaughterhouse at the farm must be equipped with

- (a) knives used to slaughter and dress chickens;
- (b) equipment for heat sterilizing the knives at 82°C, such as a sanitation device, or for sterilizing them by way of a chemical process, in the slaughtering and dressing areas;

(c) a cold and hot drinkable running water supply at least 60°C;

(d) hygienic handwashing equipment;

(e) equipment for restraining chickens, rendering them unconscious and bleeding them;

(f) scalding and plucking equipment making it possible to fully remove the chickens’ feathers;

(g) suspension equipment for gutting carcasses;

(h) equipment for rinsing carcasses;

(i) cold storage facilities in which the internal temperature of carcasses may be lowered to a maximum of 4°C, and cold storage facilities at a maximum temperature of 4°C used exclusively to store carcasses;

(j) equipment intended solely to salvage inedible meat to prevent it from being introduced into the food chain or from becoming a source of contamination, in particular with regard to the products; and

(k) a waste water recovery or drainage system.

The equipment and material must not be capable of affecting the wholesomeness of products.

DIVISION III

PROVISIONS RELATING TO THE OPERATION OF A SLAUGHTERHOUSE

9. Authorized operators are prohibited from slaughtering chickens that show any visible sign of disease or anomaly or that come from a diseased flock.

10. Authorized operators are prohibited from slaughtering chickens which have been administered a medication or have consumed a medicinal food before the expiry of the waiting period indicated in the prescription of a veterinarian or, in other cases, on the packaging of, or in a document provided with the medication or medicinal food.

11. Authorized operators must, at least 72 hours before chickens are slaughtered, send the following information to the person designated by the Minister, using the sheet prescribed by the Minister:

- (1) the information provided for in subparagraphs a to d of subparagraph 1 of the first paragraph of section 2;
- (2) the date of slaughter of the chickens;
- (3) the number of chickens that will be slaughtered;

(4) any medication or vaccine administered to the chickens that will be slaughtered within 60 days before the date of slaughter;

(5) the total number of chickens present at the farm, specifying the number of chickens that

- (a) died within 60 days before the date of slaughter; and
- (b) are sick;

(6) the date and the signature of the authorized operator.

Authorized operators must also declare that

(1) the medication or vaccine withdrawal period is over;

(2) the chickens that will be slaughtered show no visible signs of disease; and

(3) the chickens that will be slaughtered pose no other risk with regard to food safety or human health.

The sheet must be kept on the operation site for 1 year following the date of slaughter of the chickens.

12. Authorized operators must inform the person designated by the Minister, as soon as possible, of any change to the information referred to in the first or second paragraph of section 11.

13. The Minister may set a date of slaughter different from the date set by the authorized operator in subparagraph 2 of the first paragraph of section 11.

14. Authorized operators must, at least once per year, have a veterinarian see to the sanitary and preventative management of their chicken operation.

Copies of the veterinarian's report and, where applicable, the prescriptions must be sent to the person designated by the Minister within 30 days following the date of the veterinarian's visit. Operators must also keep the report and prescriptions on the farm site for 2 years following the date of the visit.

15. Slaughtering operations must not damage the carcass or affect its preservation.

"Slaughtering operations" means rendering chickens unconscious, bleeding them and dressing them, which includes scalding, full plucking and gutting.

16. Chickens must be bled, scalded and plucked in the slaughtering area.

When carrying out those operations, the following prescriptions must be complied with:

(1) the chickens must be placed on the restraining equipment referred to in subparagraph e of the first paragraph of section 8, restrained, rendered unconscious and bled in accordance with sections 141 to 143 of the Safe Food for Canadians Regulations (SOR/2018-108);

(2) bleeding must be complete;

(3) scalding and plucking must be carried out using the equipment referred to in subparagraph f of the first paragraph of section 8 and the water from the scalding equipment must be renewed according to the volume of the operations.

17. Dressing must be carried out in the area intended for that purpose and comply with the following prescriptions:

(1) scalded and plucked carcasses must be placed on the suspension equipment referred to in subparagraph g of the first paragraph of section 8 for gutting;

(2) the feathers, stumps and hairs must be removed;

(3) the head and oil gland must be removed;

(4) the carcasses must be rinsed with cold water;

(5) the carcasses must then be gutted by opening them;

(6) offals may be collected, where applicable;

(7) the carcasses must be rinsed a final time on the outside and on the inside so as to not be soiled with residue from gutting;

(8) the feet must be cut off at the tarsal joint.

18. The internal temperature of carcasses must be lowered immediately after gutting by placing the carcasses in the facility referred to in subparagraph i of the first paragraph of section 8.

19. The chickens must be whole, meaning they must not have been dismembered, cut, treated or processed, unless the authorized operator holds the permit referred to in subparagraph m of the first paragraph of section 9 of the Food Products Act (chapter P-29).

Any preparation other than that provided for in this Division is prohibited in the chicken slaughterhouse at the farm.

20. The whole chickens must be stored in a facility referred to in subparagraph i of the first paragraph of section 8 that can maintain their internal temperature at a maximum of 4°C.

21. The slaughtering and dressing areas must be cleaned adequately; in particular, blood must be removed after each day of slaughter and, during operations, as often as necessary to ensure the sanitation of the premises.

22. The material and equipment located in the dressing area that come into contact with the chickens must be clean. They must be disinfected before each day of slaughter or before each new session in the event of an interruption.

23. Feathers and viscera must be placed in the equipment intended solely to salvage inedible meat referred to in subparagraph j of the first paragraph of section 8. They must be removed from the areas at the end of each day.

24. Authorized operators may dispose of inedible chicken meat in accordance with section 7.3.1 of the Regulation respecting food (chapter P-29, r. 1).

DIVISION IV PROVISIONS RELATING TO SALE

25. Subject to them holding the permit referred to in subparagraph m of the first paragraph of section 9 of the Food Products Act, authorized operators may only sell at retail whole chickens and their offals on their farm's site or at a public market.

26. A label bearing the following information must be affixed on the packaging:

- (1) the date of slaughter and the date of packaging;
- (2) the name and contact information of the authorized operator;
- (3) the net weight of the product;
- (4) the following notice: "NOTICE: this product is derived from chickens not slaughtered under permanent inspection by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation".

27. A sign must be installed at the place of retail, in view of consumers, indicating the following: "NOTICE: the products sold here are derived from chickens not slaughtered under permanent inspection by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation".

DIVISION V OFFENCES

28. Every authorized operator who contravenes

- (1) the third paragraph of section 11,
- (2) the second paragraph of section 14, or
- (3) any of sections 21 to 23, 26 and 27,

is guilty of an offence and is liable to a fine of \$250 to \$1,000.

29. Every authorized operator who contravenes

- (1) any of sections 4 to 10,
- (2) the first or second paragraph of section 11,
- (3) section 12,
- (4) the first paragraph of section 14 or 15, or
- (5) any of sections 16 to 20, 24 and 25,

is guilty of an offence and is liable to a fine of \$1,000 to \$5,000.

Every authorized operator who

- (1) has made a false or misleading statement in a document prescribed by this Order, or
- (2) does not comply with the slaughter date set by the Minister under section 13,

is guilty of an offence and is liable to the fine provided for in the first paragraph.

CHAPTER III MISCELLANEOUS AND FINAL

30. The Food Products Act and the Regulation respecting food apply, to the extent that they are consistent with this Order.

31. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on the fourth anniversary date of its coming into force.

105660

M.O., 2022-06

Order number V-1.1-2022-06 of the Minister of Finance dated 28 March 2022

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations

WHEREAS paragraphs 1 and 8 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 the Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations was approved by ministerial order no. 2009-04 dated 9 September 2009 (2009, G.O. 2, 3309A);

WHEREAS there is cause to amend this Regulation;

WHEREAS the draft Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations was published for consultation in the Bulletin de l'Autorité des marchés financiers, vol. 18, no. 42 of 21 October 2021;

WHEREAS the Autorité des marchés financiers made, on 9 March 2022, by the decision no. 2022-PDG-0012, Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations;

WHEREAS there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations appended hereto.

28 March 2022

ERIC GIRARD
Minister of Finance

REGULATION TO AMEND REGULATION 31-103 RESPECTING REGISTRATION REQUIREMENTS, EXEMPTIONS AND ONGOING REGISTRANT OBLIGATIONS

Securities Act
(chapter V-1.1, s. 331.1, par. (1) and (8))

1. Section 8.7 of Regulation 31-103 respecting registration requirements, exemptions and ongoing registrant obligations (chapter V-1.1, r. 10) is amended by deleting, in subparagraph (a) of paragraph (4), the words “deferred or contingent sales charge or”.
2. Section 14.2.1 of the Regulation is amended by deleting subparagraph (b) of paragraph (1).
3. This Regulation comes into force on 1 June 2022.

105642

M.O., 2022-05**Order number V-1.1-2022-05 of the Minister of Finance dated 28 March 2022**

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 81-101 respecting Mutual Fund Prospectus Disclosure

WHEREAS paragraphs 1 and 8 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 the Regulation 81-101 respecting Mutual Fund Prospectus Disclosure was made by the decision no. 2001-C-0283 dated 12 June 2001 (Supplément au Bulletin de la Commission des valeurs mobilières du Québec, vol. 32, no. 26 of 29 June 2001);

WHEREAS there is cause to amend this Regulation;

WHEREAS the draft Regulation to amend Regulation 81-101 respecting Mutual Fund Prospectus Disclosure was published for consultation in the *Bulletin de l'Autorité des marchés financiers*, vol. 18, no. 42 of 21 October 2021;

WHEREAS the *Autorité des marchés financiers* made, on 9 March 2022, by the decision no. 2022-PDG-0012, Regulation to amend Regulation 81-101 respecting Mutual Fund Prospectus Disclosure;

WHEREAS there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 81-101 respecting Mutual Fund Prospectus Disclosure appended hereto.

28 March 2022

ÉRIC GIRARD
Minister of Finance

REGULATION TO AMEND REGULATION 81-101 RESPECTING MUTUAL FUND PROSPECTUS DISCLOSURE

Securities Act

(chapter V-1.1, s. 331.1, par. (1) and (8))

1. Form 81-101F3 of Regulation 81-101 respecting Mutual Fund Prospectus Disclosure (chapter V-1.1, r. 38) is amended, in item 1.2 of Part II:

(1) by deleting, in the first sentence of instructions (1), the words “, deferred sales charge”;

(2) by deleting the last sentence of instructions (2);

(3) by deleting the last sentence of instructions (3);

(4) by deleting, in instructions (4), the following:

“In the case of a deferred sales charge, the disclosure must also briefly state:

- any amount payable as an upfront sales commission;
- who pays and who receives the amount payable as the upfront sales commission;

- any free redemption amount and key details about how it works;

- whether switches can be made without incurring a sales charge; and

- how the amount paid by an investor at the time of a redemption of securities is calculated, for example, whether it is based on the net asset value of those securities at the time of redemption or another time.”.

2. This Regulation comes into force on 1 June 2022.

105641

M.O., 2022-04

Order number V-1.1-2022-04 of the Minister of Finance dated 28 March 2022

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 81-105 respecting Mutual Fund Sales Practices

WHEREAS paragraph 16 of section 331.1 of the Securities Act (chapter V-1.1) provides that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in that paragraph;

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 the Regulation 81-105 respecting Mutual Fund Sales Practices was made by the decision no. 2001-C-0212 dated 22 May 2001 (Supplément au Bulletin de la Commission des valeurs mobilières du Québec, vol. 32, no. 22 of 1 June 2001);

WHEREAS there is cause to amend this Regulation;

WHEREAS the draft Regulation to amend Regulation 81-105 respecting Mutual Fund Sales Practices was published for consultation in the *Bulletin de l'Autorité des marchés financiers*, vol. 18, no. 42 of 21 October 2021;

WHEREAS the *Autorité des marchés financiers* made, on 9 March 2022, by the decision no. 2022-PDG-0011, Regulation to amend Regulation 81-105 respecting Mutual Fund Sales Practices;

WHEREAS there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 81-105 respecting Mutual Fund Sales Practices appended hereto.

28 March 2022

ERIC GIRARD
Minister of Finance

REGULATION TO AMEND REGULATION 81-105 RESPECTING MUTUAL FUND SALES PRACTICES

Securities Act
(chapter V-1.1, s. 331.1, par. (16))

1. Section 3.1 of Regulation 81-105 respecting Mutual Fund Sales Practices (chapter V-1.1, r. 41), as amended by section 2 of Regulation to amend Regulation 81-105 respecting Mutual Fund Sales Practices, approved by Ministerial Order No. 2020-10 dated April 20, 2020 (2020, G.O. 2, 1349), is repealed.

2. This Regulation comes into force on 1 June 2022.

105640

Draft Regulations

Draft Regulation

Education Act
(chapter I-13.3)

Amended Basic school regulation for preschool, elementary and secondary education for the 2022-2023 school year

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Amended Basic school regulation for preschool, elementary and secondary education for the 2022-2023 school year, appearing below, may be made by the Government on the expiry of 45 days following the date of this publication.

The draft Regulation renews, for the 2022-2023 school year, the adaptations made for the 2021-2022 school year to sections 30.3 and 34 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) concerning the weighting of the examinations imposed by the Minister.

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 Caroline Beauvais, Direction des encadrements pédagogiques et scolaires, Ministère de l'Éducation, 600, rue Fullum, 10^e étage, Montréal (Québec) H2K 4L1; email: deps@education.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Ève Chamberland, Secretary General, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15^e étage, Québec (Québec) G1R 5A5; email: marie-eve.chamberland@education.gouv.qc.ca.

JEAN-FRANÇOIS ROBERGE
Minister of Education

Amended Basic school regulation for preschool, elementary and secondary education for the 2022-2023 school year

Education Act
(chapter I-13.3, s. 447, 1st par., 2nd par., subpar. 1, and 3rd par., subpar.4)

1. Section 30.3 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) is to be read as follows for the 2022-2023 school year:

“**30.3.** Subject to section 34 of this Basic school regulation and section 470 of the Act, a student’s result for an examination set by the Minister is worth 10% of the student’s final mark.”

2. Section 34 is to be read as follows for that school year:

“**34.** For all programs of studies offered at the secondary level that lead to a Secondary School Diploma, the pass mark is 60%.”

For all programs of studies for which the Minister sets an examination, the Minister shall take into account the summative evaluation of the student transmitted by the school service centre in a proportion of 80%, subject to section 470 of the Education Act (chapter I-13.3). The Minister shall then certify success or failure in that program.”

3. This Regulation applies despite any inconsistent provision of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8).

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

105664

Draft Regulation

Fire Safety Act
(chapter S-3.4)

Decorations and citations awarded in the field of fire safety and for rescue activities

— 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 decorations and citations awarded in the field of fire safety and for rescue activities, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation withdraws the requirement that the intervention during which a member of a fire safety service died be exceptional in the cases where the *médaille du sacrifice* may be awarded.

It also amends the procedure for awarding a citation to specify that the candidacy for a citation may not be submitted by the candidate themselves.

It also amends the composition of the committee responsible for examining candidacies to give the committee more flexibility to appoint members from the municipal sector.

Lastly, it provides that the Minister of Public Security may appoint substitutes for the committee members to replace them whenever they are absent or unable to act or where their position is vacant.

The measures introduced by the draft Regulation have no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Annik Bouchard, Director, Direction de la sécurité incendie et des télécommunications d'urgence, Direction générale de la sécurité civile et de la sécurité incendie, Ministère de la Sécurité publique; email: annik.bouchard@misp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: veronyck.fontaine@misp.gouv.qc.ca; fax: 418 643-3500.

GENEVIÈVE GUILBAULT
Minister of Public Security

Regulation to amend the Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities

Fire Safety Act
(chapter S-3.4, s. 151, par. 3)

1. The Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities (chapter S-3.4, r. 1.01) is amended in section 4 by striking out “exceptional”.

2. Section 8 is amended by inserting “other than the candidate himself or herself” at the end.

3. Section 11 is amended

(1) by replacing subparagraphs 4 and 5 of the first paragraph by the following:

“(4) two persons from the associations representing the local or regional authorities;”;

(2) by replacing the second paragraph by the following:

“The Minister, after consultation of the organizations concerned, if any, appoints the committee members for a term of not more than 3 years. The Minister may, in the same manner and for a term of the same duration, appoint a substitute for each member, to replace them whenever they are absent or unable to act or where their position is vacant. At the expiry of their term, the committee members and the substitutes remain in office until they are replaced or re-appointed.”.

4. Section 12 is amended by inserting “by a substitute appointed to replace the member or, failing that,” after “portion of the term” in the first paragraph.

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

105649

Draft By-law

Police Act
(chapter P-13.1)

Internal discipline of members of the specialized anti-corruption police force

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the By-law respecting the internal discipline of members of the specialized anti-corruption police force, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft By-law is to promote maintenance of the necessary discipline and ethics to ensure the organizational integrity of the specialized anti-corruption police force and, for that purpose, it imposes duties and standards of conduct on members of the police force to ensure the effectiveness and quality of the services provided, and respect for the authorities over them. It also determines the types of behaviour that constitute breaches of discipline, establishes a disciplinary procedure, determines the powers of the authorities with regard to discipline and establishes sanctions.

Further information on the draft By-law may be obtained by contacting Petya Panayotova, police integrity advisor, Direction générale adjointe de la sécurité de l'État, Direction générale adjointe principale des affaires policières, Ministère de la Sécurité publique; email: petya.panayotova@msp.gouv.qc.ca.

Any person wishing to comment on the draft By-law is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: veronyck.fontaine@msp.gouv.qc.ca, fax: 418 643-3500.

GENEVIÈVE GUILBAULT
Minister of Public Security

By-law respecting the internal discipline of members of the specialized anti-corruption police force

Police Act
(chapter P-13.1, s. 257, 3rd par. and s. 258,
1st, 2nd, 3rd and 4th pars.)

DIVISION I PURPOSE, SCOPE AND INTERPRETATIVE PROVISIONS

1. The purpose of this By-law is to promote maintenance of the necessary discipline and ethics to ensure the organizational integrity of the specialized anti-corruption police force formed in section 8.4 of the Anti-Corruption Act (chapter L-6.1).

For that purpose, it imposes duties and standards of conduct on the members of that police force, who are designated in paragraph 1 of section 8.4 of that Act, to ensure the effectiveness and quality of the services provided and respect for the authorities over them.

In addition, it determines the types of behaviour that constitute breaches of discipline, establishes a disciplinary procedure, determines the powers of the authorities with regard to discipline and establishes penalties.

2. The powers assigned to the Anti-Corruption Commissioner by this By-law, except the power respecting the appointment of the person in charge of processing complaints, may be exercised by a member of the administration of the police force designated by the Commissioner.

For the purposes of this By-law, “member of the administration” means the Associate Commissioner for Investigations and any other person belonging to the senior administration of the police force, any member of the police force referred to in subparagraph *i* of subparagraph *c* of paragraph 1 of section 8.4 of the Anti-Corruption Act (chapter L-6.1), as well as the Human Resources Officer.

Where a member of the police force referred to in subparagraph *i* of subparagraph *c* of paragraph 1 of section 8.4 of the Anti-Corruption Act exercises a power as a member of the administration designated by the Commissioner pursuant to the first paragraph or a power assigned to a member of the administration by a provision of this By-law, that member must hold a rank equal to or higher than that of the member who is the subject of the complaint.

3. This By-law must not be interpreted as restricting, in particular, the administrative power of the Commissioner or a member of the administration to provisionally suspend a member, with or without pay, who is suspected of having committed a criminal or penal offence or a serious breach of discipline or for any other reason requiring provisional suspension, or to terminate the probationary period of a member, even for a disciplinary reason.

DIVISION II

DUTIES AND STANDARDS OF CONDUCT OF MEMBERS

4. Members must obey their oath of office and their oath of discretion.

Members must, in particular,

(1) refrain from using for personal purposes, or for the purpose of obtaining a benefit or a profit, any information obtained in performing or while performing their duties or by reason of their status, duties or position in the police force;

(2) refrain from destroying, removing or modifying any official document of the police force or any document obtained or written for the police force, unless so authorized by the Commissioner;

(3) refrain from disclosing, transmitting or communicating information or making statements concerning an investigation or the activities of the police force or the activities of the teams designated by the Government pursuant to section 8.5 of the Anti-Corruption Act (chapter L-6.1), unless so authorized by law or by the Commissioner.

5. Members must perform their duties with impartiality and integrity and avoid any conflict of interest or appearance of a conflict of interest of a nature to compromise their impartiality in the performance of their duties or adversely influence their judgment and loyalty.

Members must, in particular,

(1) refuse, or refrain from seeking, benefits or favours for themselves or another person, whatever their nature or origin, because of their status, unless so authorized by the Commissioner;

(2) refrain from using their status for personal purposes or for the benefit of another person;

(3) refrain from engaging, directly or indirectly, in influence peddling or obtaining or attempting to obtain a sum of money, a favour or any other benefit in exchange for a favour of any kind;

(4) refrain from accepting, soliciting or demanding, directly or indirectly, a sum of money, a favour or any other benefit or consideration of a nature to compromise their impartiality in the performance of their duties;

(5) refrain from placing themselves in a situation where they would be in a conflict of interest when soliciting or collecting money, or allowing money to be solicited or collected, from the public by the sale of advertisements or tickets or in any other manner for the benefit of a person, organization or association;

(6) refrain from paying, offering to pay or agreeing to offer a sum of money, a favour or any other benefit or consideration to a person of a nature to compromise that person's impartiality in the performance of his or her duties or to induce the person to intercede in their favour in order to obtain a promotion or any other change in their status;

(7) refrain from suggesting or recommending the goods and services of a professional, a merchant or any other business to a person with whom they have been in contact while engaged in the performance of their duties;

(8) refrain from standing surety in a case under the jurisdiction of a court of criminal or penal jurisdiction, except where warranted by family relations with the accused;

(9) refrain from signing a letter of recommendation or other certificate knowing it to be false or inaccurate;

(10) refrain from holding employment or carrying out an activity incompatible with the duties of a member of the police force;

(11) refrain from operating an enterprise or business, holding employment, engaging in a trade or activity or having a direct or indirect interest in an enterprise that would be of a nature to compromise their independence, the independence of the police force or the values of the police force, or of a nature to diminish their effectiveness during working hours;

(12) refrain from soliciting or collecting money, goods or services, or allowing money, goods or services to be solicited or collected, from a person, a business or any other organization that they know or reasonably should know is not of good moral character.

6. Members must be politically neutral in the performance of their duties.

Members must, in particular,

(1) refrain from attending a political meeting while in uniform or wearing or bearing an item with a name, logo, distinctive sign, drawing or image associated with the police force or the Unité permanente anticorruption, unless they are on duty at the meeting;

(2) refrain from publicly showing or expressing their political opinions, soliciting funds for a candidate for an election, for a political body or for a political party, or publicly showing support for a candidate for election or for a political party;

(3) refrain from engaging in any political activity prohibited by the Police Act (chapter P-13.1).

7. Members must respect the authorities over them and promptly obey their verbal and written orders, their requests and their directives. Members must also be loyal to the police force, their supervisors and the other members.

Members must, in particular,

(1) comply with all procedures, directives or policies in force within the police force;

(2) refrain from refusing or neglecting to report to a supervisor on their actions and activities performed during their working hours, or outside their working hours where they act in their capacity as, or identify themselves as, members of the police force;

(3) provide, where so required by a supervisor, a report concerning the activities carried out in the performance of their duties;

(4) report to a supervisor any actions and activities incompatible with the performance of their duties;

(5) perform the work generally or specifically assigned and be present at the place designated by their supervisor, unless serious reasons related to the performance of their duties warrant performing another task or leaving that place and they promptly inform their supervisor;

(6) refrain from inciting anyone to refuse to perform their work;

(7) report to their supervisor in writing each time that they use a service weapon or participate in a car chase in the performance of their duties;

(8) comply with a subpoena to appear as a witness;

(9) adopt a respectful and polite attitude toward their supervisors, colleagues or subordinates;

(10) refrain from defaming the authorities of the police force, their supervisors, their colleagues, their subordinates, as well as the persons who form the teams designated by the government pursuant to section 8.5 of the Anti-Corruption Act (chapter L-6.1).

8. Members must act with dignity and moderation and avoid any conduct of a nature to jeopardize the confidence or consideration required by their duties or of a nature to compromise the image, independence or effectiveness of the police force.

Members must, in particular,

(1) refrain from consorting with persons that they know or should reasonably know are not of good moral character without having a satisfactory reason to do so, as well as fraternizing with such persons without having a satisfactory reason to do so;

(2) refrain from frequenting places that are frequented by persons they know or should reasonably know are not of good moral character without having a satisfactory professional reason to do so;

(3) treat all persons with courtesy and respect;

(4) refrain from using any obscene or insulting language;

(5) refrain from misusing their authority or engaging in intimidation or harassment;

(6) refrain from resorting to greater force than necessary to accomplish what they are ordered or permitted to do;

(7) refrain from maliciously damaging or destroying, losing due to negligence or illegally transferring public or private property;

(8) refrain from showing, handling or pointing a service weapon without having a satisfactory reason to do so;

(9) refrain, while they are performing their duties or at any time while they are wearing or bearing an item with a name, logo, distinctive sign, drawing or image associated with the police force or with the Unité permanente anticorruption, from buying, transporting, consuming or selling alcoholic beverages or cannabis, unless so required by their work or so authorized by the Commissioner;

(10) refrain, while they are performing their duties or at any time while they are wearing or bearing an item with a name, logo, distinctive sign, drawing or image associated with the police force or with the Unité permanente anticorruption, from being under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, narcotic or anaesthetic preparations or any other substance of the same nature capable of causing intoxication, diminution or impairment of the faculties, or unconsciousness;

(11) refrain from keeping, in a vehicle or on premises belonging to or made available to the police force, alcoholic beverages, narcotics, hallucinogenic drugs, narcotic or anaesthetic preparations or any other substance of the same nature capable of causing intoxication, diminution or impairment of the faculties, or unconsciousness, unless so authorized by the Commissioner;

(12) refrain from buying, selling or possessing narcotics or any other substance of the same nature whose sale is prohibited or regulated or acting as an intermediary in such a case, unless so required by their work;

(13) refrain from excessive consumption of alcoholic beverages or cannabis in a public place;

(14) refrain, while they are performing their duties or at any time while they are wearing or bearing an item with a name, logo, distinctive sign, drawing or image associated with the police force or with the Unité permanente anticorruption, from displaying an appearance or attitude that is negligent or does not comply with the directives of the police force;

(15) refrain from wearing, bearing or using, while they are performing their duties, a weapon or piece of equipment other than those issued to them by the police force, unless so authorized by the Commissioner;

(16) refrain from using any contrivance or false statement to prolong a leave of absence, delay returning to work or taking time off from work;

(17) obey all laws and regulations;

(18) refrain from inducing or inciting another member to commit an offence against any law or regulation by giving that member their aid, encouragement, advice, consent, authorization or an order;

(19) refrain from wearing or bearing their service weapon or badge or using other items belonging to the police force or the Unité permanente anticorruption while they are not on duty, unless so authorized by the Commissioner, or while, although they are supposed to be on duty, they are engaged in activities that are not part of their duties.

9. Members must perform their duties conscientiously, diligently and efficiently.

Members must, in particular,

(1) comply with their work schedule and carry out the work assigned to them;

(2) refrain from acting with negligence, carelessness or a lack of rigour in carrying out their duties;

(3) refrain from acting with a lack of vigilance in carrying out their duties;

(4) refrain from taking time off from work without permission;

(5) refrain from trading duties or work shifts with another member without the permission of their supervisor;

(6) promptly transmit to their supervisor any information concerning crimes, offences, facts or important events that they have witnessed or have knowledge of;

(7) maintain any weapon or ammunition that has been entrusted to them in good working order and store them in accordance with the applicable laws, regulations and directives;

(8) refrain from negligence in the custody or supervision of a person held in custody or any other person under their responsibility;

(9) protect, maintain and ensure the integrity of any property used by or in the custody of the police force or any of its members;

(10) maintain any equipment and any item provided by the police force in good working order.

10. Members must act with probity.

Members must, in particular,

(1) promptly remit and account for any sum of money or any other property received in their capacity as a member of the police force;

(2) claim or authorize only reimbursement of expenses incurred, payment for hours worked or payment of warranted premiums;

(3) refrain from using a vehicle of the police force or any other property belonging to the police force, or allowing it to be used, for purposes other than those authorized;

(4) refrain from causing a person to get into a vehicle of the police force otherwise than in the course of police force activities, unless so authorized by the Commissioner;

(5) refrain from filing or signing a report or other writing that they know or reasonably should know is false or inaccurate;

(6) refrain from lending, selling or transferring an item or a piece of equipment provided by the police force, unless so authorized by the Commissioner;

(7) promptly inform the Commissioner in writing when they are the subject of a criminal investigation, a criminal proceeding or a conviction of a criminal offence;

(8) promptly inform the Commissioner in writing of the conduct of another member that may constitute a criminal offence or that, if they have personal knowledge of it, may constitute a breach of discipline or professional ethics affecting the enforcement of rights or the safety of the public;

(9) take part or cooperate in any investigation concerning a conduct referred to in subparagraph 8;

(10) promptly inform the Commissioner in writing that their driver's licence has been revoked, suspended or restricted and indicate the reasons why;

(11) promptly inform the Commissioner in writing of any other function, office or employment they hold, other income they receive from property or a business and any situation that may be incompatible with the performance of their duties.

11. Members must respect the authority of the law and the courts and must collaborate in the administration of justice.

Members must, in particular,

(1) refrain from contravening any law or regulation where doing so is likely to compromise the performance of their duties;

(2) refrain from hindering or contributing to hindering the course of justice;

(3) refrain from concealing evidence or information in order to harm a person, in particular an accused, a complainant or a witness, or from favouring evidence;

(4) refrain from omitting to transmit or unduly delaying to transmit to their supervisor any information concerning crimes and offences they have witnessed or have knowledge of.

DIVISION III **DISCIPLINARY PROCEDURE**

§1. Breach of discipline

12. Any failure by members to comply with a duty or a standard of conduct provided for in this By-law constitutes a breach of discipline and may entail the imposition of a disciplinary penalty.

§2. Disciplinary complaint

13. The Commissioner appoints a member of the administration as person in charge of processing complaints.

If the person in charge of processing complaints is absent or unable to act, he or she is replaced for the duration of that absence or inability to act by another member of the administration designated by the Commissioner.

14. The duties of the person in charge of processing complaints are, in particular, to receive and examine any complaint lodged against a member and ensure that it is dealt with in accordance with this By-law.

The Commissioner may also exercise the powers conferred on the person in charge of processing complaints by this By-law.

15. Members must promptly inform their supervisor when they observe the commission of a breach of discipline or when they are informed or have reasonable grounds to believe that a breach of discipline has been committed or is about to be committed by another member.

Any other person may also lodge a complaint concerning the conduct of a member.

16. Any complaint must be submitted in writing to the person in charge of processing complaints and summarily indicate, to the best of the complainant's knowledge, the nature and the time and place of the alleged breach of discipline. The complaint may also be accompanied by any supporting document.

The person in charge of processing complaints keeps a register of all complaints received, in the form and manner he or she determines.

17. Despite the first paragraph of section 16, a complaint concerning the person in charge of processing complaints must be transmitted to the Commissioner. The person in charge of processing complaints also transmits

to the Commissioner any complaint concerning a member of a higher rank than that of the person in charge of processing complaints.

Where the Commissioner receives a complaint pursuant to the first paragraph, the Commissioner exercises the duties conferred on the person in charge of processing complaints by this By-law, adapted as required.

18. The person in charge of processing complaints transmits to the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif any complaint concerning the Commissioner or the Associate Commissioner for Investigations.

The disciplinary process provided for in the Regulation respecting the ethics and professional conduct of public office holders (chapter M-30, r. 1) then applies in lieu of the disciplinary procedure provided for by this Division, subject to section 5.2.1, 5.2.2 or 8.2 of the Anti-Corruption Act (chapter L-6.1), as applicable.

19. The person in charge of processing complaints transmits a copy of the complaint to the supervisor of the member who is the subject of the complaint and to the Human Resources Officer and, if the complaint concerns a member whose services are on secondment, to the police force that seconded the member's services.

20. The immediate supervisor or line supervisor of the member who is the subject of a complaint may, after consulting with the Human Resources Officer and the person in charge of processing complaints, issue the member a written warning in a case where the breach of discipline alleged in the complaint does not warrant any other disciplinary measure. A copy of the warning is transmitted to the Human Resources Officer and the person in charge of processing complaints.

However, if the complaint concerns a member whose services are on secondment, the Commissioner may recommend to the competent disciplinary authorities of the police force that seconded the member's services that a written warning be issued to the member. If applicable, a copy of the written warning is transmitted to the Human Resources Officer and the person in charge of processing complaints.

21. The right to lodge a disciplinary complaint is prescribed 2 years after the date of the facts giving rise to the complaint or the date on which they become known to the administration of the police force, except in a case where those facts could also constitute a criminal offence.

22. A member may be the subject of a disciplinary complaint despite the fact that the member has been acquitted or convicted, by a court of criminal or penal

jurisdiction, of an offence for which the facts that gave rise to the accusation are the same as those of the breach of discipline alleged in the complaint.

23. Unless the person in charge of processing complaints decides otherwise, the disciplinary procedure is not suspended where the member concerned by a disciplinary complaint is also the subject of a complaint, investigation or proceeding of a civil, professional ethics, criminal or penal nature before any judicial or quasi-judicial tribunal in connection with the same facts as those of the breach of discipline alleged in the complaint.

24. On receiving a complaint, the person in charge of processing complaints may, after a preliminary assessment,

(1) dismiss it if the person in charge of processing complaints judges it to be frivolous, vexatious, unfounded or made in bad faith;

(2) submit it to the member's immediate supervisor or line supervisor so that the supervisor can decide whether a written notice pursuant to section 20 should be issued to the member or, if the complaint concerns a member whose services are on secondment, submit it to the Commissioner so that he or she can decide, in accordance with that section, whether to recommend to the competent disciplinary authorities of the police force that seconded the member's services that a written warning be issued to the member;

(3) terminate the disciplinary procedure if a written warning has been issued to the member pursuant to section 20;

(4) conduct an investigation or charge another person to do so; or

(5) cite the member with a breach of discipline.

The person in charge of processing complaints may also, on his or her own initiative, conduct an investigation or charge another person to do so if he or she has reasonable grounds to believe that a member has committed a breach of discipline.

25. At any stage in the disciplinary procedure, the person in charge of processing complaints may, after consulting with the Human Resources Officer, recommend to the Commissioner to impose on the member concerned any non-disciplinary measure warranted by the circumstances, in particular,

(1) a feedback measure aimed at communicating to the member comments and observations of a nature to develop the member's professional conscience or prevent

the commission of a breach of discipline, or aimed at identifying the causes and effects of a conduct or an event and, if applicable, the means of achieving the objectives determined;

(2) requiring the member to submit to a medical examination or any other assessment of ability;

(3) requiring the member to receive training, take a follow-up course or undertake any other measure to upgrade his or her knowledge.

In a case where the complaint concerns a member whose services are on secondment, the Commissioner may recommend to the competent disciplinary authorities of the police force that seconded the member's services the imposition of any non-disciplinary measure warranted by the circumstances.

A member who fails or refuses to comply with such a measure commits a breach of discipline.

§3. *Disciplinary investigation*

26. Based on the nature of the case, the person charged with an investigation pursuant to section 24 communicates with the complainant and with the witnesses, if applicable, and collects the documentary evidence and any other relevant information.

The person charged with the investigation also communicates with the member concerned by the investigation, unless doing so is likely to hinder the investigation.

27. The member concerned by the investigation must provide, when so required by a supervisor, a report concerning the activities carried out during or in the context of the member's work.

28. On completion of the investigation, the person charged with the investigation submits to the person in charge of processing complaints an investigation report containing the evidence collected. A copy of the report is transmitted to the Human Resources Officer.

29. After analysis of the investigation report and consultation with the Human Resources Officer, the person in charge of processing complaints may

(1) dismiss the complaint if the person in charge of processing complaints judges it to be frivolous, vexatious, unfounded or made in bad faith;

(2) terminate the disciplinary procedure if there is insufficient evidence;

(3) submit the file to the immediate supervisor or line supervisor of the member so that the supervisor can decide whether a written notice pursuant to section 20 should be issued to the member or, if the complaint concerns a member whose services are on secondment, submit it to the Commissioner so that the Commissioner can decide, in accordance with that section, whether to recommend to the competent disciplinary authorities of the police force that seconded the member's services that a written warning be issued to the member and terminate the disciplinary procedure if such a warning is issued to the member;

(4) order a supplementary investigation; or

(5) cite the member with a breach of discipline.

§4. *Citation for breach of discipline*

30. A citation for breach of discipline is issued for the purpose of determining whether the conduct of the member concerned constitutes a contravention of a duty or standard of conduct provided for by this By-law that could entail the imposition of a penalty.

A citation includes as many charges as the number of alleged contraventions. Each charge in a citation must summarily relate the conduct constituting a contravention of this By-law and indicate the provision alleged to have been contravened. The citation is notified to the member concerned and a copy is transmitted to Human Resources Officer and, if it concerns a member whose services are on secondment, to the competent disciplinary authorities of the police force that seconded the member's services.

31. The person in charge of processing complaints sets the date, time and place of the disciplinary meeting before the Commissioner so that the member may have an opportunity to explain. He gives the member at least 24 hours' advance notice. If the citation concerns a member whose services are on secondment, a member of the administration of the police force that seconded the member's services, designated by the director of that police force, also participates in the meeting.

During the meeting, the member may be accompanied by a person of his or her choice.

The Commissioner is assisted by the Human Resources Officer. The Commissioner may also be assisted by no more than two other persons, one of whom may be a person not belonging to the police force.

32. Where the member refuses or neglects, with no valid reason, to appear at the disciplinary meeting or leaves the meeting without authorization, the disciplinary

meeting may continue in the member's absence. The Commissioner and, if applicable, the member of the administration of the police force that seconded the member's services may then take the appropriate measures.

33. During or after the disciplinary meeting, the Commissioner renders a disciplinary decision ruling on the citation. The decision must be in writing, state the reasons on which it is based and be signed. In a case where the complaint concerns a member whose services are on secondment, the Commissioner recommends a disciplinary decision ruling on the citation to the competent disciplinary authorities of the police force that seconded the member's services, after consulting with the member of the direction of the administration of that police force who participated in the disciplinary meeting. The Commissioner may first ask a member of the administration to prepare a supplementary report.

§5. Disciplinary penalty

34. Where the Commissioner concludes that there has been a breach of discipline with regard to an alleged contravention, whether it was alleged in the citation or disclosed in the disciplinary meeting, the Commissioner imposes on the member one of the following penalties for each contravention:

- (1) a warning;
- (2) a reprimand;
- (3) a disciplinary suspension without pay;
- (4) a disciplinary reassignment;
- (5) a demotion;
- (6) a dismissal.

However, in the case of a member whose services are on secondment, the Commissioner recommends to the competent disciplinary authorities of the police force that seconded the member's services, after consulting with the member of the administration of that police force who participated in the disciplinary meeting, the imposition of one of the penalties provided for in the first paragraph for each contravention.

A decision imposing two or more penalties may provide they will be served consecutively.

35. In determining the penalty, the seriousness of the breach of discipline in regard to all the circumstances, as well as the member's general conduct and the contents of his or her disciplinary and professional ethics records, is taken into account.

36. The Commissioner may impose, in addition to a disciplinary penalty or even if the Commissioner concludes that there was no breach of discipline, any non-disciplinary measure warranted by the circumstances, including those provided for in section 25.

However, in the case of a member whose services are on secondment, the Commissioner may recommend to the competent disciplinary authorities of the police force that seconded the member's services, after consulting with the member of the administration of that police force who participated in the disciplinary meeting, the imposition of such a measure.

A member who fails or refuses to comply with such a measure commits a breach of discipline.

37. At any stage in the disciplinary procedure, where a member acknowledges in writing that he or she has committed a breach of discipline, the member of the administration having jurisdiction over the member may impose on him or her, after consulting with the Human Resources Officer and the person in charge of processing complaints, one of the following penalties:

- (1) a warning;
- (2) a reprimand;
- (3) a disciplinary reassignment;
- (4) a disciplinary suspension without pay for a period of no more than 15 working days; or
- (5) requiring the member to comply with such reasonable conditions as are judged desirable by the member having jurisdiction over him or her to ensure his or her good conduct and prevent any repetition of the breach of discipline.

However, in the case of a member whose services are on secondment, the Commissioner may recommend to the competent disciplinary authorities of the police force that seconded the member's services, after consulting with the Human Resources Officer and the person in charge of processing complaints, the imposition of one of the penalties provided for in the first paragraph.

The member of the administration must notify the Commissioner, the Human Resources Officer and the person in charge of processing complaints in writing within 10 days of the penalty imposed pursuant to the first paragraph and the reasons warranting it. Within that same time period, the Commissioner must notify the person in charge of processing complaints and the

Human Resources Officer in writing of the penalty recommended pursuant to the second paragraph and the reasons warranting it.

38. In accordance with a recommendation by the Commissioner pursuant to any of sections 33, 34 or 37, the competent disciplinary authorities of a police force that seconded the services of one of its members are then seized of the matter by operation of law and may impose a penalty on the member pursuant to their own internal discipline by-law.

The decisions taken by the competent disciplinary authorities further to a recommendation may not be cited as a precedent in respect of the Commissioner where a penalty is imposed pursuant to this By-law. Despite those decisions, the Commissioner may terminate a secondment of services without further notice or delay. Resiliation of the services secondment agreement does not constitute a disciplinary penalty for the purposes of this By-law.

39. The Commissioner or the competent disciplinary authorities of the police force that seconded a member's services, as applicable, see to the application of disciplinary penalties.

The Commissioner determines the terms and conditions of a disciplinary suspension without pay, in particular, the dates of the suspension and whether it will be continuous or non-continuous. The competent disciplinary authorities of a police force that seconded a member's services consult with the Commissioner before determining the terms and conditions of a disciplinary suspension without pay imposed on the member.

40. A member on whom a disciplinary suspension without pay or a disciplinary reassignment has been imposed by the Commissioner pursuant to this By-law may, after 3 years, apply to the Commissioner to have the penalty stricken from the record.

The same applies in the case of a reprimand, except that the application may be made after 2 years.

DIVISION IV **FINAL PROVISION**

41. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

105648

Draft Regulation

Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20)

Procedure for recruiting and selecting persons qualified for appointment as coroner, Chief Coroner or Deputy Chief Coroner and the procedure for renewing a coroner's term

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation respecting the procedure for recruiting and selecting persons qualified for appointment as coroner, Chief Coroner or Deputy Chief Coroner and the procedure for renewing a coroner's term, appearing below, may be made by the Government on the expiry of 45 days following this publication.

With respect to the procedure for recruiting and selecting persons qualified for appointment as coroner, Chief Coroner or Deputy Chief Coroner, the draft Regulation provides for the publication of a notice of recruitment, establishes its content and specifies the criteria and other conditions that persons who wish to apply must meet.

It also sets out rules for the establishment, composition and operation of the selection committees to assess the qualifications of candidates and determines the criteria they take into account to do so.

It provides for the keeping of a register of certificates of qualification by the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif and, when a position must be filled, the sending by the Associate Secretary General of a list of persons declared qualified for appointment to the position to the Minister of Public Security who will make a recommendation to the Government.

With respect to the procedure for renewing a coroner's term, the draft Regulation provides for the establishment and operation of a committee to examine the renewal. To that end, it contains provisions concerning the information that a coroner must send, before the end of the coroner's term, to the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif.

Lastly, the draft Regulation provides for the confidentiality of the recruitment and selection process and the renewal process.

The measures proposed by the draft Regulation have no significant impact on enterprises, including small and medium-sized businesses.

Further information on the draft regulation may be obtained by contacting Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, Tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: veronyck.fontaine@misp.gouv.qc.ca; fax: 418 643-3500.

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

GENEVIÈVE GUILBAULT
Minister of Public Security

Regulation respecting the procedure for the recruiting and selecting persons qualified for appointment as coroner, Chief Coroner or Deputy Chief Coroner and the procedure for renewing a coroner's term

Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20, s. 37)

CHAPTER I RECRUITMENT AND SELECTION OF PERSONS QUALIFIED FOR APPOINTMENT AS CORONER, CHIEF CORONER OR DEPUTY CHIEF CORONER

DIVISION I NOTICE OF RECRUITMENT

1. Where it is expedient to draw up a list of persons declared qualified for appointment as coroner, Chief Coroner or Deputy Chief Coroner, as the case may be, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif publishes a notice of recruitment in a publication circulating or broadcast throughout Québec, inviting interested persons to submit an application for one of the offices.

2. The notice of recruitment gives

(1) a brief description of the duties of full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner, as the case may be;

(2) the place where the person may be assigned to mainly perform the duties;

(3) in substance, the selection conditions and criteria set out in this Regulation and any professional qualifications, training or particular experience sought, given the needs of that office;

(4) in substance, the system of confidentiality applicable to the selection procedure and an indication that the selection committee may hold consultations about the applications; and

(5) the deadline and address for submitting an application.

3. A copy of the notice is sent to the Minister of Public Security and the Chief Coroner.

DIVISION II APPLICATIONS

4. Only the following persons may submit an application to be declared qualified for appointment as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner:

(1) a member of the Barreau du Québec;

(2) a member of the Chambre des notaires du Québec;

(3) a member of the Collège des médecins du Québec;

(4) a member of the Ordre des infirmières et infirmiers du Québec who holds a graduate degree in nursing or in another relevant field;

(5) a member of the Ordre des ingénieurs du Québec;

(6) a member of the Ordre des pharmaciens du Québec.

5. A member of a professional order referred to in section 4 must have the number of years of experience relevant to the office for which the member submits an application, namely,

(1) at least 10 years for the office of Chief Coroner;

(2) at least 8 years for the office of Deputy Chief Coroner, including at least 5 years of experience as full-time or part-time coroner;

(3) at least 8 years for the office of full-time coroner; and

(4) at least 4 years for the office of part-time coroner.

Despite subparagraph 4 of the first paragraph, in the territory situated north of the 50th parallel and in the Gaspésie-Îles-de-la-Madeleine administrative region, a member of a professional order may submit an application even if the member has less than 4 years of experience relevant to the office of part-time coroner.

A 30-credit block of relevant studies in addition to those required to become a member of one of those orders may be substituted for each year of experience that a member of a professional order does not have.

In addition, 1 year of relevant specialization for the purpose of obtaining a specialist's certificate from the Collège des médecins du Québec may be substituted for each year of experience that a member of the Collège des médecins du Québec does not have.

6. A person who wishes to submit an application must, not later than the date indicated in the notice of recruitment, send a résumé and the following information:

(1) name and address and telephone number of the residence and, where applicable, place of work;

(2) date of birth;

(3) university diplomas and other relevant certificates held;

(4) proof that the person is a member of a professional order referred to in section 4, the year of admission to that order and the number of years of practice completed, along with the main sectors of activities in which the person has worked;

(5) nature of the activities that the person has carried out and through which the person has acquired the relevant experience required;

(6) where applicable, proof that the person has the qualifications indicated in the notice;

(7) any conviction, in any place, for an indictable or a criminal offence or any disciplinary decision, as well as the nature of the offence or fault concerned and the imposed sentence or disciplinary penalty;

(8) any conviction for a penal offence, the nature of the offence concerned and the sentence imposed and whether one can reasonably believe that such offence is likely to call into question the integrity or impartiality of the candidate or the office of coroner, to interfere with the ability to perform the duties or to undermine the trust of the public in the office holder;

(9) where applicable, the names of employers, partners or immediate or line superiors in the last 10 years;

(10) where applicable, the name of any legal person, partnership or professional association of which the person is or was a member in the last 10 years;

(11) where applicable, whether the person has submitted an application for the office of Chief Coroner, Deputy Chief Coroner or full-time or part-time coroner in the last 3 years;

(12) a summary of the reasons for the person's interest in the office of Chief Coroner, Deputy Chief Coroner or full-time or part-time coroner.

The person must also provide a writing in which the person agrees to a verification with, in particular, a disciplinary body, a professional order of which the person is or was a member, the person's employers in the last 10 years, police forces and, where applicable, in which the person agrees that the persons, partnerships or associations mentioned in subparagraphs 9 and 10 of the first paragraph of this section may be consulted.

7. Despite this Chapter, applications may be requested by invitation in the territory situated north of the 50th parallel and in the Gaspésie-Îles-de-la-Madeleine administrative region.

DIVISION III ESTABLISHMENT OF A SELECTION COMMITTEE

8. Following the publication of the notice of recruitment, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif establishes a selection committee, designates the chair and appoints to it, as the case may be,

(1) for the assessment of the candidates' qualifications for appointment as Chief Coroner:

(a) a chief executive officer;

(b) the Deputy Minister of Public Safety or, after consulting the Deputy Minister, one of his or her representatives;

(c) a representative of the public qualified to assess the qualifications required for the office of Chief Coroner who is not a chief executive officer;

(2) for the assessment of the candidates' qualifications for appointment as Deputy Chief Coroner:

(a) the Chief Coroner or, after consulting the Chief Coroner, a Deputy Chief Coroner or another coroner;

(b) the Deputy Minister of Public Safety or, after consulting the Deputy Minister, one of his or her representatives;

(c) a representative of the public qualified to assess the qualifications required for the office of Deputy Chief Coroner;

(3) for the assessment of the candidates' qualifications for appointment as full-time or part-time coroner:

(a) the Chief Coroner or, after consulting the Chief Coroner, a Deputy Chief Coroner or another coroner;

(b) a member of a professional order referred to in section 4;

(c) a representative of the public qualified to assess the qualifications required for the office of coroner who is not a coroner or a member of a professional order referred to in section 4.

9. A committee member whose impartiality could be questioned must withdraw with respect to a candidate, including in the following situations:

(1) the member is or was the candidate's spouse;

(2) the member is related to the candidate by birth, marriage or civil union, to the degree of first cousin inclusively;

(3) the member is or was a partner, employer or employee of the candidate in the last 10 years; despite the foregoing, a member who is in the public service must withdraw with respect to a candidate only if the member is or was the employee or immediate superior of the candidate.

A member must immediately bring to the attention of the other members of the committee any fact that may give rise to a reasonable apprehension of bias.

Where a member of the committee has withdrawn, is absent or is unable to act, the decision must be made by the other members.

10. Before taking office, the members of the committee must take the following oath: "I, (full name), swear that I will neither reveal nor make known, without due authorization to do so, anything whatsoever of which I may gain knowledge in the exercise of my office."

The oath is taken before a member of the staff of the Ministère du Conseil exécutif or the Ministère de la Sécurité publique empowered to administer oaths.

The writing evidencing the oath must be sent to the Associate Secretary General.

11. A person may be appointed to more than one committee at the same time.

12. Travel and accommodation expenses of the committee members are reimbursed in accordance with the Règles sur les frais de déplacement des présidents, vice-présidents et membres d'organismes gouvernementaux (D. 2500-83, 83-11-30).

In addition to the reimbursement of their expenses, the chair and the committee members who are not a coroner nor employees of a government department or body are entitled respectively to fees of \$250 or \$200 per half-day of sitting they attend.

DIVISION IV OPERATION OF THE SELECTION COMMITTEE

13. The list of candidates and their records are sent to the members of the selection committee.

14. The committee analyzes the candidates' records and retains those who, in its opinion, meet the eligibility requirements and any additional evaluative measures applied in consideration of the positions to be filled or the large number of candidates.

15. The chair of the committee informs the candidates found eligible at this stage of the date and place of their meeting with the committee and informs the other candidates that their application has not been retained and, as a result, they will not be called to a meeting.

DIVISION V CONSULTATIONS AND SELECTION CRITERIA

16. The committee may, on any matter in a candidate's record or any aspect of an application or of the applications as a whole, consult with

(1) any person who is or has been, in the last 10 years, an employer, partner, immediate superior or line supervisor of the candidate; and

(2) any legal person, partnership or professional association of which the candidate is or was a member in the last 10 years.

17. The selection criteria to be taken into account by the committee in determining a candidate's qualifications for appointment as full-time or part-time coroner are the following:

(1) the candidate's personal and intellectual qualities;

(2) the holding of a diploma in a field relevant to the office;

(3) the minimum experience required and any other experience relevant to the office;

(4) the extent of the candidate's knowledge and skills in view of the qualifications, training or particular experience specified in the notice of recruitment;

(5) the candidate's ability to perform the duties of coroner, including the candidate's judgment, ability to act with impartiality, open-mindedness, insight, empathy, level-headedness, capacity for analysis and synthesis, decision-making, ability to work in a team, quality of oral and written expression and ability to engage in ethical conduct;

(6) the candidate's conception of the office of coroner.

18. The selection criteria to be taken into account by the committee in determining a candidate's qualifications for appointment as Deputy Chief Coroner are, in addition to those provided for in section 17,

(1) knowledge of the following:

(a) the statutes relevant to the office;

(b) the issues relating to mortality phenomena and the prevention of deaths due in particular to violence or neglect;

(2) experience as manager, mentor or coordinator and relevance to the office of Deputy Chief Coroner;

(3) professional skills, namely,

(a) ability to participate in the development of a strategic vision;

(b) ability to disseminate and implement directions;

(c) ability to implement mechanisms, tools and indicators for measuring the degree to which the objectives have been attained;

(d) ability to mentor coroners;

(e) ability to ensure the development and maintenance of skills of coroners, particularly by determining the needs, organization and preparation of training activities and verification of achievements;

(f) writing skills and ability to assess the quality of drafting of coroners reports;

(g) leadership, sense of public service, tactfulness, thoroughness and working methods.

19. The selection criteria to be taken into account by the committee in determining a candidate's qualifications for appointment as Chief Coroner are, in addition to those provided for in sections 17 and 18,

(1) knowledge of the following:

(a) the statutes relevant to the office;

(b) as regards management, particularly the management of public bodies and the management of human resources;

(c) government organization and administrative operations;

(2) experiences as manager and relevance to the office of Chief Coroner;

(3) professional skills, namely,

(a) ability to develop a strategic vision and to lead the organization toward achievement of its objectives;

(b) ability to interpret a complex and evolving environment and adapt to it;

(c) ability to communicate and maintain working relationships and networks.

20. The selection committee may apply evaluative measures that it determines to candidates who meet the eligibility requirements.

DIVISION VI

REPORT OF THE SELECTION COMMITTEE

21. Committee decisions are made by a majority of its members. In the case of a tie-vote, the chair of the committee has a casting vote.

22. Not later than 30 days after an application therefor by the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif, the committee promptly submits a report including

(1) the names of the candidates who have not been retained and have not been met, with reasons;

(2) the names of the candidates with whom the committee met but who have not been retained, with reasons;

(3) the names of the candidates with whom the committee met and whom it declared qualified for appointment as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner, their profession and the particulars concerning their work place;

(4) any comments that the committee considers appropriate, particularly with respect to the special characteristics, qualifications or experience of the candidates declared qualified.

The report is submitted to the Associate Secretary General, the Minister and the Chief Coroner, unless the report does not concern his or her office, if the latter is not a member of the committee.

23. A person may be declared qualified for appointment to more than one office.

Unless it is unable to do so, the committee declares as qualified a number of candidates corresponding to at least twice the number of vacant positions, if any.

If, once the assessment is concluded, fewer than 2 candidates are declared qualified for appointment as Chief Coroner, the Associate Secretary General must publish a new notice of recruitment.

24. A committee member may register dissent with respect to all or part of the report.

DIVISION VII

REGISTER OF CERTIFICATES OF QUALIFICATION

25. The Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif writes to the candidates to inform them whether or not they have been declared qualified for appointment as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner.

26. The Associate Secretary General keeps the register of certificates of qualification up to date and enters therein the list of the persons declared qualified for appointment as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner.

The certificate of qualification is valid for a period of 3 years from the date on which it is entered in the register.

The Associate Secretary General strikes out an entry on the expiry of the validity period of the certificate of qualification, or before where the person is appointed as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner, dies or asks to be withdrawn from the register.

DIVISION VIII

RECOMMENDATION

27. On being notified of a vacant position of full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif sends a copy of the updated list of persons declared qualified for appointment to the position concerned to the Minister.

28. If the Minister is of the opinion that he or she cannot, considering the list of persons declared qualified for appointment as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner and in the best interest of the proper operation of the position to be filled, recommend an appointment, the Minister then asks the Associate Secretary General to have a notice of recruitment published in accordance with Division I.

The committee in charge of assessing the qualifications of the candidates who submitted an application after the publication of another notice of recruitment and of submitting a report in accordance with section 22 may be composed of persons previously designated to sit on a preceding committee.

29. The Minister recommends to the Government the name of a person who has been declared qualified for appointment as full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner, according to the position to be filled.

CHAPTER II

RENEWAL OF THE TERM OF A CORONER

30. In the 12 months before the expiry of the term of a full-time or part-time coroner, Chief Coroner or Deputy Chief Coroner, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif asks that person to provide him or her with the information mentioned in subparagraphs 7 and 8 of the first paragraph of section 6 and with a writing in which the person agrees to a verification with, in particular, a disciplinary body, a professional order of which the person is or was a member and police forces and, where applicable, in which the person agrees that the persons, partnerships or associations mentioned in section 16 be consulted.

31. The Associate Secretary General establishes an examination committee to examine the renewal of the coroner's term of office, designates the chair and appoints a representative of the public qualified to assess the qualities required for the office of coroner, a person who has performed the duties of coroner and a member of the professional order referred to in section 4 in a relevant

field. Those persons must not belong to the Administration within the meaning of the Public Administration Act (chapter A-6.01) or represent it.

Sections 9 to 12 then apply.

32. The committee ascertains whether the coroner is a member of a professional order referred to in section 4 and, if the coroner still meets the criteria set out in section 17, considers the coroner's annual performance evaluations and takes into account the needs of the office of full-time or part-time coroner. The committee may, on any matter in the record, consult as provided for in section 16.

33. Committee decisions are made by a majority vote of its members. In the case of a tie-vote, the chair of the committee has a casting vote. A member may register dissent.

The committee sends its recommendation to the Associate Secretary General, the Minister and the Chief Coroner.

34. The Associate Secretary General is the agent empowered to notify a coroner of the non-renewal of a term of office.

CHAPTER III CONFIDENTIALITY

35. The names of candidates, the reports of selection committees, the recommendations of the committees for the examination of the renewal of terms, the register of certificates of qualification, the list of candidates declared qualified for appointment as full-time or part-time coroner, Chief Coroner and Deputy Chief Coroner and any information or document related to a consultation or decision by a committee are confidential.

CHAPTER IV FINAL

36. This Regulation replaces the Regulation respecting criteria and procedures for selecting persons fit for the post of coroner (chapter R-0.2, r. 2).

37. This Regulation comes into force on the date of coming into force of section 37 of the Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20).

105650

Draft Regulation

Professional Code
(chapter C-26)

Certified human resources professionals, certified industrial relations counsellors, bailiffs, nurses, respiratory therapists, physiotherapy technologists, certified translators, terminologists and interpreters — Diplomas which give access to the permits of the professional orders — 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 diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.04 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) to add the diploma issued by the Université du Québec à Rimouski to the list of diplomas which give access to the permit of the Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec.

The draft Regulation also amends section 1.30 of that Regulation to add the diploma issued by the Université du Québec à Trois-Rivières to the list of diplomas which give access to the certified translator's permit of the Ordre des traducteurs, terminologues et interprètes agréés du Québec.

Lastly, the draft Regulation amends sections 2.02, 2.10, 2.12 and 2.13 of that Regulation to correct the designation of Ellis College.

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

The draft Regulation will be submitted to the Office des professions du Québec and to the professional orders concerned. The Office will seek the opinions of the respective orders and forward them with its own opinion to the Minister of Higher Education after consultations with the educational institutions, departments and bodies concerned.

Further information on the draft Regulation may be obtained by contacting Gabriel Fontaine, Direction de la veille et des orientations, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912 or 1 800 643-6912, extension 307; email: gabriel.fontaine@opq.gouv.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, 10^e 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 orders and to interested departments and bodies.

DANIELLE McCANN
Minister of Higher Education

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

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

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended by adding the following at the end of section 1.04:

“(h) Baccalauréat en administration, concentration en gestion des ressources humaines, from the Université du Québec à Rimouski.”

2. Section 1.30 is amended by adding the following at the end of paragraph 1:

“(k) Maîtrise par cumul en traduction from the Université du Québec à Trois-Rivières.”

3. Section 2.02 is amended by striking out “Trois-Rivières campus” in paragraph a.

4. Section 2.10 is amended by striking out “, Trois-Rivières campus”.

5. Section 2.12 is amended by striking out “Trois-Rivières campus”.

6. Section 2.13 is amended by striking out “, Drummondville and Trois-Rivières campuses.”

7. Sections 2.02, 2.10, 2.12 and 2.13, amended by sections 3 to 6 of this Regulation, remain applicable to persons who, on (*insert the date of coming into force of this Regulation*), hold one of the diplomas referred to in those sections or are registered in a program leading to one of those diplomas.

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

105645

Draft Regulation

Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20)

Training of coroners

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

The draft Regulation establishes a basic training program of not less than 60 hours which coroners who are appointed for the first time, including the Chief Coroner, must participate in and complete within 18 months of their appointment. It also provides that, when required by the quality of the performance of a coroner's duties, the Chief Coroner may require that a coroner appointed more than two years after the end of the last mandate participate in all or part of the basic training program.

The draft Regulation provides for the requirement for coroners, including the Chief Coroner, to participate in 30 hours of recognized continuing education per 2-year reference period. In that regard, the draft Regulation establishes the objectives of continuing education activities, determines which continuing education activities are recognized, and implements a mechanism to have that education recognized and monitored. The draft Regulation also provides that, in certain specific cases, a coroner may be exempted from all or part of the continuing education requirement.

In addition, the draft Regulation provides that the Chief Coroner may determine the continuing training activities in which all or some coroners must participate, in parti-

cular because of a legislative or regulatory reform or if the Chief Coroner considers that a deficiency is affecting the quality of the performance of the coroner's duties.

Lastly, the draft Regulation contains provisions in case of failure by a coroner to comply with a training requirement.

The measures proposed by the draft Regulation have no significant impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, Tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: veronyck.fontaine@misp.gouv.qc.ca; fax: 418 643-3500.

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

GENEVIÈVE GUILBAULT
Minister of Public Security

Regulation respecting the training of coroners

Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20, s. 37)

CHAPTER I BASIC TRAINING PROGRAM

1. The objectives of the basic training program are the acquisition and development of the skills and knowledge required to perform the duties of a coroner. The program covers, in particular,

- (1) the methods and tools for conducting an investigation;
- (2) the relevant medical and legal notions;
- (3) the rules of conduct and ethics that a coroner must comply with and the personal skills that a coroner must have;
- (4) computer tools; and
- (5) the organization, operation, activities and relations of the Bureau du coroner.

The basic training program comprises initial training required to perform the duties of a coroner, as well as additional training consisting in particular of practical studies that must take place after a coroner begins performing the duties, at the time determined by the Chief Coroner.

2. The basic training program lasts not less than 60 hours.

3. A coroner who is appointed for the first time, including the Chief Coroner, must participate in the basic training program and complete it within 18 months after the date of appointment.

4. When required by the quality of the performance of a coroner's duties, the Chief Coroner may require that a coroner appointed more than 2 years after the end of the last mandate participate in all or part of the basic training program. The Chief Coroner determines the parts of the training that the coroner must participate in and the time for completing them.

CHAPTER II MANDATORY CONTINUING EDUCATION

DIVISION I CONTINUING EDUCATION ACTIVITIES

5. The objectives of continuing education activities include enabling coroners to acquire, maintain, update, improve and expand skills and knowledge related to the performance of the duties of a coroner.

6. Subject to section 11, the following activities, where they meet the objectives provided for in section 5, are continuing education activities:

- (1) participating in courses, seminars, symposiums or conferences offered or organized by the Chief Coroner or at the request of the Chief Coroner, by a professional order, a university or college level educational institution or another organization;
- (2) participating in structured education activities offered in the workplace;
- (3) preparing to act as an instructor or speaker;
- (4) writing and publishing articles or books;
- (5) participating in a mentoring activity as a mentor, up to a maximum of 10 hours.

DIVISION II CONTINUING EDUCATION REQUIREMENTS

7. Coroners, including the Chief Coroner, must participate in at least 30 hours of continuing education per 2-year reference period; the reference period begins on 1 April of every odd-numbered year.

8. The Chief Coroner may, for a given reference period, determine the continuing training activities in which all or some coroners must participate, in particular because of a legislative or regulatory reform or if the Chief Coroner considers that a deficiency is affecting the quality of the performance of the coroner's duties.

DIVISION III RECOGNITION AND MONITORING OF CONTINUING EDUCATION

9. All coroners must provide the Chief Coroner with a continuing education declaration, not later than 30 April following the end of the reference period, using the form prescribed for that purpose. The declaration must indicate the continuing education activities participated in during the reference period, specifying for each activity the date on which it took place, the name and contact information of the organization that provided it, and the number of hours completed. If a coroner declares an education activity that was participated in as part of mandatory continuing education as an advocate, a nurse, an engineer, a physician, a notary or a pharmacist, as the case may be, the coroner must also specify how the education activity has met the objectives provided for in section 5.

A coroner who has obtained an exemption under Division IV must indicate it in the declaration.

The Chief Coroner may require that a coroner provide any other document or information making it possible to verify whether the coroner has met the requirements with regard to continuing education.

10. For a period of 2 years after submitting a continuing education declaration, the coroner must keep the supporting documents making it possible for the Chief Coroner to verify whether the coroner meets the requirements with regard to continuing education.

11. The Chief Coroner may refuse to recognize part or all of a continuing education activity if the Chief Coroner is of the opinion that the activity does not meet the objectives provided for in section 5. In such a case, the Chief Coroner must first send a notice of intention to the coroner and inform the coroner of the right to submit written observations within 15 days of the date of notification.

The Chief Coroner notifies the decision to the coroner within 30 days of the date of notification of the notice or the date of receipt of the written observations, whichever time limit expires last.

For the purposes of the first paragraph, the Chief Coroner considers in particular the following elements:

- (1) the relation between the activity and the performance of the duties of a coroner;
- (2) the experience and skills of the trainer;
- (3) the content and relevance of the activity;
- (4) the curricular framework in which the activity is carried out;
- (5) the quality of the documents;
- (6) the existence of a participation certificate or an assessment, as the case may be.

DIVISION IV EDUCATION EXEMPTION

12. A coroner who has participated in the basic training program is exempted from the continuing education requirement for the reference period during which the coroner participated in the program. If the program is carried out over more than 1 reference period, the exemption only applies to the first reference period.

13. A coroner may be exempted, in whole or in part, from the requirement to participate in continuing education activities if the coroner temporarily ceases to perform duties because of illness, accident, pregnancy, maternity, paternity or parental leave, leave to act as a caregiver within the meaning of the Act respecting labour standards (chapter N-1.1), or exceptional circumstances.

A coroner having been suspended in accordance with the Coroners Act, or having had the right to engage in professional activities suspended or restricted by a disciplinary council, the professional order of which the coroner is a member or the Professions Tribunal does not constitute an exceptional circumstance.

14. A coroner who wishes to obtain an exemption in accordance with section 13 must submit a written application to the Chief Coroner and provide

- (1) the grounds in support of the application;
- (2) the duration of the exemption sought; and

(3) a doctor's note or any other supporting document attesting that the coroner has ceased to hold the office.

15. If the Chief Coroner grants the exemption, the Chief Coroner sets its duration, terms and conditions.

If the Chief Coroner intends to refuse the exemption, the Chief Coroner sends a notice to the coroner and informs the coroner of the right to submit written observations within 15 days following the date of notification.

The Chief Coroner notifies the decision to the coroner within 30 days of the date of notification of the notice or the date of receipt of the written observations, whichever time limit expires last.

16. The coroner must notify the Chief Coroner as soon as the ground for exemption no longer applies.

The Chief Coroner then determines the number of hours of continuing education that the coroner must complete and any applicable terms and conditions. In such a case, the Chief Coroner sends a notice of intention to the coroner and informs the coroner of the right to submit written observations within 15 days of the date of notification.

The Chief Coroner notifies the decision to the coroner within 30 days of the date of notification of the notice or the date of receipt of the written observations, whichever time limit expires last.

CHAPTER III FAILURE TO COMPLY WITH AN EDUCATION REQUIREMENT

17. The Chief Coroner notifies a notice to comply with the continuing education requirements to coroners who fail to participate in the basic training or to submit the continuing education declaration or the supporting documents referred to in sections 10 and 14.

The notice indicates the nature of the failure, the time granted to the coroner to remedy the failure and submit evidence thereof, and the consequences that the coroner may face should the coroner fail to remedy the failure.

CHAPTER IV TRANSITIONAL AND FINAL

18. For the purposes of continuing education requirements, the first reference period begins on 1 April 2025.

19. This Regulation comes into force on (*insert the date occurring two years after the date of its publication in the Gazette officielle du Québec*).

