



Part 2

LAWS AND REGULATIONS

31 August 2022 / Volume 154

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Part 2 – LAWS AND REGULATIONS

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- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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Coming into force of Acts

Gouvernement du Québec

O.C. 1566-2022, 17 August 2022

Act to amend various legislative provisions mainly for the purpose of reducing red tape (2021, chapter 35)
— Coming into force of subparagraph *a* of paragraph 1 and paragraphs 4 and 5 of section 79

COMING INTO FORCE of subparagraph *a* of paragraph 1 and paragraphs 4 and 5 of section 79 of the Act to amend various legislative provisions mainly for the purpose of reducing red tape

WHEREAS the Act to amend various legislative provisions mainly for the purpose of reducing red tape (2021, chapter 35) was assented to on 9 December 2021;

WHEREAS section 116 of the Act provides that the provisions of the Act come into force on 9 December 2021, except subparagraph *a* of paragraph 1 and paragraphs 4 and 5 of section 79, which come into force on the date or dates to be determined by the Government;

WHEREAS it is expedient to set 29 September 2022 as the date of coming into force of subparagraph *a* of paragraph 1 and paragraphs 4 and 5 of section 79;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT 29 September 2022 be set as the date of coming into force of subparagraph *a* of paragraph 1 and paragraphs 4 and 5 of section 79 of the Act to amend various legislative provisions mainly for the purpose of reducing red tape (2021, chapter 35).

YVES OUELLET
Clerk of the Conseil exécutif

105972

Regulations and other Acts

Gouvernement du Québec

O.C. 1538-2022, 17 August 2022

Master Electricians Act
(chapter M-3)

Building Act
(chapter B-1.1)

Order in council respecting the Agreement related to the mandate entrusted to the Corporation des maîtres électriciens du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them (chapter B-1.1)

Continuing education requirements for master electricians — Amendment

Regulation to amend the Regulation respecting continuing education requirements for master electricians

WHEREAS, under section 12.0.1 of the Master Electricians Act (chapter M-3), the council of the Corporation of Master Electricians of Québec may make any regulation concerning the matters to which the regulatory powers conferred on the council under section 129.3 of the Building Act (chapter B-1.1) apply;

WHEREAS, under subparagraph 1 of the second paragraph of section 12.0.2 of the Master Electricians Act, the council of the Corporation of Master Electricians of Québec may, by regulation, make training mandatory for the issue or maintenance of a licence covering work coming under the exclusive competence of master electricians;

WHEREAS, under the first paragraph of section 2.1.3 of the Schedule to the Order in council respecting the Agreement related to the mandate entrusted to the Corporation des maîtres électriciens du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members

and the financial guarantees required from them (chapter B-1.1, r. 4), the Corporation may, in relation to the mandate entrusted by the Government, adopt a regulation that may deal with the matters referred to in particular in paragraphs 8 to 16, 18, 18.1, 19.7 and 36.1 of section 185 of the Building Act;

WHEREAS, under paragraph 9.3 of section 185 of the Building Act and the first paragraph of section 2.1.3 of the Schedule to that Order in council, the Corporation may, by regulation, determine the cases in which it will charge fees for recognizing training or a training program provided by a third person;

WHEREAS the council of the Corporation made the Regulation to amend the Regulation respecting continuing education requirements for master electricians on 26 April 2022;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting continuing education requirements for master electricians was published in Part 2 of the *Gazette officielle du Québec* of 25 May 2022 with a notice that it could be approved by the Government with or without amendment on the expiry of 45 days following that publication;

WHEREAS, under the first paragraph of section 12.0.3 of the Master Electricians Act, any regulation made under sections 12.0.1 and 12.0.2 of the Act must be submitted to the Government for approval with or without amendment;

WHEREAS it is expedient to approve the Regulation to amend the Regulation respecting continuing education requirements for master electricians without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Housing:

THAT the Regulation to amend the Regulation respecting continuing education requirements for master electricians, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting continuing education requirements for master electricians

Master Electricians Act
(chapter M-3, ss. 12.0.1 and 12.0.2)

Building Act
(chapter B-1.1, s. 185, pars. 8, 9.1, 9.2, 9.3, 10, 11 and 16)

Order in council respecting the Agreement related to the mandate entrusted to the Corporation des maîtres électriciens du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them (chapter B-1.1, r. 4)

1. The Regulation respecting continuing education requirements for master electricians is amended in section 12

(1) by replacing “an application to that effect must be sent” by “a member or a construction work guarantor must send an application to that effect”;

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

“Such an application may also be submitted by an instructor or an organization that structures, oversees or provides a continuing education activity. In such a case, the application must be sent to the Corporation at least 60 days before the date on which the activity is set to begin. In addition to the supporting documents listed in the first paragraph, the application must be accompanied by the fees required by the Corporation, which informs the applicant, within 50 days after receipt of the application, of whether it recognizes the continuing education activity or not.”.

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

105969

Gouvernement du Québec

O.C. 1539-2022, 17 August 2022

Master Pipe-Mechanics Act
(chapter M-4)

Building Act
(chapter B-1.1)

Order in council agreement related to the mandate entrusted to the Corporation des maîtres mécaniciens en tuyauterie du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them (chapter B-1.1)

Continuing education requirements for master pipe-mechanics —Amendment

Regulation to amend the Regulation respecting continuing education requirements for master pipe-mechanics

WHEREAS, under section 10.1 of the Master Pipe-Mechanics Act (chapter M-4), the council of the Corporation of Master Pipe-Mechanics of Québec may make any regulation concerning the matters to which the regulatory powers conferred on the council under section 129.3 of the Building Act (chapter B-1.1) apply;

WHEREAS, under subparagraph 1 of the second paragraph of section 10.2 of the Master Pipe-Mechanics Act, the council of the Corporation of Master Pipe-Mechanics of Québec may, by regulation, make training mandatory for the issue or maintenance of a licence covering work coming under the exclusive competence of master pipe-mechanics;

WHEREAS, under the first paragraph of section 2.1.3 of the Schedule to the Order in council agreement related to the mandate entrusted to the Corporation des maîtres mécaniciens en tuyauterie du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them (chapter B-1.1, r. 5), the Corporation may, in relation to the mandate entrusted by the Government, adopt a regulation that may deal with the matters referred to in particular in paragraphs 8 to 16, 18, 18.1, 19.7 and 36.1 of section 185 of the Building Act;

WHEREAS, under paragraph 9.3 of section 185 of the Building Act and the first paragraph of section 2.1.3 of the Schedule to that Order in council, the Corporation may, by regulation, determine the cases in which it will charge fees for recognizing training or a training program provided by a third person;

WHEREAS the council of the Corporation made the Regulation to amend the Regulation respecting continuing education requirements for master pipe-mechanics on 25 April 2022;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting continuing education requirements for master pipe-mechanics was published in Part 2 of the *Gazette officielle du Québec* of 25 May 2022 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, under the first paragraph of section 10.3 of the Master Pipe-Mechanics Act, any regulation made under sections 10.1 and 10.2 of the Act must be submitted to the Government for approval with or without amendment;

WHEREAS it is expedient to approve the Regulation to amend the Regulation respecting continuing education requirements for master pipe-mechanics without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Housing:

THAT the Regulation to amend the Regulation respecting continuing education requirements for master pipe-mechanics, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting continuing education requirements for master pipe-mechanics

Master Pipe-Mechanics Act
(chapter M-4, ss. 10.1 and 10.2)

Building Act
(chapter B-1.1, s. 185, pars. 8, 9.1, 9.2, 9.3, 10, 11 and 16)

Order in council agreement related to the mandate entrusted to the Corporation des maîtres mécaniciens en tuyauterie du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them
(chapter B-1.1, r. 5)

1. The Regulation respecting continuing education requirements for master pipe-mechanics is amended in section 12

(1) by replacing “an application to that effect must be sent” by “a member or a construction work guarantor must send an application to that effect”;

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

“Such an application may also be submitted by an instructor or an organization that structures, oversees or provides a continuing education activity. In such a case, the application must be sent to the Corporation at least 60 days before the date on which the activity is set to begin. In addition to the supporting documents listed in the first paragraph, the application must be accompanied by the fees required by the Corporation, which informs the applicant, within 50 days after receipt of the application, of whether it recognizes the continuing education activity or not.”.

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

105970

Gouvernement du Québec

O.C. 1574-2022, 17 August 2022

Act respecting health services and social services
(chapter S-4.2, ss. 346.0.1, 346.0.3, 346.0.6, 346.0.7
and 346.0.20)

Certification of private seniors' residences — Amendment

Regulation to amend the Regulation respecting the
—certification of private seniors' residences

WHEREAS, under the fourth paragraph of section 346.0.1 of the Act respecting health services and social services (chapter S-4.2), the Government may in particular, by regulation,

—define the following categories of services: meal services, personal assistance services, nursing care services, domestic help services, security services or recreation services;

—specify the information that must be collected and kept up to date by an agency to establish and keep up to date a register of private seniors' residences in its territory;

—prescribe any other information to be collected and kept up to date;

—provide for categories of private seniors' residences including at least one category of residences offering services for independent elderly persons and one category of residences offering services for semi-independent elderly persons;

WHEREAS, under section 346.0.6 of the Act, the Government may prescribe in particular, by regulation,

—the qualifications an applicant for a temporary certificate of compliance must possess, the conditions the applicant must fulfill and the information and documents the applicant must provide, in particular to enable the agency to verify compliance with the third paragraph of section 346.0.3 of the Act;

—the information and documents the operator of a private seniors' residence must provide to the agency for the purposes of the certificate renewal process, including the information and documents it must provide to enable the agency to verify compliance with paragraph 4 of section 346.0.11 of the Act;

—the health and social criteria with which the operator of a private seniors' residence must comply to receive a certificate of compliance, which may vary according to the category of private seniors' residence;

—the conditions that staff members and volunteers of a private seniors' residence and any other person working in such a residence must fulfill, depending on their duties, in particular conditions relating to training and security, including conditions relating to judicial records, and the information and documents those persons must provide to the operator of the residence to enable the operator to verify whether those conditions have been fulfilled;

—the cases, conditions and circumstances in which subdivision 2.1 of Division II of Chapter I of Title I of Part III of the Act, one of its provisions or a regulatory provision does not apply to an operator of a private seniors' residence;

—the tools and procedures to be used to assess the autonomy of the elderly persons who reside or wish to reside in a private seniors' residence;

—the obligation of an operator of a private seniors' residence that has more rooms and apartments than the number determined by regulation to establish a residence life committee, and the functions and composition of that committee;

—the obligation of an operator of a private seniors' residence and of the agency for the region where the residence is situated to enter into an agreement concerning the provision of certain services to residents and setting out the obligations of the parties in that respect, as well as the minimum content of such an agreement;

—any other certification measure;

—any other standard applicable to the operation of a private seniors' residence;

—the provisions of a regulation under section 346.0.6 whose violation constitutes an offence;

WHEREAS, under the first paragraph of section 346.0.7 of the Act, the Government must include in the health and social criteria determined under paragraph 2 of section 346.0.6 of the Act the minimum number of persons required to be present at all times in a private seniors' residence to ensure proper supervision, taking into account, as applicable, the category of the residence;

WHEREAS, under the second paragraph of section 346.0.20 of the Act, the Government must identify which of the requirements referred to in the second paragraph of section 346.0.3 must be fulfilled in order for the agency to authorize the transfer requested;

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 certification of private seniors' residences was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2022 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 Responsible for Seniors and Informal Caregivers and the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the certification of private seniors' residences, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the certification of private seniors' residences

Act respecting health services and social services (chapter S-4.2, ss. 346.0.1, 346.0.3, 346.0.6, 346.0.7 and 346.0.20)

1. The Regulation respecting the certification of private seniors' residences (Chapter S-4.2, r. 0.01) is amended by replacing section 1 by the following:

“**1.** A private seniors' residence referred to in the second paragraph of section 346.0.1 of the Act respecting health services and social services (Chapter S-4.2) belongs to one of the following categories:

(1) category 1, comprising private seniors' residences operated on a not-for-profit basis that offer various services for independent elderly persons in at least 2 of the following categories of services: meal services, domestic help services, security services and recreation services;

(2) category 2, comprising private seniors' residences operated on a for-profit basis that offer various services for independent elderly persons in at least 2 of the following categories of services: meal services, domestic help services, security services and recreation services;

(3) category 3, comprising private seniors' residences operated on a for-profit or not-for-profit basis that offer various services for semi-independent elderly persons in at least

(a) one of the following 4 categories of services: meal services, domestic help services, security services and recreation services; and

(b) one of the following 2 categories of services: personal assistance services and nursing care;

(4) category 4, comprising private seniors' residences operated on a for-profit or not-for-profit basis that offer personal assistance services and nursing care for elderly persons with a moderate to severe loss of functional physical or cognitive autonomy, along with services in at least one of the following 4 categories of services: meal services, domestic help services, security services or recreation services.

A residence operated by a natural person is deemed to be operated on a for-profit basis.

1.1. Where a congregate residential facility is occupied by the residents of a private seniors' residence and also by users taken in charge by an intermediate resource or family-type resource, users lodged in a facility maintained by a private institution, or other occupants, the rental units of the residents of the residence must be adjacent to each other and form a separate set of resources, facilities and other spaces within the building.

The first paragraph also applies when the building houses more than 1 private seniors' residence. If this provision is not complied with, each residence is subject to the requirements of the highest category.”

2. Section 2 is amended

(1) in the French text by striking out “ou l'autre” in the portion before subparagraph *a* of paragraph 1;

(2) by replacing paragraph 2 by the following:

“(2) “personal assistance services” means any of the following services:

(a) feeding, personal hygiene and maintenance of the person, dressing and bathing assistance services;

(b) invasive care involved in assistance with activities of daily living, when required on a long-term basis to maintain a person's health;

(c) the administration of medication, namely the control of the medication by a staff member at the residence and assistance for the resident in taking the medication;”;

(3) by replacing paragraphs 4, 5, 6, and 7 by the following:

“(4) “meal services” means the supply or availability, in the residence and on a daily basis, of one or more meals;

(5) “security services” means the full-time presence in a residence of a person responsible for providing supervision and of equipment to ensure the safety of residents;

(6) “nursing care” means the exercise in a residence, by a nurse or a nursing assistant who is on the residence’s staff, of activities reserved by law to the nursing profession.”

(4) by adding the following at the end:

“For the purposes of subparagraph 4 of the first paragraph, the fact that an operator suspends meal services occasionally or sporadically cannot be used to support an inference that it does not offer such services.”

3. Section 3 is replaced by the following:

“3. Only the operator of a category 1 or 2 private seniors’ residence may offer residents consultation services.

Despite the first paragraph, the operator of a residence referred to in that paragraph housing fewer than 6 residents or with fewer than 10 rental units may not offer consultation services.

For the purposes of this Regulation, “consultation services” means services dispensed by a nurse or a nursing assistant who is a member of the staff at the residence, in a room at the residence, to residents who wish to obtain a consultation concerning a health problem. Similarly, the supply of such services by an operator does not constitute the supply of nursing care within the meaning of subparagraph 6 of the first paragraph of section 2.”

4. Section 4 is revoked.

5. Section 5 is replaced by the following:

“5. Sections 13, 13.2, 15, 27.1, 37, 39 and 50 and the second and third paragraphs of section 53 do not apply to the operator of a private seniors’ residence housing fewer than 6 residents. However, those provisions apply to the operator if the residence is Part of a congregate residential facility occupied as provided for in the first paragraph of section 1.1.

Section 15 and the second paragraph of section 53 do not apply to the operator of a category 1 residence which, although not covered by the first paragraph, has fewer than 10 rental units.

Section 27.1, the second paragraph of section 39, subparagraph 1 of the third paragraph of section 50 and the second and third paragraphs of section 53 do not apply to the operator of a category 2, 3 or 4 residence which, although not covered by the first paragraph, has fewer than 10 rental units.”

6. Section 6 is replaced by the following:

“6. This Regulation and sections 346.0.1 to 346.0.21 of the Act respecting health services and social services (Chapter S-4.2) do not apply to the operator of a private seniors’ residence housing exclusively fewer than 6 persons who are related to the operator by blood, marriage, civil union or de facto union.”

7. Section 7 is amended

(1) in the first paragraph

(a) by replacing subparagraph 5 by the following:

“(5) where applicable,

(a) the banner under which a private seniors’ residence is operated, when other residences are operated under the same banner;

(b) the name and address of each of the other residences operated by that operator;”;

(b) by replacing subparagraphs 10 and 11 by the following:

“(10) whether or not consultation services are offered;”;

(2) in the second paragraph

(a) by replacing “the type of elevator with which it is equipped, if any” in subparagraph 1 by “whether or not the residence is equipped with elevators”;

(b) by striking out “and detection and alarm equipment in the rental units” in subparagraph 6;

(c) by adding the following at the end:

“(8) whether or not the residence is equipped with air conditioning in the common areas or rental units.”

8. Section 8 is amended by replacing “To ensure the health and safety of residents, the operator must also make sure that the residence and the land on which it is situated are maintained and kept in a good condition. The foregoing also applies to the appliances and equipment required to provide care and personal assistance services, which must also be used in a safe and adequate manner.” in the second paragraph by “Similarly, the operator must promote a culture of well-treatment in the residence.”.

9. Section 10 is amended

(1) in the first paragraph

(a) by replacing “year” in subparagraphs 1 to 3 by “3 years”;

(b) by adding the following at the end:

“(4) neither the person or partnership, nor any officer of the residence, may have been party to an agreement entered into with a public institution in order to call upon its services as an intermediate resource or family-type resource and that, in the 3 years prior to the application, was cancelled or was not renewed by such an institution for serious reasons;”;

(2) by replacing “subparagraphs 1 to 3” in the second paragraph by “subparagraphs 1 to 4”.

10. Section 11 is amended

(1) in the first paragraph

(a) by inserting “and address” after “name” in subparagraph 4;

(b) by replacing subparagraph 6 by the following:

“(6) the category to which the residence covered by the application will belong;”;

(c) by replacing subparagraph 12 by the following:

“(12) an attestation from a professional, such as an architect or engineer, confirming that the building or part of a building that will house the residence complies with the standards applicable to private seniors’ residences in the Safety Code (chapter B-1.1, r. 3).”;

(2) by adding the following at the end:

“Where a person or partnership wishes to apply for a temporary certificate of compliance in order to operate more than one residence in the same congregate residential facility, a single application must be submitted to the

integrated health and social services centre for all the residences concerned. The first, second and third paragraphs apply, with the necessary modifications.”.

11. Section 12 is amended

(1) by inserting “or renew” after “obtain”;

(2) by adding the following at the end:

“Where more than one residence is operated by the same operator in the same congregate residential facility, the certificates of compliance issued by the integrated health and social services centre concerned must be brought together in a single document, identifying each residence separately.”.

12. Section 13 is replaced by the following:

13. Before entering into a lease, the operator of a private seniors’ residence must give a person wishing to become a resident or, where applicable, that person’s representative, a copy of the code of ethics referred to in section 36 as well as the document containing general information about the residence referred to in section 37.

13.1. The operator of a private seniors’ residence may, with written consent from a person wishing to become a resident or, where applicable, that person’s representative, proceed with or request the identification of the person’s loss of autonomy. The identification must be conducted using the Prisma-7 tool for the identification of persons with decreasing autonomy.

The operator may also, in the same manner, proceed with or request an assessment of the person’s autonomy to allow the person or, where applicable, the person’s representative, first, to identify the care and services required by the person’s state of health based on the person’s needs and, second, to determine if the person’s state of health may require care or services that are not offered by the operator. The assessment must be conducted using the functional autonomy measurement system (*système de mesure de l’autonomie fonctionnelle*, or SMAF) by a professional authorized to do so.

Only the tools referred to in the first and second paragraphs may be used to identify the loss of autonomy of a person wishing to become a resident or assess that person’s autonomy. The operator cannot use such tools or any other tool designed to assess the person’s needs to require the person or, where applicable, the person’s representative, to select a service offered by the operator that is not part of the services whose costs must be included in the rent, when entering into a lease.

13.2. The operator of a private seniors' residence must use the document containing general information about the residence referred to in section 37 to identify, with a person wishing to become a resident or, where applicable, the person's representative, the services selected, other than the services whose costs must be included in the rent, when entering into a lease. The selection of those services must be left to the discretion of the person or, where applicable, the person's representative. The operator of the residence may not, at any time, require that such an offered service be selected by the person when entering into a lease.

The operator must remain available to answer questions from a person wishing to become a resident or, where applicable, that person's representative before a lease is entered into.

13.3. The cost of using the call-for-help system referred to in section 15 must be included in the total rent payable under the lease; as a result, such a system may not be billed on a per-use basis.

13.4. For the purpose of entering into a lease, the operator of a private seniors' residence must use the form applicable to the situation pursuant to the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (Chapter T-15.01, r. 3).

13.5. The operator of a private seniors' residence is required, in accordance with the Civil Code, to offer and maintain all the services set out in the lease, including those in all the schedules, for the duration of the lease and with no increase in cost or decrease in intensity.

The operator must also maintain sufficient qualified staff in the residence at all times to respond adequately to the services agreed upon and to the commitments made in the leases entered into with residents.

13.6. The operator of a private seniors' residence may, with written consent from a resident or, where applicable, the resident's representative, proceed with or request the identification of the resident's loss of autonomy or an assessment of the resident's autonomy. The identification or assessment must be conducted in accordance with section 13.1. The third paragraph of that section applies, with the necessary modifications.

Following the identification or assessment, the resident's new needs must be communicated to the residence staff members providing personal assistance services or nursing care. The results of the identification or assessment must be recorded in the resident's file kept pursuant to section 57.

The resident's lease must be amended only if the resident decides to select extra services offered by the operator. In no case may the operator bill such services following an identification or assessment without consent from the resident or, where applicable, the resident's representative.

For the purposes of the first paragraph, written consent must be obtained specifically for each identification and each assessment.”

13. The following is inserted after the heading of subdivision 2 of Division III of Chapter II:

“**14.1.** The operator of a private seniors' residence and the integrated health and social services centre concerned must enter into an agreement setting out the procedure for dispensing health services and social services to residents in cases requiring a sharing of responsibility, for the purpose of establishing a mechanism for collaboration.

The agreement must stipulate the parties' commitment to promoting concerted and reciprocal actions to achieve its objectives. It must also establish a mechanism for collaboration applicable, in particular, following

(1) a fall by a resident;

(2) the return of a resident to the residence after a hospitalization; or

(3) one of the occurrences referred to in subparagraphs 1 to 3 of the first paragraph of section 51, provided the integrated centre is notified.

The agreement must also specify the form of and procedure for the notification sent to the integrated centre in accordance with section 51.

In addition, the agreement must specify the procedure and the mechanism for collaboration applicable to fall prevention among residents and the control of infections at the residence, including an obligation for the operator of the residence

(1) to make staff members aware of the existence of tools to prevent falls and to prevent and control infections, including the Guide de prévention des infections dans les résidences privées pour aînés and the Cadre de référence sur la prévention des chutes dans un continuum de services pour les aînés vivant à domicile, produced by the Minister;

(2) to provide the necessary explanations concerning the use of the tools referred to in subparagraph 1 by staff members; and

(3) to make the tools referred to in subparagraph 1 available in a place that is accessible to staff members.

Lastly, the agreement must provide for a mechanism to resolve disputes regarding the interpretation or application of the agreement.

In cases where more than one residence is operated by the same operator in the same congregate residential facility, the operator and the integrated centre concerned may enter into a single agreement concerning each residence. Where one of the residences is a category 4, the agreement must set out the procedure and the mechanism for collaboration applicable specifically to that residence.

14.2. In the case of a private seniors' residence where medication distribution or administration services are offered, the agreement referred to in section 14.1 must also set out the procedure for the distribution and administration of medication to the residents by staff members at the residence.

The agreement must set out, in particular,

(1) the obligation of the operator

(a) to designate a staff member at the residence to identify, for each work shift, the staff members responsible for distributing or administering medication, as the case may be;

(b) to take the necessary steps to ensure that the staff members responsible for the distribution or administration of medication, as the case may be, are able, when distributing or administering medication, to verify the identity of the resident and to check that the medication distributed or administered is intended for that resident;

(c) to take the necessary steps to ensure that any incident or accident connected with the distribution or administration of medication to a resident is reported in the register of incidents and accidents referred to in section 50; and

(d) to ensure that staff members comply with the procedure for distributing and administering prescription medication to residents, as set out in the agreement; and

(2) the procedure for

(a) the storage, conservation, distribution or administration of prescription medication to residents;

(b) the management of expired medication or medication no longer needed by residents; and

(c) the administration of prescribed ready-to-administer medication to residents to ensure that every person concerned complies with the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code (Chapter C-26, r. 3), if applicable.

14.3. The agreement referred to in section 14.1 must also, where applicable, set out the procedure for the invasive care involved in assistance with activities of daily living for residents in a category 3 or 4 private senior's residence to ensure that every person concerned complies with the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code (chapter C-26, r. 3).

14.4. In the case of a category 3 or 4 private senior's residence, the agreement referred to in section 14.1 must also set out the process applicable to ensure prior agreement on the use of alternative control measures in accordance with section 56 and an assessment of the resident's condition following the use of alternative measures or control measures in accordance with paragraph 2 of section 55 and subparagraph 2 of the second paragraph of section 56."

14. Section 15 is amended

(1) by inserting "who is present in the residence and" after "age" in the first paragraph;

(2) by inserting the following after the first paragraph:

"In the case of a category 1 residence, the person of full age present in the residence referred to in the first paragraph may be a staff member, a resident, a supervising lessee or a volunteer at the residence.";

(3) by replacing third paragraph by the following:

"When the operator offers a mobile call-for-help system a resident or, as the case may be, a resident's representative may refuse its use in writing."

15. Section 16 is amended

(1) in the first paragraph

(a) by replacing "with sections 17 to 20, according to the category to which the residence belongs and the number of rental units offered for lease" by "with sections 17 to 20.3";

(b) by replacing “, where required, that a sufficient number of persons able to ensure the evacuation of the residents in case of emergency is present” by “that a sufficient number of persons able to ensure the evacuation of the residents in case of emergency is present at all times”;

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

“For the purposes of sections 17 to 20.1, the person responsible for taking action in case of emergency and for ensuring access inside the residence by the emergency services pursuant to the first paragraph of section 15 is the person responsible for supervision.”

16. Section 17 is amended

(1) in the first paragraph

(a) by replacing “99 rental units or less” by “fewer than 100 rental units”;

(b) by replacing “supervise it” by “ensure supervision”;

(2) in the second paragraph

(a) in the French text by replacing “pour en assurer la surveillance” by “pour y assurer la surveillance”;

(b) in the French text by replacing “ou plus” by “et plus”;

(3) by replacing the third paragraph by the following:

“Despite the second paragraph, in a category 1 residence comprising 200 rental units or more, the supervision may, between 9 p.m. on a given day and 8 a.m. the next day, be ensured in accordance with the requirements applicable to such a residence comprising 100 to 199 rental units, if the building that shelters it is fully protected by a sprinkler system.

Every person present in the residence to ensure supervision pursuant to this section must hold an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28.”

17. Section 18 is amended

(1) in the first paragraph

(a) by replacing “199 rental units or less” by “fewer than 200 rental units”;

(b) by replacing “For a residence of 200 rental units or more, that minimum number is increased to 2 persons” by “The minimum is increased to 2 persons for a

residence comprising 200 rental units or more; between 9 p.m. on a given day and 8 a.m. the next day, however, one of the 2 staff members may be replaced by a resident, a supervising lessee or a volunteer of the residence if the building sheltering the residence is fully protected by a sprinkler system.”;

(2) by replacing the second and third paragraphs by the following:

“In the case of a residence comprising fewer than 10 rental units, an operator who lives in the residence may occasionally, for periods of less than 8 hours and only between 7 a.m. and 11 p.m., have the residence supervised by a person of full age other than a resident.

Every person present in the residence to ensure supervision pursuant to this section must hold an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28.”

18. Section 19 is amended

(1) in the first paragraph

(a) by replacing “99 rental units or less” by “fewer than 100 rental units”;

(b) by replacing “That person” by “Except in the case of a nurse or a nursing assistant, that person”;

(c) by replacing “referred to in section 28. The person must also” by “of completion of the training programs referred to in the first paragraph of section 28 and, in addition,”;

(d) by replacing “ou avoir” in the French text by “soit avoir”;

(2) by replacing the second, third and fourth paragraphs by the following:

“In the case of a residence comprising fewer than 10 rental units, an operator who lives in the residence may occasionally, for periods of less than 8 hours and only between 7 a.m. and 11 p.m., have the residence supervised by a person of full age other than a resident provided that person holds an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28.

In the case of a category 3 residence comprising 100 to 199 rental units, at least 2 persons of full age who are staff members must be present at all times in the residence to ensure supervision, including one person holding an attestation of completion of one of the training

programs referred to in subparagraph 1 of the first paragraph of section 28. Unless the other person is a nurse or a nursing assistant, the other person must hold attestations of completion of the training programs referred to in the first paragraph of section 28 and, in addition, hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section.

In the case of a residence comprising 200 to 499 rental units, at least 3 persons of full age who are staff members must be present at all times in the residence to ensure supervision, including 2 persons holding an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28. Unless the third person is a nurse or a nursing assistant, the third person must hold attestations of completion of the training programs referred to in the first paragraph of section 28 and, in addition, hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section.

In the case of a residence comprising 500 rental units or more, at least 4 persons of full age who are staff members must be present at all times in the residence to ensure supervision, including 3 persons who hold an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28. Unless the fourth person is a nurse or a nursing assistant, the fourth person must hold attestations of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28 and, in addition, hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section.

Despite the fourth and fifth paragraphs, between 9 p.m. on a given day and 8 a.m. the next day, one of the staff members required to hold only an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28 may be replaced by a resident, a supervising lessee or a volunteer of the residence if the building sheltering the residence is fully protected by a sprinkler system.”

19. Section 20 is replaced by the following:

“**20.** In the case of a category 4 private seniors’ residence comprising fewer than 50 rental units, at least one person of full age who is a staff member must be present at all times in the residence to ensure supervision.

In the case of a residence comprising 50 to 99 rental units, at least 2 persons of full age who are staff members must be present at all times in the residence to ensure supervision. The minimum is increased to 3 persons for a residence comprising 100 to 199 rental units and to 4 persons for a residence comprising 200 or more rental units.

Every person present in the residence to ensure supervision pursuant to this section must, unless the person is a nurse or a nursing assistant, hold attestations of completion of the training programs referred to in the first paragraph of section 28 and, in addition, hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section.

20.1. Where more than one category 1, 2 or 3 private seniors’ residence is operated by the same operator in the same congregate residential facility, the operator may, between 9 p.m. on a given day and 8 a.m. the next day, ensure the supervision of all the residences based on the total number of rental units in the residences and by complying with the requirements applicable to the residence in the highest category.

If a category 4 residence is operated by that operator in the same residential facility as all the residences referred to in the first paragraph and that operator ensures supervision in accordance with section 20 during the period referred to in the first paragraph, the minimum number of persons present in all the category 1, 2 or 3 private seniors’ residences to ensure supervision is provided for in the following paragraphs applicable to the number of rental units in all the residences:

- (1) fewer than 200 rental units, 1 person;
- (2) between 200 and 499 rental units, 2 persons;
- (3) 500 rental units or more, 3 persons.

The persons referred to in subparagraphs 1 to 3 of the second paragraph are of full age, staff members of the residence and holders of an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28.

20.2. For the purposes of sections 17 to 20.1, the operator of a private seniors’ residence may exclude from the number of rental units comprised in the residence rental units that are vacant in order to comply with the requirements applicable to a residence comprising a smaller number of rental units.

The operator that, because of that exclusion, intends to reduce the minimum number of persons to be present in the residence to ensure supervision must send to the integrated health and social services centre concerned a written notice of intention mentioning, in addition to the operator's name, the contact information of the residence concerned and the number of the certificate of compliance,

- (1) the date on which the operator intends to reduce the number of persons;
- (2) the number of vacant rental units; and
- (3) the period during which the operator is of the opinion that the rental units will remain vacant.

The date on which the operator intends to reduce the number of persons to be present in the residence to ensure supervision may not be prior to the date that occurs 10 days after the date on which the notice is sent to the integrated center.

20.3. The operator of a private seniors' residence that has availed itself of section 20.2 to reduce the number of persons to be present in the residence to ensure supervision must, as soon as the number of vacant rental units no longer allows the reduction, so notify the integrated health and social services centre concerned in writing.”

20. Section 21 is amended

- (1) by adding “, in particular with reference to recognized principles of risk management in the field of fire safety” at the end of the first paragraph;
- (2) by replacing the third and fourth paragraphs by the following:

“The operator must verify the accuracy of the information referred to in subparagraph 1 of the second paragraph on an ongoing basis and update it as required.

The operator must inform residents and make them aware of the drill and instructions to be followed in the field of fire safety.”

21. The following is inserted after section 21:

“**21.1.** The operator of a private seniors' residence must ensure that each staff member and each person responsible for supervision receives training on the fire safety plan for the residence as soon as they begin work and thereafter every year.

The training must focus on the safety measures and the evacuation strategies for the residence that must be implemented following a fire alarm. It must also present the tasks that the persons referred to in the first paragraph must carry out to safely evacuate residents from the residence, the tasks that they must carry out to allow residents to safely return to the residence following an evacuation, and the tasks that they must carry out, both inside and outside the residence after the residents have returned to the residence, to ensure that no resident has remained outside, in particular because of an inability to return to the residence. In addition, the training must set out the specific rules to be followed during a fire drill or in the event of a false alarm.

21.2. The operator of a private seniors' residence must ensure that following a fire alarm, including a false alarm, a staff member or a person responsible for supervision checks that each resident is safe. For this purpose, the checks conducted must make it possible to confirm that no resident has remained outside the residence, in particular because of an inability to return to the residence.”

22. Section 22 is replaced by the following:

“**22.** The operator of a private seniors' residence must make all staff members and all persons responsible for supervision aware of the procedures in Schedule III that must be followed if the life or integrity of a resident is in danger, if a resident dies, if a resident is absent for unexplained reasons or if a heat wave advisory has been issued by the competent authorities. The operator must make them available in a place that is accessible to such persons.”

23. Section 23 is amended in the French text by replacing “des catégories” by “de catégorie”.

24. Section 24 is amended

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

“The operator of a category 2, 3 or 4 private seniors' residence must install a security device to alert staff members or persons responsible for supervision at the residence and prevent residents prone to wandering or likely to become prone to wandering from leaving the congregate residential facility in which the residence is located without their knowledge.

Where more than one residence is operated in the same building, one of which is a category 4 residence, a specific security device to monitor the arrivals and departures of residents of the category 4 residence must be installed.”;

(2) in the second paragraph

(a) in the French text by replacing “Il” at the beginning by “L’exploitant”;

(b) by replacing “résidents” by “a resident”.

25. Sections 25 and 26 are revoked.

26. Section 27 is amended

(1) by inserting “for personal assistance services” after “attendant”;

(2) by striking out “or invasive care involved in assistance with activities of daily living”.

27. The following is inserted after section 27:

“**27.1.** The operator of a category 2, 3 or 4 private seniors’ residence must draw up and apply a reception and job induction process for all new staff members to familiarize them with their new work environment and the tasks inherent to their duties.

The process must cover

(1) the fire safety plan referred to in section 21.1;

(2) the code of ethics referred to in section 36;

(3) the procedures referred to in Schedule III;

(4) in the case of a residence where personal assistance services are offered, the rules for the safe use of the devices and equipment required to dispense the services;

(5) in the case of a residence where medication distribution or administration services are offered, the procedure for the services set out in the agreement referred to in section 14.1.

The process may include several modules provided that the modules, as a whole, cover the content set out in the second paragraph.

The operator must ensure that all new staff members complete the process or, where applicable, all modules in the process within a reasonable time after beginning work.

The operator must remain available to answer any questions from staff members about the content planned for the process.

A document dated and signed by each new staff member, confirming that the staff member has received and understood the contents of the process provided for in the second paragraph, must be placed in the staff member’s file pursuant to section 58. When the process comprises several modules, a document must be placed in the file for each module.”

28. Section 28 is amended by replacing the first and second paragraphs by the following:

“Every care attendant for personal assistance services must, before beginning work, have successfully completed the following training:

(1) one of the first aid training programs listed in section 1 of Schedule IV;

(2) the training on the safe movement of persons referred to in section 2 of Schedule IV.

The care attendant must in addition, before beginning work, have obtained an attestation of completion of the training programs, issued by an organization, educational institution or instructor referred to in Schedule IV.”

29. Section 29 is amended in the first paragraph

(1) by replacing “must, not later than 1 year after beginning work,” in the portion before subparagraph 1 by “for personal assistant services must, before beginning work,”;

(2) by striking out “, acquired over the last 60 months and” in subparagraph *b* of subparagraph 3.

30. Section 31 is amended by replacing “staff on the premises to adequately meet the needs of the residents and the commitments made in their respect in the leases entered into under section 13” in the fourth paragraph by “qualified staff in the residence at all times to adequately provide the services agreed upon and meet the commitments made in the leases entered into with residents”.

31. Section 34 is replaced by the following:

“**34.** The operator of a private seniors’ residence who provides services to the residents through subcontractors or who uses the services of third persons to fill the operator’s needs for personnel, in particular the services of a placement agency, must obtain from the subcontractors or other third persons a guarantee that

(1) the persons that may be chosen to work in the residence have been verified to determine if they have been charged with or convicted of an indictable or other offence for which a pardon has not been obtained;

(2) the verification referred to in subparagraph 1 has been conducted for all Canadian provinces and the results show all such charges or convictions;

(3) they will not permit a person charged with an indictable or other offence relating to the abilities and conduct required for the duties the person may perform in the residence, or having been convicted of such an indictable or other offence, to work in the residence unless, in the case of a conviction, a pardon has been obtained; and

(4) persons selected to work in the residence as care attendants for personal assistance services meet the training requirements set out in sections 28 and 29.

The operator must provide the persons selected to work in residence, as soon as possible after they begin work, with the information they need to provide services safely, including a general description of the fire safety plan and of the procedures referred to in Schedule III. In addition, the operator must, where applicable, bring to their attention the rules on the safe use of devices and equipment for dispensing personal assistance services and the procedures for the distribution and administration of prescription medication to residents.”

32. Section 36 is amended by replacing the last sentence of the third paragraph by the following: “In the case of a staff member or a volunteer responsible for supervision in the residence, the undertaking must be placed in the file kept for the person pursuant to section 58.”

33. Section 37 is replaced by the following:

“**37.** The operator of a private seniors’ residence must produce a document containing general information about the residence, written in clear and plain language, to allow it to be distributed and used pursuant to sections 13 and 13.2, containing in particular

(1) a detailed list of the services offered by the operator, which must include the following information:

(a) the personal services in the following categories: meal services, personal assistance services, nursing care and domestic help services;

(b) services other than those referred to in subparagraph a;

(c) an indication that the cost of the service must be included in the rent or that a resident is required to assume the cost of the service only if the resident chooses to make use of it;

(d) the cost of each service, other than those whose cost must be included in the rent, the period during which the cost applies, and any cost at which the services were offered by the operator over the last 12 months;

(2) the operating rules in the residence and, where applicable, the rules of the congregate residential facility in which it is located;

(3) the conditions for receiving persons with a disability and the limits of the residence’s capacity for receiving such persons;

(4) the fact that the operator cannot supply medication for a resident in any way, even free of charge;

(5) the fact that a resident has a right to select a professional from whom to receive health services or social services;

(6) the fact that a resident has a right to file a complaint with the local service quality and complaints commissioner at the integrated health and social services centre concerned with respect to the services received, or that ought to have been received, from the residence, and to be assisted by the commissioner;

(7) the fact that the resident is responsible for obtaining insurance covering the resident’s personal property and civil liability, if needed; and

(8) the fact that the resident’s wish not to receive cardiopulmonary resuscitation will be respected, taking all the circumstances into account.

In the case of a category 1 or 2 residence, the document referred to in the first paragraph must, in addition, state that the operator does not offer personal assistance services or nursing care services and, where applicable, offers consultation services. Where consultation services are offered, the document must specify if those services are provided by a nurse or a nursing assistant, as well as the schedule for providing those services.

The operator must update the document referred to in the first paragraph annually.”

34. The following is inserted after section 38:

“**38.1.** The operator of a private seniors’ residence must allow all service providers selected by residents to have access to the residence at all reasonable times to provide services.”

35. Section 39 is amended by inserting “category 2, 3 or 4” after “a” in the first paragraph.

36. Sections 40 and 41 are revoked.

37. Section 44 is amended

(1) by replacing “concerning the services that the resident received or ought to have received from the residence, directly to the local service quality and complaints commissioner of the integrated health and social services centre concerned” in the first paragraph by “to the local service quality and complaints commissioner at the integrated health and social services centre concerned concerning the services they received or ought to have received from the residence, and to be assisted by the commissioner.”;

(2) by adding “, including the contact information for the local commissioner” at the end of the second paragraph.

38. The following is inserted after section 45:

“**45.1.** The operator of a private seniors’ residence must ensure that the residence and the land on which it is located are maintained in a satisfactory state and must perform all necessary repairs and maintenance quickly to protect residents’ health and safety.

In the case of a residence where personal assistance services are offered, the operator must also ensure that the devices and equipment required to dispense the personal assistance services are maintained in proper operating condition.”

39. Section 46 is replaced by the following:

“**46.** The operator of a private seniors’ residence must perform housekeeping in the residence regularly, in particular in the common areas, in a way that does not compromise residents’ health and safety. The operator must also take the measures necessary to ensure that any flammable, toxic or explosive product is not accessible to residents.”

40. Section 48 is revoked.

41. Section 49 is amended

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

“The operator of a private seniors’ residence cannot supply medication for a resident in any way, even free of charge.”;

(2) by striking out the third paragraph.

42. Section 50 is amended by replacing the first, second and third paragraphs by the following:

“The operator of a private seniors’ residence must disclose any accident involving a resident to that resident and, where applicable, to the resident’s representative. The operator must also, with consent from the resident, disclose the accident to the person to be contacted for that resident in case of emergency. The operator must inform the staff members and persons responsible for supervision in the residence about the rules for disclosure.

The operator of a category 2, 3 or 4 residence must, in addition, establish a procedure for reporting known incidents and accidents that occur in the residence and involve a resident.

The procedure must include, as a minimum,

(1) the keeping of a register to record the names of witnesses, the time and place of the incident or accident, a description of the facts observed, the circumstances of the incident or accident and, where applicable, the immediate consequences for the resident; and

(2) the means used by the operator to prevent the occurrence of other incidents or accidents.

Following an accident, the information in subparagraph 1 of the third paragraph must be filed in the resident’s file kept pursuant to section 57.”

43. Section 51 is amended

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

“The form of and procedure for sending a notice to the integrated centre must be established in the agreement referred to in section 14.1.”;

(2) by replacing “referred to in” in the third paragraph by “kept pursuant to section 57”.

44. Section 52 is revoked.

45. Section 53 is amended by replacing the third paragraph by the following:

“The operator of a category 2, 3 or 4 residence must keep, for verification purposes, a record of the meals served or made available to residents.”

46. Section 54 is amended in the French text by replacing “des catégories” by “de catégorie”.

47. The following is inserted after section 56:

“§2.1. Residence life committee

56.1. The operator of a category 2 or 3 private seniors' residence comprising more than 99 rental units must establish a residence life committee in accordance with this subdivision. The same applies to the operator of a category 4 residence comprising more than 50 rental units.

Where more than one residence is operated by the same operator in the same congregate residential facility, if the total number of rental units in the residences exceeds 99, the operator must establish one residence life committee for all the residences or one committee for each residence, as decided by the operator.

The operator of a residence that is not referred to in the first paragraph may not prevent the residents of that residence from establishing such a committee or a committee of the same nature.

56.2. A residence life committee comprises 3 to 7 members elected by the residents of a private seniors' residence. Most of the members must be residents at the residence. However, if it is impossible to have a majority of residents on the committee, the residents may elect any other person of their choice, provided the person is not a staff member or a person responsible for supervision at the residence.

In addition to the rules set out in the first paragraph, the committee in a category 4 residence must include at least one representative of a resident at the residence.

The operator of a residence cannot be a member of a committee the operator is required to establish; the same applies to a shareholder, officer or director of an operator that is a legal person.

56.3. The duties of a residence life committee are to

- (1) disseminate information about residents' rights and obligations;
- (2) promote improvements in the quality of residents' living conditions;
- (3) defend the rights and collective interests of residents; and
- (4) provide, at the request of a resident, the information needed to file a complaint with the local service quality and complaints commissioner at the integrated health and social services centre concerned, or to submit an application to the Administrative Housing Tribunal.

56.4. The term of the members of the residence life committee cannot exceed 3 years.

56.5. The operator must promote the proper operation of the committee and inform residents in writing of its existence. The operator must also allow the committee to use a room for its activities and give it the possibility of keeping its records in a confidential manner.

56.6. The residence life committee defines its operating rules, including the frequency of its meetings.”.

48. Section 57 is amended

(1) by inserting the following after subparagraph 5 of the first paragraph:

“(6) where applicable, any document dated and signed by the resident in which the resident expresses his or her wish not to receive cardiopulmonary resuscitation.”;

(2) by replacing in the French text “des catégories 2, 3 ou 4” in the portion of the second paragraph before subparagraph 1 by “de catégorie 2, 3 ou 4”;

(3) in the third paragraph

(a) by striking out “private seniors” in the portion before subparagraph 1;

(b) by inserting the following after subparagraph 1:

“(1.1) the result of an identification of a resident's loss of autonomy or an assessment of a resident's autonomy carried out in accordance with section 13.6.”;

(c) by replacing “second and third paragraph” in subparagraph 2 by “third and fourth paragraphs”;

(d) by replacing “under subparagraph 3 of the second” in subparagraph 3 by “in accordance with the first”;

(e) by replacing “third” in subparagraph 4 by “fourth”;

(f) by striking out subparagraph 6;

(4) in the fourth paragraph,

(a) by replacing the portion before subparagraph 1 by “The operator of a category 2, 3 or 4 residence must also include in the file the following documents in accordance with this Regulation, where applicable.”;

(b) by replacing “second” in subparagraph 1 by “third”;

(5) by replacing “1 to 5” in the sixth paragraph by “1 to 6”.

49. Section 58 is amended

(1) by inserting the following after subparagraph 1 of the first paragraph:

“(1.1) any document in which the staff member confirms having received and understood the contents of the reception and job induction process referred to in section 27.1;”;

(2) in the second paragraph

(a) by replacing “residence referred to in the first paragraph of section 17 must also keep a file for each volunteer ensuring supervision pursuant to that paragraph” in the portion before subparagraph 1 by “category 1 residence must also keep a file for each volunteer responsible for supervision”;

(b) by replacing subparagraph 1 by the following:

“(1) proof that the volunteer holds an attestation of completion of one of the training programs referred to in subparagraph 1 of the first paragraph of section 28;”.

50. Section 60 is amended by replacing the second paragraph by the following:

“The operator must keep the file of a resident for at least 5 years after the departure or death of the resident and the file of a staff member or a person responsible for supervision in the residence for at least 5 years after his or her departure from the residence.”.

51. Section 62 is amended by replacing “subparagraph 11” by “subparagraphs 11 and 12”.**52.** Section 64 is replaced by the following:

“64. A contravention of the third paragraph of section 8, section 13.1, the first paragraph of section 13.2, sections 13.4 to 14, section 15, the first paragraph of section 16, the first and second paragraphs of sections 20.1 and 20.2, sections 20.3, 21 and 21.2, section 22, the first and third paragraphs of section 24, section 27.1, the third paragraph of section 31, the second paragraph of section 32, the first paragraph of section 33, section 34, the fourth paragraph of section 36, the first paragraph of section 37, sections 38 to 39, section 42, the second paragraph of section 44, the third paragraph of section 45, section 46, the first paragraph of section 50, the first paragraph of section 51, the second and third paragraphs of section 53, sections 54 and 55, the second paragraph of section 56, the first, second, third, fourth and fifth paragraphs of section 57, section 58 and section 60 constitutes an offence.

A failure by the operator of a private seniors' residence to ensure compliance with section 13.3, sections 17 to 20, the third paragraph of sections 20.1 and 20.2, the second and fourth paragraphs of section 24, sections 28 and 29, the first paragraph of section 32, the third paragraph of section 36, the second paragraph of section 37, the first paragraph of section 47, the third paragraph of section 51, the first paragraph of section 56 and of section 59 also constitutes an offence.”.

53. The following is inserted after the heading of Chapter VI:

“64.1. Section 17 does not apply to the operator of a private seniors' residence where

(1) the residence is a category 1 residence and comprises fewer than 50 rental units;

(2) the operator holds, on 31 October 2022, a certificate of compliance; and

(3) the residents are sufficiently independent to evacuate the premises by themselves.

The operator may put at the disposal of residents a call-for-help system that, despite the first and second paragraphs of section 15, only makes it possible to obtain assistance from a person of full age who is not present in the residence, provided that person can be reached, at all times and without delay, to take action in case of emergency.”.

54. Schedule II is amended

(1) by inserting “or 2” after “category 1” in section 2;

(2) by striking out section 3.

55. Schedule III is amended

(1) in the French text by replacing “tenu under section 57” in paragraphs 3 and 5 of section 1 by “tenu en application de l'article 57”;

(2) by replacing “second” in paragraph 5 of section 3 by “third”.

56. Schedule IV is replaced by the following:

“SCHEDULE IV

(s. 28)

1. A first aid training program is a first aid program dispensed by a body referred to in the following subparagraphs:

(1) any body recognized as a provider of first aid training in the workplace by the Commission des normes, de l'équité, de la santé et de la sécurité du travail;

(2) any other body providing first aid training of at least 16 hours in compliance with CSA Standard Z1210-17, First aid training for the workplace — Curriculum and quality management for training agencies, of the Canadian Standards Association, including subsequent amendments.

A body identified in one of the subparagraphs of the first paragraph is accredited to issue attestations of completion of a training program referred to in the same subparagraph.

2. A training program on the safe movement of persons is a training program recognized by the Association paritaire pour la santé et la sécurité du travail du secteur affaires sociales (ASSTSAS) for the acquisition of the necessary skills, when provided by an instructor accredited by that association or by an educational institution.

The instructor or educational institution referred to in the first paragraph is accredited to issue attestations completion of the training program referred to in that paragraph.”

TRANSITIONAL AND FINAL

57. A certificate of compliance issued to the operator of a private seniors' residence before 15 December 2022 remains valid until its expiry even if the category of the residence changes pursuant to section 1 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), replaced by section 1 of this Regulation.

58. The operator of a private seniors' residence holding a certificate of compliance issued before 15 December 2022 is not required to comply with section 1.1 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), enacted by section 1 of this Regulation, before 15 June 2023.

59. The operator of a private seniors' residence holding a certificate of compliance issued before 15 December 2022 and the integrated health and social services centre concerned are not required to enter into the agreement referred to in section 14.1 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), enacted by section 13 of this Regulation,

(1) before 15 June 2023 when the agreement concerns a category 1 or 2 residence;

(2) before 15 September 2023 when the agreement concerns a category 3 or 4 residence.

An agreement entered into pursuant to section 41 of the Regulation respecting the certification of private seniors' residences, as it read on 14 December 2022, continues to apply, despite the revocation of that section by section 36 of this Regulation, until it is replaced by the agreement entered into pursuant to section 14.1 of the Regulation respecting the certification of private seniors' residences, enacted by section 13 of this Regulation.

60. The procedure regarding the medications prescribed to residents referred to in section 26 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), as it read on 14 December 2022, continues to apply, despite the revocation of that section by section 25 of this Regulation, until the entering into of the agreement referred to in section 14.1 of the Regulation respecting the certification of private seniors' residences, enacted by section 13 of this Regulation.

61. A personal assistance services care attendant who begins working before 15 December 2023 is not required to comply with section 28 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), amended by section 28 of this Regulation, until the first of the following dates:

(1) the date which follows by 1 year the date on which the care attendant begins working;

(2) 15 December 2023.

62. A personal assistance services care attendant who begins working before 15 December 2025 is not required to comply with section 29 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), amended by section 29 of this Regulation, until the first of the following dates:

(1) the date which follows by 1 year the date on which the care attendant begins working;

(2) 15 December 2025.

63. This Regulation comes into force on 15 December 2022, except

(1) section 21, insofar as it enacts section 21.1 of the Regulation respecting the certification of private seniors' residences (chapter S-4.2, r. 0.01), which comes into force on 15 January 2023;

(2) paragraph 1 of section 24, insofar as it enacts the second paragraph of section 24 of the Regulation respecting the certification of private seniors' residences, which comes into force on 15 March 2023;

(3) paragraph 1 of section 24, insofar as it amends the first paragraph of section 24 of the Regulation respecting the certification of private seniors' residences, which comes into force on 15 December 2023.

105973

Gouvernement du Québec

O.C. 1587-2022, 17 August 2022

Act respecting the Régie de l'énergie
(chapter R-6.01)

Quantity of renewable natural gas to be delivered by a distributor — Amendment

Regulation to amend the Regulation respecting the quantity of renewable natural gas to be delivered by a distributor

WHEREAS, under subparagraph 4 of the first paragraph of section 112 of the Act respecting the Régie de l'Énergie (chapter R-6.01), as amended by subparagraph *a* of paragraph 1 of section 8 of chapter 28 of the Statutes of 2021, the Government may make regulations determining the quantity of gas from renewable sources to be delivered by a natural gas distributor and the terms and conditions according to which it is to be delivered;

WHEREAS, under subparagraph 5 of the first paragraph of section 112 of the Act, as enacted by subparagraph *b* of paragraph 1 of section 8 of chapter 28 of the Statutes of 2021, the Government may make regulations determining the terms and conditions according to which natural gas or a substance added to natural gas constitutes gas from renewable sources under the Act;

WHEREAS the Government made the Regulation respecting the quantity of renewable natural gas to be delivered by a distributor (chapter R-6.01, r. 4.3);

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 quantity of renewable natural gas to be delivered by a distributor was published in Part 2 of the *Gazette officielle du Québec* of 22 June 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Energy and Natural Resources:

THAT the Regulation to amend the Regulation respecting the quantity of renewable natural gas to be delivered by a distributor, attached to this Order in Council, be made.

YVES OUELLET

Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the quantity of renewable natural gas to be delivered by a distributor

Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st par., subpars. 4 and 5;
2021, chapter 28, s. 8, par. 1)

1. The Regulation respecting the quantity of renewable natural gas to be delivered by a distributor (chapter R-6.01, r. 4.3) is amended in the title by replacing “renewable natural gas” by “gas from renewable sources”.

2. The following is inserted before section 1:

“**0.1.** For the purposes of the Act respecting the Régie de l'énergie (*chapter R-6.01*) and this Regulation, natural gas is from renewable sources if it is produced

(1) from non-fossil organic materials degraded by means of biological processes, in particular by anaerobic digestion, or by means of thermochemical processes, in particular by gasification;

(2) from hydrogen produced in accordance with the second paragraph and from non-fossil carbon monoxide or carbon dioxide.

Another substance added to natural gas is from renewable sources if it is hydrogen that is produced

(1) from non-fossil organic materials degraded by means of thermochemical processes, in particular by gasification;

(2) by the electrolysis of water using electricity that comes exclusively from sources of renewable energy; or

(3) during an industrial process, the purpose of which is not to obtain the hydrogen and that is powered by energy that comes exclusively from renewable sources.”.

3. Section 1 is amended

(1) in the first paragraph

(a) by inserting “, for final consumption in the territory for which the distributor obtained exclusive distribution rights,” after “annually”;

(b) by replacing “renewable natural gas” by “gas from renewable sources”;

(2) in the second paragraph

(a) by adding the following at the end of subparagraph 1:

“(d) a rate of 0.07 as of the distributor’s rate year beginning in 2028; and

(e) a rate of 0.1 as of the distributor’s rate year beginning in 2030.”;

(b) by striking out “, subtracted from any quantity of renewable natural gas” in subparagraphs 2, 3 and 4;

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

“Where the gas from renewable sources delivered by a distributor is hydrogen produced in accordance with the second paragraph of section 0.1, only 33 1/3% of that hydrogen may be computed in the calculation of total deliveries represented by the variables LRA3, LRA2 and LPA1, and in the calculation of the quantity of gas from renewable sources that the distributor delivers to meet its requirement provided for in this section.”.

4. This Regulation comes into force on 1 January 2023.

105974

M.O., 2022

**Order 2022-005 of the Minister of Education
date 12 August 2022**

Education Act
(chapter I-13.3)

Regulation respecting the conditions and procedures governing the review of a result

THE MINISTER OF EDUCATION,

CONSIDERING paragraph 4 of section 457.1 of the Education Act (chapter I-13.3), which provides that the Minister of Education may determine by regulation the conditions and procedures governing the review of a result as provided for in section 96.15 or 110.12;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 30 March 2022 of a draft Regulation respecting the conditions and procedures governing the review of a result, in accordance with sections 8 and 11 of the Regulations Act (chapter R-18.1), with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation respecting the conditions and procedures governing the review of a result, attached to this Order, is hereby made.

Québec, 12 August 2022

JEAN-FRANÇOIS ROBERGE
Minister of Education

**Regulation respecting the conditions
and procedures governing the review
of a result**

Education Act
(chapter I-13.3, s. 457.1, par. 4)

1. This Regulation determines the conditions and procedures governing the review of a student’s result pursuant to section 96.15 or 110.12 of the Education Act (chapter I-13.3).

The review of a student's result consists in examining the result again. The student does not retake the examination. The review may lead to the initial result being maintained, increased or reduced.

For the purposes of this Regulation, the review of a result includes the review of the result of an evaluation or part of an evaluation. It also includes the review of a result consisting of several evaluations, in particular the result for a course, a term, a subject, a skill or a component.

2. A student, or the student's parents, may request from the principal of the institution the review of a result.

3. A request for review must be submitted within 10 working days after taking cognizance of the result. A request for review concerning a result consisting of several evaluations may cover only evaluations for the most recent term completed and only evaluations or parts of evaluations that have not been the subject of a request. A request for the review of a result obtained further to an evaluation held not later than the last day of the school calendar may not be submitted after the following 15 July.

Despite the previous paragraph, in the case of a result obtained as part of vocational training or adult education services, a request for review must be submitted within 30 days after taking cognizance of the result. A request for review concerning a result consisting of several evaluations may cover only evaluations or parts of evaluations that have not been the subject of a request.

4. A request for review must be made in writing. It must contain

- (1) the name of the student;
- (2) the name of the teacher;
- (3) the code or title of the course or subject concerned;
- (4) the identification of the evaluation, part of evaluation or result concerned;
- (5) the reasons for the request; and
- (6) the documents in support of the request, including the evaluation concerned if it was given to the student.

5. The principal of the institution must assist any person requiring assistance in making his or her request for review or in any step related to the request.

6. On ascertaining that the request for review is complete and includes reasons, the principal sends it without delay to the teacher to whose care the student is entrusted and requests that the teacher review the result.

7. Within 5 working days after the request is sent by the principal of the institution, the teacher must give the principal, in writing, the result obtained by the student further to the review with the reasons in support of the result. The principal communicates the result and the reasons to the student or the student's parents without delay. The principal also informs the student or the student's parents of their right to consult the documents in support of the result.

Despite the previous paragraph, in the case of an evaluation made as part of vocational training or adult education services, the teacher has 10 working days to give the result with the reasons in support of it.

8. If the teacher to whose care the student is entrusted is scheduled to be absent for a period of at least 10 working days, the principal communicates with the teacher to inquire about whether the teacher is able to review the result within the prescribed time limit, unless the teacher is absent for one of the reasons provided for in sections 79.1 and 79.8 to 79.12 of the Act respecting labour standards (chapter N-1.1) or is on maternity, paternity or parental leave.

If the teacher to whose care the student is entrusted does not reply within 5 working days, confirms that he or she is unable to review the result within the prescribed time limit or is absent for one of the reasons provided for in the preceding paragraph, the principal entrusts the request for review to another teacher.

The teacher to whom the request for review is entrusted is selected on the basis of his or her expertise in the subject or field of teaching concerned by the request for review.

9. If, within the time limit prescribed in the previous section, the principal of the institution becomes aware that the teacher is unable to review the result, the principal must, without delay, entrust the request to another teacher selected in accordance with the third paragraph of section 8.

10. The result obtained further to a request for review is final.

11. The teacher must ensure, as far as possible, that all documents relevant to a request for review can be consulted by a student or the student's parents, by the principal of the institution or by a teacher to whom the request is entrusted in accordance with the third paragraph of section 8, in a timely fashion allowing for the exercise of the rights provided for by this Regulation.

12. The institution must make a request for review form available in paper form and on its website.

The form must contain the text of the second paragraph of section 1 of this Regulation.

13. This Regulation comes into force on (*insert the date occurring 15 days after the date of its publication in the Gazette officielle du Québec*). It does not apply to results obtained as of that date for the purposes of the preceding school year.

105967

M.O., 2022

Order of the minister of Municipal Affairs and Housing dated 22 August 2022

Cities and Towns Act
(chapitre C-19)

Municipal Code of Québec
(chapitre C-27.1)

Act respecting the Communauté métropolitaine de Montréal
(chapitre C-37.01)

Act respecting the Communauté métropolitaine de Québec
(chapitre C-37.02)

Act respecting public transit authorities
(chapitre S-30.01)

Regulation to amend Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited

THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING,

CONSIDERING section 573.3.3.1.1 of the Cities and Towns Act (chapter C-19), article 938.3.1.1 of the Municipal Code of Québec (chapter C 27.1), section 118.1.0.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), section 111.1.0.1 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) and section 108.1.0.1 of the Act respecting public transit authorities (chapter S-30.01), which allow the Minister of Municipal Affairs and Housing to order, by regulation, the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the

territory from which tenders originate to be limited was published in Part 2 of the *Gazette officielle du Québec* of 8 July 2022 with a notice that it could be made on the expiry of 45 days following that publication and that any person could submit written comments within that period;

CONSIDERING that no comments were received;

CONSIDERING that it is expedient to make the Regulation with amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited, attached to this Order, is hereby made.

Québec, 22 August 2022

ANDRÉE LAFOREST
Minister of Municipal Affairs and Housing

Regulation to amend the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited

Cities and Towns Act
(chapter C-19, s. 573.3.3.1.1)

Municipal Code of Québec
(chapter C-27.1, s. 938.3.1.1)

Act respecting the Communauté métropolitaine de Montréal
(chapter C-37.01, s. 118.1.0.1)

Act respecting the Communauté métropolitaine de Québec
(chapter C-37.02, s. 111.1.0.1)

Act respecting public transit authorities
(chapter S-30.01, s. 108.1.0.1)

1. The Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited (chapter C-27.1) is amended in section 1 by replacing “\$105,700” by “\$121,200”.

2. Section 2 is amended by replacing “\$366,200” in paragraphs 2 to 4 by “\$366,800”.

3. Section 3 is amended by replacing “\$366,200” by “\$366,800”.

4. Section 4 is amended

(1) in paragraph 1

(a) by replacing “\$264,200” by “\$302,900”;

(b) by striking out “, New Brunswick”;

(2) by replacing “\$264,200” in paragraph 2 by “\$302,900”.

5. Sections 4.1 and 4.2 are amended by replacing “\$366,200” by “\$366,800”.

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

105980

M.O., 2022

Order 2022-001 of the Minister of Labour, Employment and Social Solidarity dated 24 August 2022

Act respecting the legal publicity of enterprises
(chapter P-44.1)

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of enterprises

THE MINISTER OF LABOUR, EMPLOYMENT AND
SOCIAL SOLIDARITY,

CONSIDERING that section 23 of the Act mainly to improve the transparency of enterprises (2021, chapter 19) comes into force on the date set in Order in Council 1266-2022 dated 22 June 2022;

CONSIDERING that subparagraph 2 of the second paragraph of section 148 of the Act respecting the legal publicity of enterprises (chapter P-44.1), added by that section 23, provides that the Minister may make a regulation exempting a category of registrants from paying the fee referred to in the first paragraph of section 32 of that Act subject to the conditions determined by the Minister;

CONSIDERING that the Regulation respecting the application of the Act respecting the legal publicity of enterprises (chapter P-44.1, r. 1) was made by ministerial order dated 9 February 2012;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of enterprises was published in Part 2 of the *Gazette officielle du Québec* of 6 July 2022 with a notice that it could be made by ministerial order on the expiry of 45 days following that publication;

CONSIDERING that the 45-day period has expired;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of enterprises, attached to this Order, is hereby made.

Québec, 24 August 2022

JEAN BOULET
*Minister of Labour, Employment
and Social Solidarity*

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of enterprises

Act respecting the legal publicity of enterprises
(chapter P-44.1, s. 148, 2nd par., subpar. 2)

1. The Regulation respecting the application of the Act respecting the legal publicity of enterprises (chapter P-44.1, r. 1) is amended by inserting the following after section 4:

“DIVISION IV.1

REGISTRANTS EXEMPTED FROM PAYING THE FEE FOR THE REGISTRATION DECLARATION

4.1. A registrant that is a legal person governed by a law of Ontario is exempted from paying the fee referred to in the first paragraph of section 32 of the Act.”

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

105981

M.O., 2022-04

Order 2022-04 of the Minister of Tourism dated 17 August 2022

Act respecting the Ministère du Tourisme (chapter M-31.2)

Tourist Accommodation Act (2020, chapter 30)

Terms for obtaining an accreditation from the Minister of Tourism with regard to the tourist information services provided by a department or body

THE MINISTER OF TOURISM,

CONSIDERING the first paragraph of section 5.1 of the Act respecting the Ministère du Tourisme (chapter M-31.2), enacted by section 41 of chapter 30 of the Statutes of 2021, which provides that only a government department, a government agency referred to in the first paragraph of section 4 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), a municipal body referred to in section 5 of that Act and a non-profit body, holders of an accreditation from the Minister of Tourism with regard to the tourist information services that they provide, may use a sign or poster containing the words “tourist information” or any other word determined by regulation, indicating or implying the presence of a tourist information and welcome site and, if applicable, include the pictogram “?” or “I”;

CONSIDERING the second paragraph of section 5.1 of the Act respecting the Ministère du Tourisme, which provides that the Minister of Tourism establishes the applicable terms for obtaining an accreditation;

CONSIDERING the first paragraph of section 32 of the Act respecting tourist accommodation establishments (chapter E-14.2), which provides in particular that only a person authorized by the Minister may display a sign or poster containing the words “tourist information” or any other word or pictogram determined by regulation of the Government, indicating or implying the presence of a tourist welcome and information site;

CONSIDERING that it is expedient to take the measures required for the transition of the authorization regime provided for in section 32 into the accreditation regime provided for in section 5.1 of the Act respecting the Ministère du Tourisme;

ORDERS AS FOLLOWS:

The terms for obtaining the accreditation referred to in the first paragraph of section 5.1 of the Act respecting the Ministère du Tourisme (chapter M-31.2), enacted by section 41 of chapter 30 of the Statutes of 2021, as well as the measures required for the transition of the authorization regime provided for in section 32 of the Act respecting tourist accommodation establishments (chapter E-14.2) into the accreditation regime, are attached to this Order.

Québec, 17 August 2022

CAROLINE PROULX
Minister of Tourism

Terms for obtaining the accreditation with regard to tourist information services

Act respecting the Ministère du Tourisme (chapter M-31.2, s. 5.1, 2nd par.)

Tourist Accommodation Act (2020, chapter 30, s. 41)

DIVISION I APPLICATION FOR ACCREDITATION

1. A department or body referred to in the first paragraph of section 5.1 of the Act respecting the Ministère du Tourisme, enacted by section 41 of chapter 30 of the Statutes of 2021, wishing to be accredited for the purposes of that section must apply therefor in writing to the Minister of Tourism by sending the form provided for that purpose to the regional tourism association recognized by the Minister and representing the tourism region where the tourist information and welcome services are provided, duly signed and containing

(1) the name, civic address, email address and telephone number of the applicant and, if applicable, the address of the applicant’s website;

(2) the name of the signatory of the application acting as the applicant’s representative;

(3) if applicable, the applicant's business number in the enterprise register referred to in Chapter II of the Act respecting the legal publicity of enterprises (chapter P-44.1);

(4) the name of the tourist information and welcome site where the tourist information services are provided, as well as the civic address, email address and telephone number of the site and, if applicable, the address of its website;

(5) the type of tourist information and welcome site covered by the application, namely, an infotourist centre, a tourist information office, a tourist welcome office or a tourist information relay;

(6) the period of operation of the tourist information and welcome site; and

(7) an undertaking by the applicant to comply with the requirements established in Divisions II, III and IV of this Order and with the requirements specific to the type of tourist information and welcome site covered by the application.

For the purposes of subparagraph 5 of the first paragraph,

“infotourist centre” means a site where a tourist information service is provided and which has a welcome area of at least 30 m² where tourist information on Québec as a whole is provided, in particular by making it possible to consult and obtain official tourist guides from recognized regional tourism associations of all regions of Québec (*Centre infotouriste*);

“tourist information office” means a site where a tourist information service is provided and which has a welcome area of at least 25 m² where tourist information on the region where the site is situated, the bordering regions and Ville de Montréal and Ville de Québec is provided and which makes it possible to consult and obtain official tourist guides from recognized regional tourism associations of all regions of Québec (*Bureau d'information touristique*);

“tourist welcome office” means a site where a tourist information service is provided and which has a welcome area of at least 20 m² where tourist information on a sector, municipality or group of municipalities in a region is provided, and which makes it possible to consult all official tourist guides from recognized regional tourism associations and obtain the official tourist guide from the regional tourism association of the region where the tourist information and welcome services are provided (*Bureau d'accueil touristique*);

“tourist information relay” means a site where a tourist information service is provided and which has a welcome area of at least 6 m² where tourist information on a sector, municipality or group of municipalities in a region is provided by means of maps and written material (*Relais d'information touristique*).

2. An application for accreditation must be accompanied by the following documents:

(1) the document authorizing the applicant's representative to submit the application for accreditation;

(2) a copy of the applicant's letters patent, charter or constituting Act;

(3) a business plan establishing the applicant's financing and management capacity for at least the first 2 years of operation of the tourist information and welcome site;

(4) proof that the applicant holds a valid civil liability insurance policy or another means of protection, in accordance with the requirements established in section 26.

DIVISION II OPERATING CONDITIONS

§1. *Periods and times of operation*

3. The tourist information and welcome site must be operated on a continuous basis at least during the following period and for the following number of hours, which period includes the period beginning on the Friday before 24 June and ending on the first Monday of September of each year:

(1) in the case of an infotourist centre: 120 days, at a rate of 9 hours per day during the high season and 8 hours per day during the low season;

(2) in the case of a tourist information office: 75 days, at a rate of 9 hours per day during the high season and 8 hours per day during the low season;

(3) in the case of a tourist welcome office: 70 days, at a rate of 7 hours per day during the high season and 6 hours per day during the low season;

(4) in the case of a tourist information relay: 6 months, beginning on 1 May and ending on 31 October, 24 hours per day.

For the purposes of this section, the high season begins on 1 July and ends on 15 August.

4. The period and times of operation of the tourist information and welcome site must be displayed in a conspicuous place outside the site.

§2. Information

5. The tourist information and welcome site, as well as the tourist information services provided at the site, can be accessed free of charge.

6. In addition to disseminating tourist information specific to each type of tourist information and welcome site, the tourist information and welcome site must provide general information of interest to the clientele concerning the territory covered, in particular local, regional and Québec maps, the contact information of hospitals, Info-Santé and police services, weather forecasts, road conditions, road work, train and bus transportation, and forest fires.

7. Outside business hours during the period of operation of a tourist information and welcome site, the clientele of the tourist information and welcome site must be able to access a voicemail or answering machine in order in particular to be directed to the call centre of the Ministère du Tourisme.

§3. Human resources

8. Agents called on to provide tourist information services must have received at least 2 days of training on the various touristic products and the clientele-oriented approach.

The training must be based on a training plan established by the applicant.

9. The applicant must prepare, keep up to date and make available to agents a manual of the operating standards and procedures of the tourist information and welcome site, a welcome manual for agents and an emergency action plan.

10. At least 1 agent able to speak functional English must be present at the tourist information and welcome site at all times during business hours.

11. Agents called on to provide tourist information services must be encouraged to dress appropriately so as to project an image of quality of services and respect for the tourist clientele.

They must also wear an insignia or another type of identification displaying their given name or their full name.

12. Employees of the tourist information and welcome site must be familiar with the emergency action plan.

DIVISION III CONDITIONS RELATING TO FACILITIES

§1. Geographic location

13. The tourist information and welcome site must be entered in the localization plan prepared by the recognized regional tourism association of the region where the site is located.

§2. Physical characteristics

14. The tourist information and welcome site must comply with the minimum welcome area corresponding to its class and meet the standards applicable under the Building Act (chapter B-1.1).

15. A tourist information and welcome site must include an information desk situated in a room separate from any for-profit establishment, including tourist accommodation establishments, restaurants, service stations, convenience stores and tourist attractions.

Despite the first paragraph, the information desk may be situated in a non-separate room if it is clearly indicated that it provides tourist information and that the room is operated by a department or body of the Gouvernement du Québec or the Government of Canada.

16. The tourist information and welcome site, including the information desk, must be adapted so that mobility impaired clients can access it and easily avail themselves of the services provided.

17. The tourist information and welcome site, as well as the equipment and furniture therein, must be clean, orderly and free of stains, rot, rust, graffiti, tears, burns, waste, discoloration, marks or holes.

18. At the tourist information and welcome site, or within 30 metres of it, the clientele must have access to

(1) a parking area with at least 1 parking space reserved for mobility impaired persons;

(2) a public washroom with a sink adapted for mobility impaired persons; and

(3) a telephone that can be used to make local and long-distance calls.

For the purposes of subparagraph 2 of the first paragraph, the washroom must meet the following requirements:

(1) the door must open toward the outside and have a minimum clear width of 81 centimetres;

(2) the door handle must be a lever type handle;

(3) the full washroom must have a minimum clear space of 1.5 metres;

(4) the toilet stall must have a minimum clear space of 1.5 metres;

(5) a grab bar must be situated near the toilet seat;

(6) there must be a minimum clear space of 68.5 centimetres under the sink;

(7) the mirror base must be at a maximum height of 1 metre;

(8) the sink faucet must be a lever type faucet;

(9) the hand dryer or paper towels must be at a maximum height of 1.20 metres.

19. The main entrance of the tourist information and welcome site, the road and pedestrian access way and any parking area situated on the premises of the welcome site must be free of bumps, holes, waste or mud.

20. The tourist information and welcome site must make a sufficient number of waste bins available to the clientele, as well as ashtrays outside.

21. The tourist information and welcome site must have the following functional safety equipment:

(1) a smoke alarm or sprinklers for which the applicant holds a certification or an authorization of proper functioning issued by the competent authorities;

(2) an emergency lighting system;

(3) signs indicating emergency exits;

(4) a fire extinguisher for which the applicant holds a certification or an authorization of proper functioning issued by the competent authorities;

(5) a category 40 (industrial economy) or higher first-aid kit in accordance with the standards of the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) or equivalent, accessible at all times, situated in an accessible place and containing at least

i. a basic first-aid manual approved by the CNESST;

ii. 1 pair of bandage scissors;

iii. 1 pair of splinter forceps;

iv. 12 safety pins;

v. various bandages (adhesive bandages, compresses, sterile gauze, triangular bandages, bandage compresses, adhesive tape);

vi. 25 individually wrapped antiseptic swabs.

§3. Display

22. The toll-free number to call Bonjour Québec (1-877-bonjour (266-5687)), as well as an emergency number ("911" or "0") or the number to call the police (310-4141 or *4141 for cell phones), must be displayed outside the tourist information and welcome site.

23. A declaration concerning the quality of the services provided must be displayed in full view of the clientele inside the tourist information and welcome site.

24. The non-smoking area pictogram must be displayed in full view of the clientele inside the tourist information and welcome site.

25. A map indicating the other tourist information and welcome sites in the region covered must be displayed on the outside walls of the building, or inside the tourist information and welcome site in such a way that the clientele can consult it at all times from outside.

DIVISION VI OTHER CONDITIONS

26. The applicant must take out and maintain civil liability insurance of at least \$2,000,000 per event or have any other equivalent means of protection that covers bodily injury and property damage caused by the operation of the tourist information and welcome site.

27. The applicant may not operate a tourism enterprise for commercial purposes if that enterprise can avail itself of the tourist information services provided by the applicant.

28. The applicant must make a complaint form available to the clientele, ensure the follow-up of the complaints, then group together the complaints made and keep them in a compendium.

29. The applicant must keep statistics on the number of clients, their place of origin (postal code or zip code, country of origin) and the number of requests for information received and send them on a monthly basis to the recognized regional tourism association of the tourism region where the applicant provides tourist information services.

DIVISION V**SPECIAL, TRANSITIONAL AND FINAL**

30. Sections 7 to 12, 15, 21, 23, 24 and 27 to 29 do not apply if the tourist information and welcome site is a tourist information relay.

31. Every person who, on 1 September 2022, holds an authorization granted under section 32 of the Act respecting tourist accommodation establishments (chapter E-14.2) is deemed to hold the accreditation referred to in section 5.1 of the Act respecting the Ministère du Tourisme, enacted by section 41 of chapter 30 of the Statutes of 2021.

32. This Order comes into force on 1 September 2022.

105979

Draft Regulations

Draft By-law

Act respecting the Société d'habitation du Québec
(chapter S-8)

Conditions for the leasing of dwellings in low-rental housing — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft regulation to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing, made by the Société d'habitation du Québec and appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft By-law increases from \$350 per month per child to \$500 per month per child the maximum amounts received as child support for the maintenance of a child that are not considered income for the purposes of the By-law respecting the conditions for the leasing of dwellings in low-rental housing (chapter S-8, r. 3).

The draft By-law allows households benefitting from the proposed amendments to find housing at a lower cost and has no significant financial impact on enterprises, including small and medium-sized businesses.

Further information on the draft By-law may be obtained by contacting Fadi Germani, Secretary General, Société d'habitation du Québec, 1054, rue Louis-Alexandre-Taschereau, aile Jacques-Parizeau, 3^e étage, Québec (Québec) G1R 5E7; telephone: 418 643-4035, extension 2024; fax: 418 646-5560; email: fadi.germani@shq.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 Fadi Germani, at the above contact information. The comments will be forwarded to the Minister of Municipal Affairs and Housing.

ANDRÉE LAFOREST
Minister of Municipal Affairs and Housing

By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing

Act respecting the Société d'habitation du Québec
(chapter S-8, s. 86, 1st par., subpar. g, and 3rd par.)

1. The By-law respecting the conditions for the leasing of dwellings in low-rental housing (chapter S-8, r. 3) is amended in section 2 by replacing “\$350” in paragraph 5 by “\$500”.

2. Despite sections 20 and 21 of the By-law, a lessee may not apply for a rent reduction for a lease in effect on (*insert the date of coming into force of this By-law*) when the income of the lessee's household is reduced following the amendment made in paragraph 5 of section 2 of the By-law by section 1 of this By-law.

Upon renewal of the lease, or at the request of the lessee if the lease is not renewed, the lessor must determine whether the lessee could have availed himself or herself of the rent reduction. If so, the lessor must determine the amount of the rent reduction and choose either to give it to the lessee or to offset it. A lessee whose lease is not renewed must send his or her application to the lessor, along with all the necessary supporting documents, not later than 3 months after the expiry of the lease.

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

105971

Draft Regulation

Act respecting health services and social services
(chapter S-4.2)

Contribution by users of health and social services institutions and users taken in charge by family-type resources or by intermediate resources and assessment of the needs of a person requesting emergency lodging as a victim of violence — 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 contribution by users of health and social services institutions,

the Regulation respecting the contribution of users taken in charge by family-type resources or by intermediate resources and the Regulation respecting the assessment of the needs of a person requesting emergency lodging as a victim of violence, appearing below, may be made by the Government on the expiry of 45 days following

this publication.

The draft Regulation amends three regulations in order to substitute, in the mention of last resort financial assistance programs provided for in the Individual and Family Assistance Act (chapter A-13.1.1), a mention of financial assistance programs that is broad enough to encompass, in addition to the last resort financial assistance programs, the Aim for Employment Program provided for in the Act and the new Basic Income Program to be introduced on 1 January 2023 on the coming into force of section 14 of the Act mainly to introduce a basic income for persons with a severely limited capacity for employment (2018, chapter 11). The amendment prevents considering, for the purposes of the Regulations, a recipient of a last resort financial assistance program who becomes a recipient under the Aim for Employment Program or the Basic Income Program as if the recipient ceased to be a recipient under any assistance provided for in the Individual and Family Assistance Act.

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

Further information on the draft Regulation may be obtained by contacting Alexandre Manseau, Direction des politiques de financement et de l'allocation des ressources, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1S 2L4; telephone: 581 814-9100, extension 62407; email: alexandre.manseau@msss.gouv.qc.ca.

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

CHRISTIAN DUBÉ
Minister of Health and Social Services

Regulation to amend the Regulation respecting the contribution by users of health and social services institutions, the regulation respecting the contribution of users taken in charge by family-type resources or by intermediate resources and the regulation respecting the assessment of the needs of a person requesting emergency lodging as a victim of violence

Act respecting health services and social services (chapter S-4.2, s. 480, pars. 1 and 2, s. 512, 1st par., s. 513, 1st par., and s. 514)

1. The Regulation respecting the contribution by users of health and social services institutions (chapter S-4.2, r. 6) is amended in section 1.1 by replacing “last resort assistance program set out in” in the third paragraph by “financial assistance program provided for in Chapter I, II, V or VI, enacted by section 14 of the Act mainly to introduce a basic income for persons with a severely limited capacity for employment (2018, chapter 11), of Title II of”.

2. The Regulation respecting the contribution of users taken in charge by family-type resources or by intermediate resources (chapter S-4.2, r. 7) is amended in section 4 by replacing “last resort financial assistance program provided for in” in subparagraph 1 of the first paragraph by “financial assistance program provided for in Chapter I, II, V or VI, enacted by section 14 of the Act mainly to introduce a basic income for persons with a severely limited capacity for employment (2018, chapter 11), of Title II of”.

3. The Regulation respecting the assessment of the needs of a person requesting emergency lodging as a victim of violence (chapter S-4.2, r. 13) is amended in sections 1 and 9 and in Schedules I and II by replacing the words “last resort benefits under” and “last resort financial assistance under” wherever they appear by “financial assistance granted under a program provided for in Chapter I, II, V or VI, enacted by section 14 of the Act mainly to introduce a basic income for persons with a severely limited capacity for employment (2018, chapter 11), of Title II of”.

4. This Regulation comes into force on 1 January 2023.

105976

Draft Regulation

Act respecting health services and social services
for Cree Native persons
(chapter S-5)

Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the third paragraph of section 173 of the Act respecting health services and social services for Cree Native persons (chapter S-5), that the Regulation to amend the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation amends the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1) in order to substitute, in the mention of last resort financial assistance programs provided for in the Individual and Family Assistance Act (chapter A-13.1.1), a mention of financial assistance programs that is broad enough to encompass, in addition to the last resort financial assistance programs, the Aim for Employment Program provided for in the Act and the new Basic Income Program to be introduced on 1 January 2023 on the coming into force of section 14 of the Act mainly to introduce a basic income for persons with a severely limited capacity for employment (2018, chapter 11). The amendment prevents considering, for the purposes of the Regulation, a recipient of a last resort financial assistance program who becomes a recipient under the Aim for Employment Program or the Basic Income Program as if the recipient ceased to be a recipient under any assistance provided for in the Individual and Family Assistance Act.

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

Further information on the draft Regulation may be obtained by contacting Alexandre Manseau, Direction des politiques de financement et de l'allocation des ressources, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1S 2L4; telephone: 581 814-9100, extension 62407; email: alexandre.manseau@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

CHRISTIAN DUBÉ
Minister of Health and Social Services

Regulation to amend the Regulation respecting the application of the Act respecting health services and social services for Cree Native Persons

Act respecting health services and social services
for Cree Native persons
(chapter S-5, s. 159)

1. The Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1) is amended in section 363 by replacing “last resort assistance program in accordance with” in subparagraph 3 of the third paragraph by “financial assistance program provided for in Chapter I, II, V or VI, enacted by section 14 of the Act mainly to introduce a basic income for persons with a severely limited capacity for employment (2018, chapter 11), of Title II of”.

2. This Regulation comes into force on 1 January 2023.
105975

Draft Regulation

Act respecting remunerated passenger transportation
by automobile
(chapter T-11.2)

Remunerated passenger transportation by automobile — 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 remunerated passenger transportation by automobile, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 4) by introducing the permanent accessory that makes it possible to visually identify whether the authorized automobile is being used to offer remunerated passenger transportation and provides for a transitional measure.

Further information on the draft Regulation may be obtained by contacting Catherine Bouillon, Direction du conseil et du soutien aux partenaires, Ministère des Transports, 700, boulevard René-Lévesque Est, 15^e étage, Québec (Québec) G1R 5H1; telephone: 418 646-0700, extension 22231; email: catherine.bouillon@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1; email: Projet.reglement@transport.gouv.qc.ca.

FRANÇOIS BONNARDEL
Minister of Transport

Regulation to amend the Regulation respecting remunerated passenger transportation by automobile

Act respecting remunerated passenger transportation by automobile
(chapter T-11.2, ss. 26 and 51)

1. The Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 4) is amended in section 54

(1) by replacing “with the model in Schedule I” by “with the model in Schedule I or Schedule I.1”;

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

“The provisional accessory consistent with the model in Schedule I is valid for a 90-day period following its date of issue.

The accessory must be affixed inside the vehicle on the left side of the rear window.”.

2. Schedule I is amended by adding the word “PROVISIONAL” before “ACCESSORY” in the heading.

3. The following schedule is added after Schedule I:

“SCHEDULE I.1 (Section 54)

PERMANENT ACCESSORY



FRONT



BACK

4. The provisional accessories consistent with the model in Schedule I of the Regulation and whose date of issue is prior to the date of coming into force of this Regulation remain valid for a 90-day period following the date of coming into force.

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

105978

Draft Regulation

Act respecting the determination of the causes and circumstances of death (chapter R-0.2)

Tariff of costs for the transportation, keeping and preservation of dead bodies —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 Tariff of costs for the transportation, keeping and preservation of dead bodies, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Tariff of costs for the transportation, keeping and preservation of dead bodies (chapter R-0.2, r. 7) to increase the amounts that may be paid to a carrier that has entered into an agreement with the Chief Coroner for the transportation of one or more bodies. It also increases the amounts that may be paid to a morgue designated under section 32 of the Act respecting the determination of the causes and circumstances of death (chapter R-0.2) for the keeping and preservation of dead bodies.

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 Éric Drouin, Secretary General, Ministère de la Sécurité publique, Tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: eric.drouin@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 Éric Drouin, at the above contact information.

GENEVIÈVE GUILBAULT
Minister of Public Security

Regulation to amend the Tariff of costs for the transportation, keeping and preservation of dead bodies

Act respecting the determination of the causes and circumstances of death (chapter R-0.2, s. 168, 1st par., subpars. 3 and 4, and 2nd par.)

1. The Tariff of costs for the transportation, keeping and preservation of dead bodies (chapter R-0.2, r. 7) is amended in section 1

(1) by replacing the table in paragraph 1 by the following table:

“

Basic amount	Day or evening	Night
Monday to Friday	\$167	\$200
Saturday or Sunday	\$180	\$219
holiday	\$221	\$261

”;

(2) by replacing the table in paragraph 2 by the following table:

“

Basic amount	Day or evening	Night
Monday to Friday	\$125	\$154
Saturday or Sunday	\$139	\$170
holiday	\$178	\$216

Plus the kilometres travelled

on public roads	\$1.65/km
off public roads	\$3/km

”;

(3) by replacing “\$83.75” in paragraph 3 by “\$113”;

(4) by replacing “\$30.75” in paragraph 4 by “\$41.50”;

(5) by replacing the table in paragraph 5 by the following table:

“

Basic amount	Day or evening	Night
Monday to Friday	\$26.75/h	\$32.75/h
Saturday or Sunday	\$29.25/h	\$35.75/h
holiday	\$37/h	\$44.50/h

”.

2. Section 2 is amended by replacing the amount “\$45.25” wherever it appears by the amount “\$61”.

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

105977

Draft Regulation

Education Act
(chapter I-13.3)

Teaching licences — 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 teaching licences, appearing below, may be made by the Minister of Education on the expiry of 45 days following this publication.

The draft Regulation makes it easier to issue probationary teaching permits to applicants trained outside Canada. It sets the validity period of the probationary teaching permits issued to those applicants at 10 years and allows the applicants to prove that they have passed the language examinations provided for by the Regulation within five years after the issue of the permits. The draft Regulation also provides for the issue of teaching authorizations for vocational training and the conversion of certain provisional vocational training teaching licences into such authorizations. Lastly, the draft Regulation adds new diplomas at the Master’s level giving access to teaching diplomas.

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 Pascal Poulin, Acting Director, Direction de la titularisation du personnel enseignant, Ministère de l’Éducation, 1035, rue De La Chevrotière, 28^e étage, Québec (Québec) G1R 5A5; email: pascal.poulin@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

Regulation to amend the Regulation respecting teaching licences

Education Act (chapter I-13.3)

1. The Regulation respecting teaching licences (chapter I-13.3, r. 2.01) is amended in section 5

(1) by adding “and teaching authorizations for vocational training” at the end of the first paragraph;

(2) by replacing “and provisional teaching licences” in the second paragraph by “, provisional teaching licences and teaching authorizations”.

2. Section 10 is amended by adding the following at the end:

“(4) a person trained in general education teaching outside Canada who

(a) holds a bachelor’s degree, a Master’s degree or an equivalent diploma including at least 45 credits in the field of training and 21 credits in educational psychology training;

(b) holds a bachelor’s degree, a Master’s degree or an equivalent diploma including at least 45 credits in the field of training and 9 credits in educational psychology training and proves relevant teaching experience of at least 1 year; or

(c) holds a university diploma in general education teaching or an equivalent diploma including at least 60 credits, 30 credits of which are in educational psychology training including one or more practicums.”.

3. The following is inserted after section 13:

“**13.1.** A person referred to in paragraph 4 of section 10 may be issued a general education teaching diploma after proving completion of the training so that it is equivalent to training leading to a diploma referred to in any of Schedules I and IV and has met the requirements of section 13.”.

4. Section 14 is amended

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

“**14.** The probationary general education teaching permit referred to in paragraph 1 or 2 of section 10 is valid for 5 years and the permit referred to in paragraph 3 or 4 of that section is valid for 10 years; the permits may be renewed for subsequent 5-year periods.”;

(2) by replacing “12 or 13” in the second paragraph by “12, 13 or 13.1”.

5. Section 15 is amended by replacing paragraph 2 by the following:

“(2) the holder of a vocational training teaching licence, issued outside Canada, who has training equivalent to training leading to a diploma listed in Schedule II or has successfully completed university training comprising 30 credits equivalent to a teacher training program in vocational training listed in Schedule V and who

(a) has obtained a diploma of vocational studies, a diploma of college studies in a technical program, a university certificate comprising at least 30 credits or a university diploma directly related to the program to be taught in a sector of activities listed in Schedule III; or

(b) has a minimum of 3,000 hours of practical experience or teaching in a trade directly related to the program to be taught.”.

6. Section 17 is replaced by the following:

“**17.** A person referred to in paragraph 2 of section 15 may be issued a vocational training teaching diploma after meeting the following conditions:

(1) the person meets all the conditions set out in subparagraphs *a* and *b* of paragraph 2 of section 15;

(2) the person has successfully served the probationary period in accordance with subdivision 2 of Division 4 of Chapter 4;

(3) the person has completed a course on the Québec school system offered as part of a university teacher training program in vocational training listed in Schedule II or an equivalent course given by Télé-université du Québec.”.

7. Section 18 is amended

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

“**18.** The probationary vocational training teaching permit referred to in paragraph 0.1 or 1 of section 15 is valid for 5 years and the permit referred to in paragraph 2 of that section is valid for 10 years; the permits may be renewed for subsequent 5-year periods.”;

(2) in the second paragraph

(a) by inserting “0.1 or” after “paragraph” in subparagraph 1;

(b) by inserting “meets all the conditions set out in subparagraphs *a* and *b* of that paragraph and” after “applicant” in subparagraph 2.

8. Section 37 is amended

(1) by replacing “or probationary permit” in the first paragraph by “, probationary permit or teaching authorization”;

(2) by striking out the second paragraph.

9. The following is inserted after section 39:

“**39.1.** Despite sections 37 and 38, a probationary permit may be issued to an applicant referred to in paragraph 3 or 4 of section 10 or paragraph 2 of section 15 who has not passed a French or English examination provided for in any of those sections, as the case may be.

In such a case, the holder of the probationary permit must prove having passed the examination within 5 years after the issue of the probationary permit. If proof is not provided, the probationary permit is suspended and the Minister so notifies the holder. The first paragraph of section 55 applies, with the necessary modifications.

The holder of the probationary permit must notify the employer in the case of the suspension provided for in the second paragraph. The suspension is lifted as soon as the permit holder proves having passed the relevant examinations. The permit whose suspension is lifted is valid for the remaining period of the original validity period.”.

10. The heading of Chapter 5 is amended by adding “AND TEACHING AUTHORIZATIONS” at the end.

11. Sections 43 and 44 are replaced by the following:

“**43.** A teaching authorization for vocational training may be issued to a person who

(1) has obtained a certificate of achievement comprising 90 credits, including 45 credits in educational training other than those for prior learning assessment for the trade, in a program listed in Schedule II;

(2) has obtained a diploma of vocational studies, a diploma of college studies in a technical program, a university certificate comprising at least 30 credits, a bachelor’s degree or training equivalent to the training leading to those diplomas, directly related to the program to be taught in a sector of activities listed in Schedule III; and

(3) has at least 3,000 hours of practical experience or teaching in a trade, directly related to the program to be taught;

43.1. A provisional vocational training teaching licence may be issued to a person who is enrolled in a teacher training program in vocational training listed in Schedule II and who, in addition to meeting the conditions set out in subparagraphs 2 and 3 of the first paragraph of section 43,

(1) has a promise of employment from an employer referred to in section 29 certifying that, within 12 months, the employer is to give the person a vocational training teaching position, directly related to the program to be taught, requiring a teaching licence and that the position cannot be filled by the holder of a teaching licence; and

(2) has earned at least 3 credits in pre-service vocational teacher training in a program listed in Schedule II.

44. A teaching authorization for vocational training issued pursuant to section 43 is valid for not more than 6 years and expires at the end of the fifth school year following the year in which it was issued. It may be renewed for subsequent periods of 5 school years if the holder meets the conditions set out in any of the following paragraphs:

(1) has taught for 750 hours in an institution referred to in section 29, directly related to the training for which the authorization has been obtained;

(2) has accumulated 1,500 hours of relevant experience in the workplace;

(3) has earned 9 of the 30 additional credits in the teacher training program in vocational training listed in Schedule II;

(4) partially meets the requirements set out in at least 2 of paragraphs 1 to 3, provided that the completion percentages reached total at least 100%.”.

12. Section 45 is amended by replacing “paragraph 2 of section 43” in the portion before paragraph 1 by “section 43.1”.

13. Section 50 is amended

(1) by replacing “, or is expelled from, withdraws from or otherwise ceases to be enrolled in the program, unless the university has agreed to suspend the holder’s enrollment” in the first paragraph by “or is expelled from the program”;

(2) by striking out “Except where enrolment is suspended,” in the second paragraph.

14. The following is inserted after section 50:

“**50.1.** A provisional teaching licence is suspended as soon as the holder withdraws from the teacher training program to be completed or ceases to be enrolled in the program for a reason other than the reason provided for in section 50, unless the university has agreed to suspend the holder’s enrollment.

Except where enrolment is suspended, the holder of a provisional teaching licence must notify the Minister and, where applicable, the holder’s employer as soon as the holder is in a situation described in the first paragraph. The first paragraph of section 55 applies, with the necessary modifications, where a situation referred to in the first paragraph is reported to the Minister by a third person.

A provisional teaching licence that has been suspended, pursuant to the first paragraph, becomes valid again for the remaining period of the original validity period and renewable, where applicable, as soon as the holder proves reenrollment in the teacher training program.”.

15. Section 53 is amended by inserting “or, in the case of a probationary permit issued pursuant to paragraph 3 or 4 of section 10 or paragraph 2 of section 15, the date on which proof of passing the examination must be demonstrated to the Minister” at the end of subparagraph 5 of the second paragraph.

16. Section 54 is amended by replacing “or a provisional teaching licence” and “or provisional teaching licence” in the first paragraph by “, a provisional teaching licence or authorization” and “, provisional teaching licence or authorization. Proof that the person remains authorized to work in Canada may also be required”, respectively.

17. Sections 63.2 and 63.3 are replaced by the following:

“**63.2.** A provisional vocational training teaching licence issued under paragraph 1 of section 43 of this Regulation, as it read on (*insert the date that occurs one day before the date of coming into force of this Regulation*), including a provisional vocational training teaching licence referred to in subparagraph 11 of the second paragraph of section 59, is deemed to be a teaching authorization for vocational training issued pursuant to section 43.

A provisional vocational training teaching licence issued under paragraph 2 of section 43 of this Regulation, as it read on (*insert the date that occurs one day before the date of coming into force of this Regulation*), including a provisional vocational training teaching licence referred to in subparagraph 12 of the second paragraph of section 59, is deemed to be a provisional vocational training teaching licence issued under section 43.1.

This section does not operate to extend the validity period of those teaching licences or postpone their expiry date.”

18. Schedule I is amended in the section “TEACHER TRAINING PROGRAMS IN GENERAL EDUCATION ACCREDITED SINCE SEPTEMBER 2001”

(1) by adding the following at the end of the programs of UNIVERSITÉ DU QUÉBEC EN ABITIBI-TÉMISCAMINGUE:

“Maîtrise en enseignement secondaire, français, langue d’enseignement 60;

Maîtrise en enseignement secondaire, mathématique 60”;

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

“UNIVERSITÉ TÉLUQ

Maîtrise en éducation préscolaire et en enseignement primaire (MÉPEP) 60”.

19. The first paragraph of section 14 of the Regulation respecting teaching licences, as it read on (*insert the date that occurs one day before the date of coming into force of this Regulation*), continues to apply to probationary permits issued pursuant to paragraph 3 of section 10 before (*insert the date of coming into force of this Regulation*).

The first paragraph of section 18 of the Regulation respecting teaching licences, as it read on (*insert the date that occurs one day before the date of coming into force of this Regulation*), continues to apply to probationary permits issued pursuant to paragraph 2 of section 15 before (*insert the date of coming into force of this Regulation*).

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

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