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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 60  
(2021, chapter 11)

**An Act to amend the Public Service  
Act and other provisions**

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Passed in principle 9 March 2021  
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Assented to 20 April 2021**

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## **EXPLANATORY NOTES**

*This Act provides for changes to the recruitment and promotion processes for public servants so as to ensure that the latter are chosen following a selection process rather than a qualification process. It eliminates the notion of banks of qualified persons and provides for rules governing the manner in which positions are filled rather than the manner in which persons who could potentially fill a position in the public service are qualified.*

*Under the Act, deputy ministers and chief executive officers are now responsible for the staffing process within their own government department or body. The Act also provides for rules with which the deputy ministers and chief executive officers must comply when hiring.*

*The Conseil du trésor is empowered to establish various standards applicable to the new staffing process, including the categories of evaluation tools that must be used in selecting a candidate. The Conseil du trésor is also empowered to determine the cases and situations in which a deputy minister or a chief executive officer may select, otherwise than by following the rules of a selection process, a person who holds or has already held a position in the public service and to determine the rules applicable to such a selection.*

*The Chair of the Conseil du trésor is given the power to provide consulting services on evaluation tools to deputy ministers and chief executive officers as well as to develop, administer and correct examinations at their request. The Chair of the Conseil du trésor also has the power to conduct an audit to determine if deputy ministers and chief executive officers have established and implemented selection processes in accordance with the law.*

*The Conseil du trésor may establish equivalencies to the minimum conditions of eligibility not only for classes of positions or grades, but also for a particular position. The Chair of the Conseil du trésor is also given the power to authorize a deputy minister or a chief executive officer to initiate a selection process by using an equivalency established by the Conseil du trésor. Furthermore, in certain situations a person may participate in a selection process and be appointed to a position even if that person does not meet the minimum conditions of eligibility, provided that the person is in the process of meeting such conditions.*

*The Conseil du trésor is granted the power to implement a pilot project concerning the recruitment and promotion of certain public servants until the rules relating to the selection process come into force.*

*The Act specifies that the length of the probationary period for recruitment and promotion is calculated in days actually worked.*

*When a public servant, who was elected as a Member or holds another elective office or becomes a political employee, decides to exercise his right to return to the public service, he regains his position in the government department or body and the classification to which he belonged at the time of his departure. The Act eliminates the public servant's right to require that the Chair of the Conseil du trésor reassess his qualifications and rehire him by priority in a position corresponding to those qualifications when returning to the public service.*

*Under the Act, the Chair of the Conseil du trésor is allowed to request that the Commission de la fonction publique conduct a special audit on any matter within its jurisdiction. The Commission is also allowed to correct any clerical error on its own initiative.*

*The Act specifies that the Government has the power to determine the rules applicable to public servants who cease to perform their duties.*

*Finally, the Act introduces a number of transitional provisions and consequential amendments.*

#### **LEGISLATION AMENDED BY THIS ACT:**

- Public Administration Act (chapter A-6.01);
- Act respecting the Agence du revenu du Québec (chapter A-7.003);
- Act respecting the Autorité des marchés publics (chapter A-33.2.1);
- Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02);
- Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1);
- Act respecting the regulation of the financial sector (chapter E-6.1);

- Act respecting Financement-Québec (chapter F-2.01);
- Public Service Act (chapter F-3.1.1);
- Act respecting Institut national de santé publique du Québec (chapter I-13.1.1);
- Act respecting Investissement Québec (chapter I-16.0.1);
- National Museums Act (chapter M-44);
- Public Protector Act (chapter P-32);
- Act respecting the Société des établissements de plein air du Québec (chapter S-13.01);
- Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001);
- Act respecting the Société du Plan Nord (chapter S-16.011);
- Act mainly to establish the Centre d’acquisitions gouvernementales and Infrastructures technologiques Québec (2020, chapter 2);
- Act respecting the Institut de technologie agroalimentaire du Québec (2021, chapter 3).

**REGULATION AMENDED BY THIS ACT:**

- Règlement sur la preuve et la procédure de la Commission de la fonction publique (chapter F-3.1.1, r. 3.01, French only).

**REGULATIONS REPEALED BY THIS ACT:**

- Regulation respecting the qualification process and qualified persons (chapter F-3.1.1, r. 3.1);
- Regulation respecting promotion further to the upgrading of a position (chapter F-3.1.1, r. 4.1).

## **Bill 60**

### **AN ACT TO AMEND THE PUBLIC SERVICE ACT AND OTHER PROVISIONS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **PUBLIC SERVICE ACT**

**1.** Section 13 of the Public Service Act (chapter F-3.1.1) is amended by adding the following paragraph at the end:

“The probationary period is calculated in days actually worked as part of the powers and duties assigned to the recruited person for the period. The calculation is based on the particularities of each position.”

**2.** Section 14 of the Act is amended

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

“A public servant obtains permanent tenure if he meets the following conditions:

(1) he has passed his probationary period; and

(2) he has been employed continuously in the public service for two years.”;

(2) by inserting “of subparagraph 2” after “meaning” in the second paragraph.

**3.** Section 15 of the Act is amended by adding the following paragraph at the end:

“The probationary period is calculated in days actually worked as part of the powers and duties assigned to the promoted person for the period. The calculation is based on the particularities of each position.”

**4.** Section 26 of the Act is replaced by the following section:

**“26.** A public servant elected in a provincial election ceases to be subject to this Act, except sections 30, 129 and 130.”

**5.** Section 27 of the Act is amended by replacing the second paragraph by the following paragraph:

“Where the public servant is granted full leave without pay, he ceases to be subject to this Act, except sections 30, 129 and 130.”

**6.** Section 28 of the Act is amended

(1) by replacing “29, 30 and 129 to 131” in the first paragraph by “30, 129 and 130”;

(2) by striking out the second paragraph.

**7.** Section 29 of the Act is repealed.

**8.** Section 30 of the Act is replaced by the following section:

**“30.** When a public servant contemplated in sections 26, 27 or 28 ceases to engage in the activities referred to in those sections, he regains the classification in the government department or body to which he belonged at the time of his departure and to which he would have been entitled had he remained in the class of positions to which he belonged before engaging in those activities.

To that end, the public servant must notify in writing the deputy minister or the chief executive officer of the government department or body to which he belonged within the time and on the conditions determined by the Conseil du trésor.”

**9.** Sections 30.1 and 31 of the Act are repealed.

**10.** Section 33 of the Act is amended by replacing “Except where jurisdiction in the matters enumerated in this paragraph is assigned to another authority under a collective agreement, a public servant” in the first paragraph by “A public servant who is not governed by a collective agreement”.

**11.** Sections 35 and 36 of the Act are repealed.

**12.** Subdivision 1 of Division II of Chapter III of the Act is replaced by the following subdivision:

“§1.—*Recruitment and promotion processes for public servants*

**“42.** Public servants are recruited and promoted by means of selection processes.

**“43.** Each deputy minister and chief executive officer shall establish and implement selection processes for recruiting and promoting public servants within his government department or body. However, in cases determined by

the Conseil du trésor, the deputy minister or the chief executive officer must obtain permission from the Chair of the Conseil du trésor before initiating a selection process.

The Conseil du trésor may determine that, under certain circumstances, the Chair of the Conseil du trésor must establish and implement such selection processes for several government departments and bodies, while allowing the departments and bodies to select a candidate from among the candidates who participated in the process.

Without limiting the powers conferred on the Commission de la fonction publique under section 115, the Chair of the Conseil du trésor may conduct an audit to verify whether the deputy ministers and chief executive officers establish and implement the selection processes in compliance with this Act. For that purpose, the Chair of the Conseil du trésor may designate a person in writing to conduct the audit.

**“44.** Before filling one or more positions through recruitment or promotion, a deputy minister or a chief executive officer shall publish an employment offer inviting interested persons to apply. The employment offer must be published for at least ten working days on the public service portal provided for that purpose and accessible via Internet. The Conseil du trésor may determine the classes of positions for which an employment offer may be published for a shorter period of at least five working days, when labour market conditions and labour availability require it.

An employment offer must include the profile sought for the position to be filled, the location where the position will be held, the salary scale, the length of the publication period, the deadline for applying and any other element determined by the Conseil du trésor.

**“45.** The deputy minister or the chief executive officer shall determine the profile of the person sought for each position to be filled, and the profile must appear in the published employment offer. The profile must ensure the best fit with the position to be filled.

**“46.** The profile of the person sought for a position to be filled must be consistent with the Conseil du trésor’s directives, including those providing for minimum conditions of eligibility, or their equivalencies, for classes of positions, grades or a position, and allow the implementation of government policies regarding, in particular,

(1) affirmative action programs intended, in particular, for women, members of visible minorities, members of ethnic minorities, handicapped persons and Aboriginal peoples; and

(2) recruitment, whether from educational institutions or from all or any category of the persons employed in the education and health and social services sectors.

In addition, the profile may, in particular, include additional requirements to the minimum conditions of eligibility, or their equivalencies, for classes of positions, grades or a position as well as for assets. Those additional requirements and assets must take into account the nature and particularities of the position to be filled.

The profile of the person sought for a position to be filled through promotion may, exceptionally, require that only public servants belonging to a specific entity or geographical area may apply for the position to be filled. The Conseil du trésor shall define what constitutes an entity and a geographical area and determine the factors that a deputy minister or a chief executive officer must consider before adding such a requirement.

**“47.** A person interested in a position to be filled in the public service must apply in the manner and form and according to the other terms specified in the published employment offer.

**“48.** To fill a position, a deputy minister or a chief executive officer may only consider the applications submitted in accordance with section 47.

**“49.** An administrative unit entrusted with human resources management shall preselect applications from among those submitted in accordance with section 47. The applications are submitted to the deputy minister or the chief executive officer.

In order to be preselected, an application must comply with the profile included in the employment offer and, if the administrative unit considers it advisable, the candidate must have been evaluated with one or more evaluation tools from among those included in the categories provided for in section 50.1.

In the absence of such a unit or if a position is to be filled within the unit, the deputy minister or the chief executive officer shall mandate another unit to assume the responsibilities provided for in the first paragraph.

**“50.** A deputy minister or a chief executive officer shall, on the basis of recognized good practices in the matter, select from among the applications submitted to him the candidate whose profile best fits the profile sought for the position to be filled. The selection of the candidate must be based on merit and independently of any political influence.

If, among the qualified persons, there is one to whom an affirmative action program or a program designed to ensure the hiring of handicapped persons applies, the deputy minister or the chief executive officer must take the objectives of the program into consideration. The hiring objectives determined by the Conseil du trésor as regards the various components of Québec society must also be taken into consideration.



**“50.1.** The selected candidate must have been evaluated with at least two evaluation tools included in the categories established by the Conseil du trésor, such as a work sample, an aptitude test, an achievement test, a cognitive ability test, a psychometric test, an oral examination or any other tool based on recognized good practices in the matter.

The Conseil du trésor may, however, determine the classes of positions for which only one evaluation tool is sufficient and determine any other terms or conditions related to the evaluation of a candidate, such as the mandatory use of categories of specific evaluation tools for certain classes of positions.

**“50.2.** Before a selected candidate is appointed by the deputy minister or the chief executive officer in accordance with section 51, the director of the administrative unit referred to in section 49 must confirm in writing to the deputy minister or the chief executive officer that the selection process has been conducted in accordance with the law.

**“50.3.** The result of an examination administered during any selection process provided for in the Act or during a qualification assessment is deemed to be the result obtained during an identical or equivalent examination administered previously during any of those situations if the time period between the administration of those examinations does not exceed one year.

The Chair of the Conseil du trésor shall establish a list of the examinations that are considered identical or equivalent.

A public body may communicate to the deputy minister or the chief executive officer any information that is necessary for the purposes of the first paragraph.

**“50.4.** The Chair of the Conseil du trésor may provide to deputy ministers or chief executive officers consulting services regarding evaluation tools. The Chair may also develop examinations that may be administered during a selection process.

In addition, at the request of the deputy minister or the chief executive officer, the Chair may administer such examinations and correct them. The Chair then transmits to the deputy minister or the chief executive officer the examination results the candidates obtained.

**“50.5.** A deputy minister or a chief executive officer may select a person who holds or has already held a position in the public service otherwise than in accordance with the rules under this subdivision in any of the following situations:

(1) the position of a public servant is upgraded;

(2) a public servant has participated in a human resources development program approved by the Conseil du trésor;

- (3) a person has been employed as a student or intern;
- (4) a person has retired from the public service;
- (5) to recruit a casual employee as a regular employee; or
- (6) any other situation determined by the Conseil du trésor.

The Conseil du trésor shall determine the rules pursuant to which such a selection is to be made to ensure that the person fits the profile required to fill the position.

**“50.6.** When a position needs to be filled again within a time period determined by the Conseil du trésor that does not exceed six months, the deputy minister or the chief executive officer may fill the position again without repeating the selection process by selecting a candidate from among those who were previously evaluated.

A deputy minister or a chief executive officer may do the same when a position similar to a position that has been filled is to be filled in the same government department or body within a time period determined by the Conseil du trésor that does not exceed six months.

The Conseil du trésor may determine the other terms and conditions related to the selection provided for in the first and second paragraphs, such as the definition of a similar position.”

**13.** Section 51 of the Act is amended by replacing “combler” in the French text by “pourvoir”.

**14.** Sections 53, 53.0.1 and 53.2 of the Act are repealed.

**15.** Section 54 of the Act is amended by replacing “regulation under subparagraph 11 of the first paragraph of section 50.1” in the first paragraph by “standards determined by the Conseil du trésor under section 54.1”.

**16.** The Act is amended by inserting the following section after section 54:

**“54.1.** The Conseil du trésor shall determine by regulation the standards for the classification of public servants.”

**17.** Section 63 of the Act is amended by replacing “54” by “54.1”.

**18.** Section 70 of the Act is amended, in the introductory clause of the first paragraph,

(1) by replacing “the powers of the Commission de la fonction publique or the powers of the chairman of the Conseil du trésor relating to” by “the powers of the Commission de la fonction publique, the powers of the Chair of the Conseil du trésor or the powers of a deputy minister or a chief executive officer relating to”;

(2) by replacing all occurrences of “qualification” by “selection”;

(3) by striking out “, banks of qualified persons”.

**19.** Section 99 of the Act is amended

(1) by striking out paragraphs 1 to 5;

(2) by replacing “five-year human resources management strategy” and “every two and a half years” in paragraph 7.1 by “multi-year human resources management strategy of not over five years” and “at mid-term and at the end of the term”, respectively.

**20.** Section 102 of the Act is amended by striking out “sections 30 and 31,” in the first paragraph.

**21.** Section 115 of the Act is amended

(1) by replacing “system of recruitment and promotion” in subparagraph 2 of the first paragraph by “recruitment and promotion”;

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

“The Commission must also conduct a special audit on any matter within its jurisdiction when the Chair of the Conseil du trésor requests it. To do so, the Commission shall make any inquiry it deems necessary. It must then report its audit findings to the Chair of the Conseil du trésor. However, the audit may not take precedence over the Commission’s other functions and obligations.”

**22.** The Act is amended by inserting the following section after section 123:

**“123.0.1.** A decision containing an error in writing or calculation or any other clerical error may be corrected on the record and without further formality by the member who rendered the decision.

If the member is unable to act or has ceased to hold office, another member designated by the chair of the Commission may correct the decision.”

**23.** Section 123.1 of the Act is repealed.

**24.** Section 126 of the Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) determine the standards applicable to public servants who cease to perform their duties;”.

**25.** Section 129 of the Act is amended

(1) by replacing “qualification” in the first paragraph by “selection”;

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

“The application of a person found guilty of such an offence may not be considered for a position to be filled in the public service for a period of five years unless the person has obtained a pardon and, if a public servant, the person is also liable to disciplinary action.”

#### PUBLIC ADMINISTRATION ACT

**26.** Section 32 of the Public Administration Act (chapter A-6.01) is amended by adding the following paragraph at the end:

“The Conseil du trésor may establish equivalencies to the minimum conditions of eligibility referred to in subparagraph 1 of the first paragraph, which may be established with respect to a position.”

**27.** The Act is amended by inserting the following sections after section 32:

**“32.1.** The Chair of the Conseil du trésor may authorize, on the terms and conditions he determines, a deputy minister or a chief executive officer to initiate a selection process using an equivalency established by the Conseil du trésor in addition to the equivalencies referred to in the third paragraph of section 32.

The Chair may do the same before a deputy minister or a chief executive officer selects a person otherwise than through a selection process in accordance with section 50.5 of the Public Service Act (chapter F-3.1.1).

**“32.2.** Exceptionally, a public servant may be appointed to a position even though the public servant does not meet the minimum conditions of eligibility, or the equivalencies provided, if the public servant successfully completes a human resources development program which enables him to acquire the knowledge and skills required for the position. Such a program may, in particular, be implemented to support an administrative reorganization or the implementation of technological changes or to ensure a better match between an organization’s new needs and the possibility of proper development and promotion for employees. Such a program must first be authorized by the Conseil du trésor, subject to any condition it determines.

**“32.3.** Exceptionally and to the extent that the person must meet the minimum conditions of eligibility or the additional requirements provided for in the desired profile to be appointed to the position, a person may participate in the selection process aimed at filling that position even if, at the time the person is applying, the person does not meet those conditions or requirements, in any of the following situations:

(1) the person is awaiting his proof of Canadian citizenship, proof of permanent residency or work permit issued by the federal authority;

(2) the person is in the process of meeting the requirements to be a member of the professional order required for the position to be filled;

(3) the person is in the process of completing the last year of the most advanced formal training required for the position to be filled;

(4) the person is awaiting a qualification, certification or permit issued by a competent authority in the matter; or

(5) any other situation determined by the Conseil du trésor.

Despite the first paragraph, a person referred to in subparagraph 3 or 4 of that paragraph may be appointed to a position even if the person does not meet the minimum conditions of eligibility or the additional requirements, provided the person is in the process of meeting them within a time period corresponding to the length of the person’s probationary period less a day, without exceeding one year. Failure to comply with that last condition will result in the termination of the person’s employment.

The Conseil du trésor shall determine any other applicable rule for the purposes of this section.”

**28.** Section 248 of the Act is repealed.

#### ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

**29.** Section 183 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended by striking out the second paragraph.

**30.** Section 184 of the Act is amended by striking out the third paragraph.

**31.** Section 185 of the Act is amended by striking out the fourth paragraph.

#### ACT RESPECTING THE AUTORITÉ DES MARCHÉS PUBLICS

**32.** Section 264 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) is amended by striking out the second paragraph.

ACT RESPECTING THE CONSEIL DES ARTS ET DES LETTRES DU QUÉBEC

**33.** Section 39 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02) is amended by striking out the second paragraph.

ACT RESPECTING THE CONSERVATOIRE DE MUSIQUE ET D'ART DRAMATIQUE DU QUÉBEC

**34.** Section 90 of the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1) is amended by striking out the second paragraph.

ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR

**35.** Section 721 of the Act respecting the regulation of the financial sector (chapter E-6.1) is amended by striking out the second paragraph.

ACT RESPECTING FINANCEMENT-QUÉBEC

**36.** Section 62 of the Act respecting Financement-Québec (chapter F-2.01) is repealed.

ACT RESPECTING INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC

**37.** Section 41 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1) is repealed.

ACT RESPECTING THE INSTITUT DE TECHNOLOGIE AGROALIMENTAIRE DU QUÉBEC

**38.** Section 87 of the Act respecting the Institut de technologie agroalimentaire du Québec (2021, chapter 3) is amended by striking out the third paragraph.

ACT RESPECTING INVESTISSEMENT QUÉBEC

**39.** Section 168 of the Act respecting Investissement Québec (chapter I-16.0.1) is repealed.

NATIONAL MUSEUMS ACT

**40.** Section 46 of the National Museums Act (chapter M-44) is repealed.

PUBLIC PROTECTOR ACT

**41.** Section 37.1 of the Public Protector Act (chapter P-32) is repealed.

ACT RESPECTING THE SOCIÉTÉ DES ÉTABLISSEMENTS DE PLEIN AIR DU QUÉBEC

**42.** Section 40 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01) is repealed.

ACT RESPECTING THE SOCIÉTÉ DU PARC INDUSTRIEL ET PORTUAIRE DE BÉCANCOUR

**43.** Section 50 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001) is repealed.

ACT RESPECTING THE SOCIÉTÉ DU PLAN NORD

**44.** Section 94 of the Act respecting the Société du Plan Nord (chapter S-16.011) is amended by striking out the second paragraph.

ACT MAINLY TO ESTABLISH THE CENTRE D'ACQUISITIONS GOUVERNEMENTALES AND INFRASTRUCTURES TECHNOLOGIQUES QUÉBEC

**45.** Section 89 of the Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec (2020, chapter 2) is amended by striking out the third paragraph.

RÈGLEMENT SUR LA PREUVE ET LA PROCÉDURE DE LA COMMISSION DE LA FONCTION PUBLIQUE

**46.** Chapter V of the Règlement sur la preuve et la procédure de la Commission de la fonction publique (chapter F-3.1.1, r. 3.01, French only), comprising sections 23 to 31, is repealed.

REGULATION RESPECTING THE QUALIFICATION PROCESS AND QUALIFIED PERSONS

**47.** The Regulation respecting the qualification process and qualified persons (chapter F-3.1.1, r. 3.1) is repealed.

REGULATION RESPECTING PROMOTION FURTHER TO THE UPGRADING OF A POSITION

**48.** The Regulation respecting promotion further to the upgrading of a position (chapter F-3.1.1, r. 4.1) is repealed.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

**49.** In any Act other than the Public Service Act (chapter F-3.1.1), “promotion-only qualification process” is replaced wherever it appears by “promotion selection process”, unless the context indicates otherwise.

**50.** The qualification processes under way on the date of coming into force of section 12 are continued.

The banks of qualified persons related to such processes and those already established on that date are continued until the date that is one year after the date of coming into force of section 12.

The same applies to the lists of candidates declared qualified that are valid on the day before the date of coming into force of section 12 and that may be used in accordance with sections 35 and 36 of the Act to amend the Public Service Act mainly with respect to staffing (2013, chapter 25).

In addition, when a person's qualification or certification of qualification is maintained on the date of coming into force of section 12, it continues to be maintained until the date that is one year after the date of coming into force of that section.

**51.** Until the date that is one year after the date of coming into force of section 12, a deputy minister or a chief executive officer may, instead of initiating a selection process to fill a position, decide to appoint a person who is registered in a bank of qualified persons or on a list of candidates declared qualified referred to in the second and third paragraphs of section 50 or a person, referred to in the fourth paragraph of section 50, whose qualification or certification of qualification is maintained. Such an appointment is to be made in accordance with the former legislation.

However, when a deputy minister or a chief executive officer initiates a selection process to fill a position, a person referred to in the first paragraph must have participated in the process in order to be appointed.

**52.** The result of an examination administered during any selection process provided for by the Act or during a qualification assessment is deemed to be the result obtained during an identical or equivalent examination administered, before the coming into force of section 12, during a qualification process, including a specific qualification process, or a qualification assessment, if the time period between the administration of those examinations does not exceed one year.

The Chair of the Conseil du trésor shall establish a list of the examinations that are considered identical or equivalent.

A public body may communicate to the deputy minister or the chief executive officer any information that is necessary for the purposes of the first paragraph.

**53.** Any person found guilty of an offence under section 129 of the Public Service Act after the coming into force of section 25 is removed from the banks of qualified persons referred to in section 50.



The five-year period provided for in section 129, as it read before the coming into force of section 25, continues until the end of the period after the coming into force of section 25. Therefore, the application of a person found guilty under section 129 before it was amended by section 25 may not be considered for a position to be filled in the public service for the remainder of that period.

**54.** Until section 12 comes into force and despite any provision to the contrary, the Conseil du trésor may implement a pilot project concerning the recruitment and promotion of public servants for one or more classes of positions or one or more specific positions. The pilot project must be substantially consistent with the selection process provided in section 12.

The Conseil du trésor shall publish in the *Gazette officielle du Québec* the pilot project with a notice stating its intention to implement the project within 30 days after publication of that notice and indicating that any interested person may, within that time, send comments to the person designated in the notice.

**55.** Sections 1 and 3 apply only to probationary periods that begin after 19 April 2021.

**56.** Section 2 applies to public servants who have not acquired permanent tenure on 20 April 2021.

**57.** Sections 4 to 9 only apply to elected public servants as of the date of their coming into force.

The same applies to public servants who perform their duties on an office staff or as a member of the staff of a Member.

**58.** The provisions of this Act come into force on the date or dates to be set by the Government, except sections 1 to 3, 26 and 54 to 56, which come into force on 20 April 2021.





