

Regulations and other Acts

Gouvernement du Québec

O.C. 1011-2022, 15 June 2022

Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)

Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25)

Distribution of information and protection of personal information — Amendment

Regulation to amend the Regulation respecting the distribution of information and the protection of personal information

WHEREAS, under subparagraph 3.1 of the first paragraph of section 155 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), as amended by paragraph 1 of section 67 of the Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25), the Government may make regulations, for the purposes of sections 16.1 and 63.2 of the Act respecting Access to documents held by public bodies and the Protection of personal information, prescribing information distribution rules and rules for the protection of personal information including, among other things, measures to promote access to information and the protection of personal information; those rules may identify the types of documents or information made accessible by law that a public body must distribute, having regard, in particular, to their interest for the purposes of public information; the rules may vary with the body referred to in sections 3 to 7 of the Act;

WHEREAS the Government made the Regulation respecting the distribution of information and the protection of personal information (chapter A-2.1, r. 2) by Order in Council 408-2008 dated 23 April 2008;

WHEREAS, in accordance with section 156 of the Act respecting Access to documents held by public bodies and the Protection of personal information, the Minister

Responsible for Access to Information and the Protection of Personal Information obtained the opinion of the Commission d'accès à l'information on 15 February 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 the distribution of information and the protection of personal information was published in Part 2 of the *Gazette officielle du Québec* of 23 March 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 Responsible for Access to Information and the Protection of Personal Information:

THAT the Regulation to amend the Regulation respecting the distribution of information and the protection of personal information, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the distribution of information and the protection of personal information

Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1, ss. 16.1, 63.2 and 155)

Act to modernize legislative provisions as regards the protection of personal information (2021, c. 25, s. 67, 1st par.)

1. The Regulation respecting the distribution of information and the protection of personal information (chapter A-2.1, r. 2) is amended by replacing section 2 by the following:

“**2.** The Deputy Minister or the chief executive officer of a public body must oversee the implementation of the responsibilities and obligations assigned by this Regulation to the public body under his or her responsibility.

He or she must see that staff members and management staff or officers of the public body are made aware of and receive training on the obligations and procedures concerning access to information.

He or she must also include in the annual management report or report of activities a report attesting to the distribution of the documents referred to in Division III and giving an account of

(1) the number of requests for access, requests for release and requests for correction received, the time taken to process them, the provisions of the Act justifying the refusal of certain requests, the number of requests granted, partially granted or refused, the number of requests that were the subject of reasonable accommodation and the number of requests that were the subject of an application for review by the Commission d'accès à l'information;

(2) the activities relating to access to information and the protection of personal information that were carried out within the public body.”

2. Section 4 is amended, in the first paragraph,

(1) by replacing “6 to 10 covered by Directive concerning the classification and management of senior staff positions and their holders (630) adopted by (C.T. 198195, 2002-04-30) and amended by (C.T. 200154, 2003-09-09), (C.T. 203042, 2005-11-29), (C.T. 203658, 2006-05-01), (C.T. 210771, 2011-11-08), (C.T. 211151, 2012-03-13), (C.T. 211453, 2012-05-15) and (C.T. 213307, 2013-10-29)” in subparagraph 2 by “6 to 9 covered by the Directive concerning the classification and management of senior staff positions and their holders (630), adopted by (C.T. 219127, 2018-04-10) and amended by (C.T. 222925, 2020-09-29) and (C.T. 223583, 2021-02-23)”;

(2) by replacing “and (C.T. 212782, 2013-06-18) (Recueil des politiques de gestion 9-2-4-2)” in subparagraph 14 by “; (C.T. 212782, 2013-06-18) and (C.T. 215535, 2015-10-06) (Recueil des politiques de gestion 9-2-4-2)”.

3. Division IV is repealed.

4. This Regulation comes into force on 22 September 2023.

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Gouvernement du Québec

O.C. 1014-2022, 15 June 2022

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

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

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

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

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

WHEREAS it is expedient to amend the provisions;

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

THAT the amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 2), attached to this Order in Council, be made.

THAT the amendments come into force on the first day of the month following by 4 months the date of its publication in the *Gazette officielle du Québec*.

YVES OUELLET
Clerk of the Conseil exécutif