

Bill 79

**An Act to authorize the communication
of personal information to the families
of Indigenous children who went
missing or died after being admitted to
an institution**

Section 2

AMENDMENT:

Replace "31 December 1989" in subparagraph 1 of the first paragraph by "31 December 1992".

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Section 3

AMENDMENT:

Replace “inform Indigenous families” by “inform Indigenous families on a regular basis, taking into account such aspects as their linguistic and cultural characteristics,”.

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Section 4

AMENDMENT:

Insert “, in accordance with the person’s needs,” after “who requires it” in the first paragraph.

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Section 5

AMENDMENT:

1. Replace "*that is five years after the date of assent to this Act*" in subparagraph 1 of the first paragraph by "*that is 10 years after the date of coming into force of this Act*".
2. Replace "31 December 1989" in subparagraphs 3 and 4 of the first paragraph by "31 December 1992".
3. Replace "of one year" in the third paragraph by "of two years".

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Section 6

AMENDMENT:

1. In the first paragraph:

(a) Replace “31 December 1989” by “31 December 1992”.

(b) Insert “and, if applicable, the fact that he or she was adopted” after “another institution”.

2. Insert after the second paragraph:

The information communicated under the first and second paragraphs may be from, among other sources, a file concerning an adoption.

3. In the third paragraph:

(a) Replace “that information” by “the information mentioned in the second paragraph”.

(b) Insert “and, if applicable, that he or she was adopted” at the end of subparagraph 1.

(c) Strike out “only” in subparagraph 2.

(d) Replace “31 December 1989” in subparagraph 2 by “31 December 1992”.

4. Insert “and, if applicable, that he or she was adopted” at the end of the fourth paragraph;

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Section 10

AMENDMENT:

Insert “and section 11.2 of the Youth Protection Act (chapter P-34.1)” at the end of the second paragraph.

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Section 18

AMENDMENT:

Strike out "and guide".

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Section 20.1

AMENDMENT:

Insert after the heading of Chapter VI:

20.1. A monitoring committee on the carrying out of this Act, composed of representatives of various groups or of persons, is created by the Minister, in order to contribute to improving the services offered to the families of Indigenous children who went missing or died, in particular with regard to complaints and concerning the status of the processing of applications.

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Section 24

AMENDMENT:

Replace by:

24. This Act comes into force on 1 September 2021.

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Section 1

AMENDMENT:

1. Insert “, in a spirit of cooperation,” after “minister responsible for Indigenous affairs”.
2. Strike out “and guide”.

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Section 1

AMENDMENT:

Replace “psychosocial” in section 1, as amended, by “psychological and spiritual”.

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Section 2

AMENDMENT:

Amendment 12 has been withdrawn and renamed amendment n.

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Section 21

AMENDMENT:

Replace by:

21. The minister responsible for Indigenous affairs must report to the Government on the carrying out of this Act in an annual report not later than 31 March 2022 and subsequently, not later than 31 March each year.

The report must state, in particular, the number of complaints made under the first paragraph of section 19 and their nature, the improvements made to practices and the awareness-raising measures taken, as applicable. It must also state the number of requests received and the number of investigations conducted under the Act, as well as their nature, their progress and the number of children concerned. The report must also contain the list of persons forming the monitoring committee created under section 20.1 and state the recommendations made by the latter.”

The report is tabled by the minister in the National Assembly within 30 days after it is submitted to the Government or, if the Assembly is not sitting, within 30 days after resumption. It is published, on that occasion, on the department’s website.

In addition, the report is presented to the monitoring committee and to the Indigenous communities concerned. The manner in which the report is to be presented is to be determined with the monitoring committee.

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Section 2

AMENDMENT:

Add at the end of section 2, as amended:

Furthermore, the concept of being admitted to an institution applies to children admitted to or registered in a hospital centre, a child and youth protection centre, or what served as such a centre, or a rehabilitation centre operated by an institution, as well as to children taken in charge by a foster family.

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Preamble

AMENDMENT:

Add the following text before “THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:”:

AS the circumstances under which Indigenous children went missing or died after they were admitted to a health and social services institution of Québec, while taken in charge for health reasons or after being evacuated without the presence of their parents, remain unknown to their families;

AS the National Assembly recognizes the suffering caused when a child goes missing or dies;

AS the National Assembly wishes to put in place a response to support Indigenous families in their quest for truth when they seek information on the circumstances under which an Indigenous child went missing or died and in their process of healing, and to embark on the path of reconciliation;

AS the National Assembly wishes to work in a spirit of cooperation with the Indigenous peoples, taking into account such aspects as their linguistic and cultural characteristics;

