

Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
4 June 2014 and return to a balanced
budget in 2015–2016**

Section 28

AMENDMENT:

Replace “those sums and, so authorized under section 35.7,” in the first paragraph of proposed section 35.6 by “those sums if so authorized under section 35.7, and”.

*adopted
CR*

Bill 28

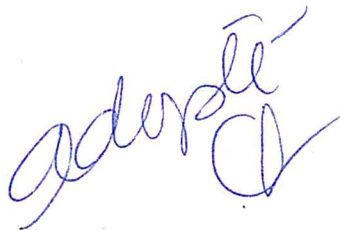
**An Act mainly to implement certain
provisions of the Budget Speech of
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Section 31

AMENDMENT:

In section 31,

- (1) Add the following subparagraph to the list in the first paragraph:
 - (7) Order in Council 35-2015, (2015, G.O. 2, 244, French only).
- (2) Insert “of the Act respecting Investissement Québec enacted by section 28 of this Act” after “under section 35.4” in the second paragraph.



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Section 33

AMENDMENT:

Replace “2014–2015” by “2015–2016”.

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Section 37

AMENDMENT:

Insert “in respect of information held for the purposes of the Mining Tax Act (chapter I-0.4),” after “and Wildlife,” in the introductory clause of proposed subparagraph *f*.

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1/2

Section 59.1

AMENDMENT:

Insert after section 59:

59.1. The Act is amended by inserting the following sections after section 46.0.6:

“46.0.7. Subject to section 46.0.8, if a subsidiary, within the meaning of section 556 of the Taxation Act (chapter I-3), is wound up and, in the course of the winding up, all or substantially all of its property is distributed to an operator that is its parent within the meaning of that section 556, the following rules apply:

(1) for the purposes of the operator’s fiscal year in which the distribution of property occurred, the subsidiary’s first and second basic provisional accounts for its fiscal year in which the distribution occurred must be added, respectively, to the operator’s first and second basic provisional accounts; and

(2) for the purposes of the operator’s fiscal year following the operator’s fiscal year referred to in paragraph 1, the proportion of the subsidiary’s first basic provisional account for its fiscal year referred to in paragraph 1 that the number of full months, in the operator’s fiscal year referred to in that paragraph, ending at or before the time of distribution, is of 12 must be added to the operator’s first basic provisional account, and the subsidiary’s first basic provisional account for its fiscal year referred to in paragraph 1 must be added to the operator’s second basic provisional account.

“46.0.8. A payment that an operator that is a parent, within the meaning of section 556 of the Taxation Act (chapter I-3), is deemed under section 52 to have been required to make for the fiscal year referred to in paragraph 1 of section 46.0.7 must be computed as if section 46.0.7 did not apply to a

adapted

distribution of property occurring after the date on which the payment was required to be made.

“46.0.9. If an operator alienates all or substantially all of its property to another operator with which the first operator was not dealing at arm’s length, within the meaning of the Taxation Act (chapter I-3), and section 518 or 529 of that Act applies to the alienation of any of that property, paragraphs 1 and 2 of section 46.0.7 and section 46.0.8 apply to the alienation, with the necessary modifications.”

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Section 60

AMENDMENT:

Replace by:

60. Sections 47, 47.1, 48 and 49 of the Act are repealed.

A handwritten signature in blue ink, appearing to be 'G. D. R.', is written over the text of section 60.

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Sections 60.1, 60.2 and 60.3

AMENDMENT:

Insert after section 60:


60.1. Section 52 of the Act is amended by replacing the portion before paragraph 2 by the following:

“**52.** For the purposes of sections 51 and 52.0.2, an operator required to make a payment for a fiscal year under section 46 is deemed to have been liable to make payments based on the method from among those described in paragraph 1 of section 46 that gives, as the total amount of payments for the fiscal year, the lowest amount to be paid on or before each of the dates referred to in that paragraph, by reference, depending on the method, to

(1) the duties payable for the fiscal year or the operator’s first basic provisional account within the meaning of section 46.0.1 for the fiscal year; or”.

60.2. Section 52.0.1 of the Act is amended by replacing “under section 28” by “under the first paragraph of section 28”.

60.3. Section 52.0.4 of the Act is repealed.



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Section 69.1

AMENDMENT:

Insert after section 69:

SPECIAL TRANSITIONAL PROVISIONS

69.1. The provision amended by section 59 and the provisions enacted by section 59.1 apply in respect of a fiscal year that begins after 31 August 2015.

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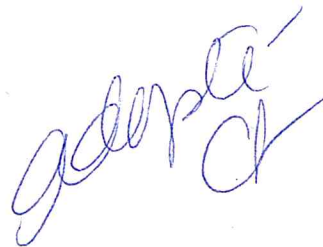
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Section 70

AMENDMENT:

Replace “1 April 2015” wherever it occurs by “1 September 2015”.

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Section 71

AMENDMENT:

Insert “to such a position” after “competition for promotion” in the first paragraph.

Adopté
CR

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Section 77

AMENDMENT:

Replace “1 April 2015” by “1 September 2015”.

adoption

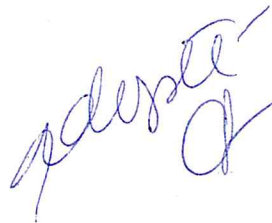
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Section 78

AMENDMENT:

Replace “The procedures” by “Proceedings”.

A handwritten signature in blue ink, appearing to be 'p. d. v. t. e. a.', is written diagonally across the page.

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Section 83 (Schedule I)

AMENDMENT:

Replace by:

83. Schedule I to the Act is amended

(1) by inserting the following in alphanumerical order in the list of Acts and Regulations concerned:

“Taxation Act (chapter I-3)	1079.8.35, 1st par. (a)	Making a false Revenu Québec certificate
	1079.8.35, 1st par. (b)	Falsifying or altering a Revenu Québec certificate
	1079.8.35, 1st par. (c)	Obtaining or attempting to obtain a Revenu Québec certificate without being entitled to one
	1079.8.35, 1st par. (d)	Using a false, falsified or altered Revenu Québec certificate
	1079.8.35, 1st par. (e)	Assenting to or acquiescing in an offence under any of subparagraphs <i>a</i> to <i>d</i>
	1079.8.35, 1st par. (f)	Conspiring with a person to commit an offence under any of subparagraphs <i>a</i> to <i>e</i> ”;

(2) by replacing “an attestation” and “the attestation” wherever it appears by “a certificate” and “the certificate”, respectively.

adopté

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Section 84

AMENDMENT:

In proposed section 1079.8.17,

- (1) Replace the second and third paragraphs by:

If the subcontractor is a partnership or a consortium, each member, other than a specified member, of the partnership or each member of the consortium must also, at the time referred to in the first paragraph, hold a valid certificate from Revenu Québec, and the subcontractor must, at such a time, give a copy to the contractor.

For the purposes of the first paragraph, the following rules apply:

(a) the cost of a construction contract is determined without reference to the Québec sales tax or the goods and services tax in respect of the contract; and

(b) no account is to be taken of a construction contract entered into before 1 March 2016.

- (2) Insert the following paragraph after the third paragraph:

For the purposes of the first and second paragraphs, if the subcontractor or, where the subcontractor is a partnership or a consortium, one of the partnership's or consortium's members holds, at the time referred to in the first paragraph, a valid certificate from Revenu Québec of which a copy has already been given to the contractor in accordance with this section because the certificate applies in respect of another construction contract the subcontractor and the contractor have entered into, the subcontractor is deemed to have given that copy of the certificate to the contractor at that time.

*adopté
cr*

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Section 84

AMENDMENT:

Add the following paragraph at the end of proposed section 1079.8.18:

For the purposes of the first paragraph, if the contractor has already obtained from the subcontractor a copy of a Revenu Québec certificate that is valid at the time referred to in the first paragraph, and has ensured that it is valid and verified its authenticity in accordance with that paragraph because the certificate applies in respect of another construction contract they have entered into, the contractor is deemed, at that time, to have obtained a copy of that certificate, ensured that it was valid and verified its authenticity in accordance with the first paragraph.

adopté
CR

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Section 84

AMENDMENT:

Replace the third paragraph of proposed section 1079.8.19 by:

A certificate is valid until the end of the three-month period following the month in which it was issued.

adopted

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Section 84

AMENDMENT:

In proposed section 1079.8.26,

- (1) Replace the second and third paragraphs by:

If the personnel placement agency is a partnership, each member, other than a specified member, of the partnership must also, at the time referred to in the first paragraph, hold a valid certificate from Revenu Québec, and the agency must, at such a time, give a copy to the client.

For the purposes of the first paragraph, the following rules apply:

(a) the cost of a personnel placement or temporary help contract is determined without reference to the Québec sales tax or the goods and services tax in respect of the contract; and

(b) no account is to be taken of a personnel placement or temporary help contract entered into before 1 March 2016.

- (2) Insert the following paragraph after the third paragraph:

For the purposes of the first and second paragraphs, if the personnel placement agency or, where the agency is a partnership, one of the partnership's members holds, at the time referred to in the first paragraph, a valid certificate from Revenu Québec of which a copy has already been given to the client in accordance with this section because the certificate applies in respect of another personnel placement or temporary help contract the agency and the client have entered into, the agency is deemed to have given that copy of the certificate to the client at that time.

adopté

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Section 84

AMENDMENT:

Add the following paragraph at the end of proposed section 1079.8.27:

For the purposes of the first paragraph, if the client has already obtained from the personnel placement agency a copy of a Revenu Québec certificate that is valid at the time referred to in the first paragraph, and has ensured that it is valid and verified its authenticity in accordance with that paragraph because the certificate applies in respect of another personnel placement or temporary help contract they have entered into, the client is deemed, at that time, to have obtained a copy of that certificate, ensured that it was valid and verified its authenticity in accordance with the first paragraph.

*adopté
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Section 84

AMENDMENT:

Replace paragraph *a* of proposed section 1079.8.28 by:

(a) the personnel placement agency and, if it is a partnership, each member, other than a specified member, of the partnership must, within 15 days after the end of the period of validity of a certificate, obtain a new certificate from Revenu Québec, and the agency must, within that time, give a copy to the client; and

adopté

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Section 84

AMENDMENT:

Replace the third paragraph of proposed section 1079.8.29 by:

A certificate is valid until the end of the three-month period following the month in which it was issued.

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Section 84

AMENDMENT:

Replace “soit ne détient pas, soit n’a pas vérifié l’authenticité, selon le cas, d’une attestation de Revenu Québec” in proposed section 1079.8.41 in the French text by “soit ne détient pas une attestation de Revenu Québec, soit n’a pas vérifié l’authenticité d’une telle attestation, selon le cas”.

adopté

AM 26
s. 85 (16, 38, 44, 47, 51, 81 and 95)

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Section 85

AMENDMENT:

Replace by:

85. Sections 16, 38, 44, 47, 51, 81 and 95 of the Integrity in Public Contracts Act (2012, chapter 25) are repealed.

*adopted
CR*

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Section 89

AMENDMENT:

Replace the first paragraph of proposed section 4 by:

“4. The certificate of a contractor is valid until the end of the three-month period following the month in which it was issued.

*gdp/le
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Sections 95.1 to 95.5

AMENDMENT:

Insert after section 95:

CITIES AND TOWNS ACT

95.1. Section 573.3.1.1.1 of the Cities and Towns Act (chapter C-19) is amended by replacing “\$500 to \$5,000” by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases”.

MUNICIPAL CODE OF QUÉBEC

95.2. Article 938.1.1.1 of the Municipal Code of Québec (chapter C-27.1) is amended by replacing “\$500 to \$5,000” by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

95.3. Section 113.1.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by replacing “\$500 to \$5,000” by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

95.4. Section 106.1.1 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by replacing “\$500 to \$5,000” by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

adopted

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95.5. Section 103.1.1 of the Act respecting public transit authorities (chapter S-30.01) is amended by replacing “\$500 to \$5,000” by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases”.

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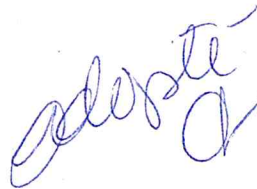
Section 99

AMENDMENT:

- (1) Replace the first paragraph of proposed section 4 by:

“4. The certificate of a contractor is valid until the end of the three-month period following the month in which it was issued.

- (2) Replace “fact that the contractor holds” in the third paragraph of proposed section 4 by “contractor’s holding”.



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Section 110

AMENDMENT:

- (1) Replace the first paragraph of proposed section 37.3 by:

“**37.3.** The certificate of a supplier is valid until the end of the three-month period following the month in which it was issued.

- (2) Replace “fact that the supplier holds” in the third paragraph of proposed section 37.3 by “supplier’s holding”.



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Section 115

AMENDMENT:

In proposed section 50.3,

- (1) Replace the first paragraph by:

“50.3. The certificate of a service provider is valid until the end of the three-month period following the month in which it was issued.

- (2) Replace “fact that the service provider holds” in the third paragraph by “service provider’s holding”.

*g. d. p. t. e.
ch*

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Section 120

AMENDMENT:

- (1) Replace “abrogés” in the introductory clause in the French text by “suivant”;
- (2) Replace the first paragraph of proposed section 40.3 by:

“**40.3.** The certificate of a contractor is valid until the end of the three-month period following the month in which it was issued.
- (3) Replace “fact that the contractor holds” in the third paragraph of proposed section 40.3 by “contractor’s holding”.

*g. d. p. t. e.
CR*

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Sections 126.1 and 126.2

AMENDMENT:

Insert after the heading that precedes section 127:

126.1. Despite the third paragraph of sections 1079.8.19 and 1079.8.29 of the Taxation Act (chapter I-3), enacted by section 84 of this Act, the first paragraph of section 4 of the Regulation respecting construction contracts of municipal bodies (chapter C-19, r. 3), enacted by section 89 of this Act, the first paragraph of section 4 of the Regulation respecting supply contracts, service contracts and construction contracts of bodies referred to in section 7 of the Act respecting contracting by public bodies (chapter C-65.1, r. 1.1), enacted by section 99 of this Act, the first paragraph of section 37.3 of the Regulation respecting supply contracts of public bodies (chapter C-65.1, r. 2), enacted by section 110 of this Act, the first paragraph of section 50.3 of the Regulation respecting service contracts of public bodies (chapter C-65.1, r. 4), enacted by section 115 of this Act, and the first paragraph of section 40.3 of the Regulation respecting construction contracts of public bodies (chapter C-65.1, r. 5), enacted by section 120 of this Act, the first Revenu Québec certificate issued to a person or partnership after 31 January 2016 but before 1 February 2017 is valid until the end of the three-, four- or five-month period, determined randomly, following the month in which it was issued.

126.2. The provisions enacted by section 84, except sections 1079.8.19 and 1079.8.29 of the Taxation Act (chapter I-3), apply to contracts entered into after 29 February 2016.

*adopté
dr*

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Section 127

AMENDMENT:

Replace by:

127. Section 85 applies to contracts for which the award process begins after 29 February 2016.

Section 95 of the Integrity in Public Contracts Act (2012, chapter 25), repealed by section 85 of this Act, continues to apply in the case of award processes begun before and under way on 1 March 2016.

*galante
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Bill 28

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Section 138

AMENDMENT:

Replace by:

138. Section 350.54 of the Act is amended

(1) by replacing “section 350.52” wherever it appears by “section 350.52 or 350.52.1”;

(2) by replacing “no meal was supplied” in the second paragraph by “no supply was made”.

*advised
CR*

Bill 28

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Section 147.1

AMENDMENT:

Insert the following section after the heading that is before section 148:

147.1. Section 59 of the Educational Childcare Act (chapter S-4.1.1) is amended by inserting “, social insurance number” after “the name” in the second paragraph.



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Section 148

AMENDMENT:

- (1) Replace “The Educational Childcare Act (chapter S-4.1.1)” in the introductory clause by “The Act”.
- (2) Replace “childcare provider whose childcare services are subsidized” in subparagraph 1 of the second paragraph of proposed section 81.3 by “subsidized childcare provider”.
- (3) Replace the last paragraph of proposed section 81.3 by:

The additional contribution is determined according to two reduced contribution levels. The amount for the first level and the maximum amount for the second level, as well as the indexing method for these amounts, are set by government regulation.

g. d. s. e. c.
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Section 157

AMENDMENT:

In proposed section 88.1,

- (1) Strike out both occurrences of “maximum” in the definition of “maximum amount for the first contribution level”;
- (2) Replace “as consideration for the childcare provided” in the definition of “maximum amount for the first contribution level”, “maximum contribution” and “minimum contribution” by “for”.



AM 39
s. 157 (88.2)

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Section 157

AMENDMENT:

Replace “31 March 2015” in the first paragraph of proposed section 88.2 by
“*(insert the date of assent to this Act)*”.

adopted

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Section 157

AMENDMENT:

Replace “is less than” in proposed section 88.3 by “does not exceed”.

*adopted
CH*

Bill 28

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Section 157

AMENDMENT:

Replace proposed section 88.5 by:

“88.5. An individual and, if applicable, the individual’s eligible spouse for a year are exempted from paying the additional contribution that would otherwise be payable for a child if that child is of the third rank or a subsequent rank, considering the total number of the individual’s and, if applicable, the individual’s eligible spouse’s children who received subsidized childcare services during the year.

For the purposes of the first paragraph, the rank of a child of the individual or of the individual’s eligible spouse for the year must be determined on the basis of the number of days in the year that are after (*insert the date of assent to this Act*) for which the individual or the individual’s eligible spouse for the year is required to pay the basic contribution for the child for the subsidized childcare services the child received, from the largest number to the smallest, or, if the number of days of childcare is the same, on the basis of the children’s age, from the eldest to the youngest.

“88.5.1. An individual is exempted from paying the additional contribution for a day of childcare that would otherwise be payable for a child if that child is in preschool or elementary school and if the childcare services are provided because the child cannot be provided childcare at school that is governed by the Education Act (chapter I-13.3) and the Act respecting private education (chapter E-9.1).

*gdp/ste
ck*

Bill 28

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Section 157

AMENDMENT:

Insert after the heading before proposed section 88.10:

“88.9.1. Any subsidized childcare provider who, in a year, provides subsidized childcare services to a child is required to file an information return in the form prescribed by the Minister of Revenue regarding the childcare services provided to the child during the year.

The information return must be sent to the Minister of Revenue not later than the last day of February of each year following the year in which the childcare services were provided.

The information return must also be sent to the last known address of, or remitted in person to, each parent whose child received subsidized childcare services during the year.

The parent must provide the subsidized childcare provider with all information required to file the information return.

Despite the first paragraph, if the subsidized childcare provider is a person recognized by a home childcare coordinating office as a home childcare provider, the coordinating office must file the information return with regard to all the children to whom the person provided subsidized childcare services.

“88.9.2. An individual who is required to pay an amount under the first paragraph of section 88.2 must, in order to determine the amount, send the Minister of Revenue a prescribed form on or before the date the individual is required to file, under section 1000 of the Taxation Act (chapter I-3), a tax return for the year, or would be required to file one if the individual had income tax payable for that year under Part I.

adopté

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Section 157

AMENDMENT:

Strike out “1000 to 1002,” in proposed section 88.10.

*gdpste
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Section 160

AMENDMENT:

Insert “subparagraph 1 of” after “referred to in” in the third paragraph of proposed section 103.1.

adopted
cf

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Section 160

AMENDMENT:

Add the following paragraph at the end of proposed section 103.2:

However, the sums expended by the Minister for the collection of the additional contribution are debited from the Fund's trust account.

*adopted
CH*

Bill 28

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Section 160

AMENDMENT:

Replace proposed section 103.3 by:

“103.3. Despite the second paragraph of section 54 of the Financial Administration Act (chapter A-6.001), the Minister of Finance may not advance to the general fund the sums, referred to in subparagraph 1 of the second paragraph of section 103.1, deposited in trust with the Minister.

*gdp/ste
cr*

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Section 160

AMENDMENT:

In proposed section 103.4, insert “referred to in subparagraph 1 of the second paragraph of section 103.1, deposited in trust with the Minister and” after “sums” and insert a comma after “Fund”.

*gdspte
ck*

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Section 161

AMENDMENT:

(1) Replace proposed paragraph 25.1 by:

“(25.1) set the amount of the first level and the maximum amount of the second level of the reduced contribution and prescribe the indexing method for those amounts;”;

(2) Replace paragraph 2 by:

(2) by replacing “contribution” in paragraphs 24.1 and 24.2 and “parental contribution” in paragraphs 26, 27 and 28 by “basic parental contribution”;



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Section 163

AMENDMENT:

Replace by:

163. The Reduced Contribution Regulation (chapter S-4.1.1, r. 1) is amended by inserting the following after section 2:

“DIVISION I.1

**“SETTING THE AMOUNTS FOR THE TWO REDUCED CONTRIBUTION
LEVELS THAT APPLY FOR THE PURPOSE OF CALCULATING THE
ADDITIONAL CONTRIBUTION**

“2.1. The amount of the first reduced contribution level is \$8 a day and the maximum amount of the second reduced contribution level is \$20 a day.

These amounts are indexed according to the indexing method prescribed in section 5.”

*admitted
Ch*

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Section 164

AMENDMENT:

Replace “\$0.10” in the second added paragraph by “\$0.05”.

*g. d. v. te
CR*

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Section 165

AMENDMENT:

Replace by:

165. The Regulation is amended by replacing “reduced contribution” wherever it appears by “basic contribution”, except in the title, Division I.1, enacted by section 163 of this Act, and section 26.

*galeste
cf*

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Sections 165.1 to 165.3

AMENDMENT:

Insert the following after section 165:

SPECIAL TRANSITIONAL PROVISIONS

165.1. The expenditure and investment estimates for the Educational Childcare Services Fund that are set out in Schedule I.1 are approved for the 2015–2016 fiscal year.

165.2. Out of the sums credited to the general fund, the Minister of Families may transfer to the Educational Childcare Services Fund the sum of \$2,325,235,500 from the appropriations that could be granted by Parliament for element 2, “Financial Support for Childcare Centres and Other Childcare Services”, element 3, “Childcare Centre Infrastructure Funding Subsidy”, element 4, “Pension Plan for Employees Working in Childcare Services”, and element 7, “Collective Insurance Plan and Maternity Leave”, of Program 2, “Assistance Measures for Families”, of the “Famille” portfolio in the Expenditure Budget for the 2015–2016 fiscal year.

165.3. Expenditures and investments made after 31 March 2015 by the Minister of Families out of the appropriations allocated by Parliament and corresponding, on the date they were made, to the type of costs that may be debited from the Educational Childcare Services Fund are debited from the Fund.



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Section 166

AMENDMENT:

Replace “as of that time” in proposed section 19.2 by “at that time”.

*adopted
ck*

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Section 167

AMENDMENT:

Replace the paragraph added by paragraph 2 by:

The Government may, in a regulation made under subparagraph 1.2 of the first paragraph of section 78, limit the coverage for pharmaceutical services whose payment is borne by the Board to those relating to a medication that is on the list of medications drawn up by the Minister under section 60. Such a limitation on the coverage for those pharmaceutical services may also be imposed in a group insurance contract or an employee benefit plan.

