

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 168

AMENDMENT:

Replace proposed section 168 by:

168. The Act is amended by inserting the following sections after section 8:

“**8.1.** If a pharmaceutical service referred to in section 8 is provided to a person covered by a group insurance contract or an employee benefit plan, an owner pharmacist may not claim fees from anyone unless a tariff is established for the service in an agreement under section 19 of the Health Insurance Act (chapter A-29) to which pharmacists are subject or in the cases and on the conditions determined in a regulation made under subparagraph 1.2.1 of the first paragraph of section 78.

“**8.2.** If a medication costs more than the maximum amount covered by the basic plan, the excess amount is borne

(1) by the eligible person covered by the Board; or

(2) by the eligible person who is a member of a group insurance contract or an employee benefit plan or who is the beneficiary under such a contract or plan, if the contract so provides.

In either case, the excess amount is not included in the contribution to be paid and does not count toward the maximum contribution.”

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Section 169

AMENDMENT:

Replace “until the maximum contribution for the reference period is reached” in the first paragraph of proposed section 11 by “up to a maximum contribution for each reference period”.

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Section 170

AMENDMENT:

Replace the second sentence of the proposed paragraph by “However, the government regulation may limit the coverage for those other pharmaceutical services to services relating to a medication that is on the list of medications drawn up by the Minister under section 60.”



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Section 170.1

AMENDMENT:

Insert after section 170:

170.1. Section 28.2 of the Act is repealed.



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Section 172

AMENDMENT:

Replace by:

172. Section 60 of the Act is amended

(1) by inserting “and taking into account any listing agreement under section 60.0.1,” after “paragraph,” in the first paragraph;

(2) by striking out “and coverage is provided by the Board” in the fourth paragraph;

(3) by adding “; the conditions may vary according to whether the coverage is provided by the Board or under a group insurance contract or an employee benefit plan” at the end of the fourth paragraph;

(4) by adding the following sentence at the end of the sixth paragraph:
“The list also sets out the cases in which a temporary exclusion under section 60.0.2 does not apply.”

*adapte
or*

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Section 173

AMENDMENT:

Replace proposed section 60.0.2 by:

“60.0.2. For the purpose of making a listing agreement, the Minister may temporarily exclude a medication whose cost is covered under the sixth paragraph of section 60 from the basic plan coverage. The exclusion does not apply to a person whose application for authorization for payment of the cost of the medication was accepted before the publication date of the notice of its exclusion or in the cases prescribed by a regulation made under the sixth paragraph of section 60.

The notice of a medication’s exclusion is published on the Board’s website and comes into force on the date of its publication or any later date specified in the notice. A notice of the end date of the exclusion is also published on the website. Publication on the Board’s website imparts authentic value to such notices. The notices are not subject to the requirements concerning publication and date of coming into force set out in sections 8, 15 and 17 of the Regulations Act (chapter R-18.1).

“60.0.3. Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to a listing agreement. Only the following information is to be published in the annual financial report required under section 40.9 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5):

- (1) the name of the drug manufacturer;
- (2) the name of the medication; and

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(3) the annual total sum received pursuant to listing agreements, but only to the extent that at least three agreements made with different drug manufacturers are in force in the fiscal year."

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Section 173.1

AMENDMENT:

Insert after section 173:

173.1. Section 60.3 of the Act is amended by inserting “, a medication was excluded under section 60.0.2” after “updated”.

Adopted
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Section 174

AMENDMENT:

(1) Replace “those that may relate to a medication not on” in subparagraph 1.2 proposed by paragraph 1 by “determine, among those whose cost is paid by the Board, the services that must relate to a medication on”.

(2) Insert after proposed subparagraph 1.2:

“(1.2.1) determine for the purposes of section 8.1 the cases in and conditions on which an owner pharmacist may claim fees for a pharmaceutical service provided to a person covered by a group insurance contract or an employee benefit plan;”

(3) Replace “may relate to a medication that is not on” in subparagraph 2.0.1 proposed by paragraph 3 by “must relate to a medication that is on”.

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Section 175

AMENDMENT:

Replace “may relate to a medication not on” in proposed subparagraph *e.2* by
“must relate to a medication on”.

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Section 175.1

AMENDMENT:

Insert after section 175:

ACT RESPECTING THE INSTITUT NATIONAL D'EXCELLENCE EN
SANTÉ ET EN SERVICES SOCIAUX

175.1. Section 8 of the Act respecting the Institut national d'excellence en santé et en services sociaux (chapter I-13.03) is amended by adding “, except in the case of a recommendation about a medication that is the subject of negotiations to make a listing agreement under section 60.0.1 of the Act respecting prescription drug insurance (chapter A-29.01). In the latter case, the recommendation is published at the time determined by the Minister, but not later than 30 days after the end date of the exclusion provided for in section 60.0.2 of that Act” at the end.

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Section 178

AMENDMENT:

Replace “60.0.2” by “60.0.3”.

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Section 179

AMENDMENT:

Insert after the second paragraph of proposed section 116.1:

For the purpose of making a listing agreement, the Minister may temporarily exclude a medication from the application of the third and fourth paragraphs of section 116. The exclusion does not apply to a person to whom the medication was provided before the publication date of the notice of its exclusion or in the cases prescribed by a regulation made under the sixth paragraph of section 60 of the Act respecting prescription drug insurance (chapter A-29.01). The notice of a medication's exclusion is published on the website of the Régie de l'assurance maladie du Québec and comes into force on the date of its publication or any later date specified in the notice. A notice of the end date of the exclusion is also published on the website. Publication on the Régie's website imparts authentic value to such notices.

adopté
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Section 180

AMENDMENT:

- (1) Replace “conditions that are applicable to pharmacists for the remuneration of” in the first paragraph by “methods of remuneration that are applicable to pharmacists for”.
- (2) Replace “remuneration terms and conditions” in the third paragraph by “terms and methods of remuneration”.

g. d. s. 180
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Section 181

AMENDMENT:

Replace “remuneration terms and conditions” in the second paragraph by “terms and methods of remuneration”.

advised

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Section 183

AMENDMENT:

Replace “have a depressive effect on the rate of adjustment of the maximum amount of the annual premium or on the rates of adjustment of the deductible amount, the coinsurance and the maximum annual contribution” by “be taken into account in computing the rate of adjustment of the maximum amount of the annual premium, the deductible amount, the coinsurance percentage or the amount of the maximum annual contribution”.

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Section 183.1

AMENDMENT:

Insert after section 183:

183.1. The Minister must, not later than 1 October 2017, report to the Government on the impact of the provisions enacted by this division on the basic plan costs borne by the insurers transacting group insurance or the administrators of private-sector employee benefit plans.

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Section 184

AMENDMENT:

Replace “and subparagraph 2.1 of that paragraph” by “subparagraph 2.1 of that paragraph and subparagraph *e*.1 of the first paragraph of section 69 of the Health Insurance Act”.



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Section 187

AMENDMENT:

Add at the end of section 187:

(4) by replacing “elles” in the second paragraph of the French text by
“ils”.



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Section 188

AMENDMENT:

Replace by:

188. Section 54 of the Act is amended by striking out “under the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1)” in the first paragraph.

adopté

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Sections 188.1 to 188.3

AMENDMENT:

Insert after section 188:

188.1. Section 55 of the Act is amended

(1) by replacing “of the regional bodies that established the panel. Those bodies must” in the second paragraph by “of the Minister or, if applicable, the responsible bodies referred to in section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1). The Minister or body must”;

(2) by replacing “. The Minister” in the third paragraph by “if its composition and operation are not under the Minister’s responsibility. The Minister”.

188.2. The act is amended by inserting the following section after section 55:

“**55.1.** The Minister may entrust the composition and operation of the local integrated land and resource management panel under the Minister’s responsibility, including the resolution of disputes that could occur on the panel, to one or more regional county municipalities with which the Minister enters into an agreement described in section 126.3 of the Municipal Powers Act (chapter C-47.1).”

In such a case, the municipalities referred to in the first paragraph must invite the persons or bodies concerned that are listed in the second paragraph of section 55 or their representatives and, once the panel’s composition has been established, send a list of the participants on the panel to the Minister. The Minister may then invite any persons or bodies not on the list to sit on the panel, if the Minister judges that their presence is needed to ensure integrated management of the land and resources.”

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188.3. Section 57 of the Act is amended

(1) by replacing “the regional bodies that established the local integrated land and resource management panel” in the first paragraph by “the body responsible for the composition and operation of the local integrated land and resource management panel or, if applicable, by the regional county municipality to which that responsibility was entrusted under section 55.1”;

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

“If the Minister holds a consultation, the Minister prepares a report summarizing the comments obtained during the consultation. If the consultation is held by a responsible body referred to in section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1) or by a regional county municipality, the body or municipality, as applicable, prepares and sends to the Minister, within the time determined by the Minister, a report summarizing the comments obtained during the consultation and, in the case of a divergence in points of view, proposes any solutions.

The consultation report is made public by the Minister.”

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Section 189

AMENDMENT:

Replace by:

189. Section 58 of the Act is amended

(1) by replacing “the regional conference of elected officers” in paragraph 2 by “the responsible body, referred to in section 21.5 of that Act,”

(2) by replacing “participates in the proceedings of local integrated land and resource management panels and” in paragraph 3 by “directs the proceedings of the local integrated land and resource management panel, if the Minister is responsible for the composition and operation of the panel and has not entrusted that responsibility, or participates in the proceedings in any other case, and”.

adopted
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Section 199

AMENDMENT:

Add at the end of proposed section 126.2:

“In addition, the regional county municipality may entrust, to a committee it establishes for that purpose and under the conditions and in the manner it determines, the selection of beneficiaries of financial assistance it may grant based on local and regional development measures it has determined. The municipality sets the rules for the committee’s composition and mode of operation.”

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Section 199

AMENDMENT:

Replace the third paragraph of proposed section 126.4 by:

“The delegation agreement must contain

- (1) a detailed description of its purpose;
- (2) the terms governing the exercise of the delegated powers;
- (3) a statement regarding the duration of the agreement and, as applicable, the conditions for its renewal;
- (4) a mechanism allowing the regional county municipality to ensure compliance with the Municipal Aid Prohibition Act (chapter I-15) or, as applicable, with the limit imposed by the third paragraph of section 126.3 or the limit authorized under that paragraph; and
- (5) the manner in which the assets and liabilities arising from the implementation of the agreement are to be shared, when the agreement ends.”

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Section 199

AMENDMENT:

In proposed section 126.5,

- (1) Insert “and subject to Division IV.3 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1)” after “126.4” in the introductory clause of the first paragraph;
- (2) Insert “established by the Act respecting the Cree Nation Government (chapter G-1.031)” after “Government” in subparagraph 2 of the first paragraph.

g. 126.5
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Sections 200 to 202

AMENDMENT:

Withdraw.

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Sections 204.1 to 204.4

AMENDMENT:

Insert after section 204:

204.1. Section 115 of the Act is amended by striking out “30,” in the first paragraph.

204.2. Section 118.10 of the Act is amended by striking out “30,”.

204.3. Section 118.12 of the Act is amended by striking out “30,”.

204.4. Section 118.39 of the Act is amended by striking out “30,”.

adopted
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Section 205

AMENDMENT:

Replace paragraphs 1 to 6 in proposed section 118.82.3 by:

(1) the territory composed of that of Ville de Montréal-Est and that of the boroughs of Anjou, Montréal-Nord, Rivière-des-Prairies–Pointe-aux-Trembles and Saint-Léonard;

(2) the territory composed of that of the boroughs of Mercier–Hochelaga-Maisonneuve, Rosemont–La Petite-Patrie and Villeray–Saint-Michel–Parc-Extension;

(3) the territory composed of that of Ville de Westmount and that of the boroughs of Côte-des-Neiges–Notre-Dame-de-Grâce, Outremont, Plateau-Mont-Royal and Ville-Marie;

(4) the territory composed of that of the boroughs of LaSalle, Sud-Ouest and Verdun;

(5) the territory composed of that of Ville de Côte-Saint-Luc, Ville de Hampstead, Ville de Montréal-Ouest and Ville de Mont-Royal and that of the boroughs of Ahuntsic-Cartierville and Saint-Laurent;

(6) the territory composed of that of Ville de Baie-D’Urfé, Ville de Beaconsfield, Ville de Dollard-des-Ormeaux, Ville de Dorval, Ville de Kirkland, Ville de L’Île-Dorval, Ville de Pointe-Claire and Ville de Sainte-Anne-de-Bellevue, Village de Senneville and that of the boroughs of Lachine, L’Île-Bizard–Sainte-Geneviève and Pierrefonds-Roxboro.

If the central municipality receives amounts from the Territories Development Fund under the second paragraph of section 21.18 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation

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du territoire (chapter M-22.1), the agreement entered into with the Minister of Municipal Affairs, Regions and Land Occupancy under section 126.3 of the Municipal Powers Act identifies the share of those amounts that the municipality must distribute among the territories described in the first paragraph based on the socioeconomic criteria set out in the agreement.

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Section 205.1

AMENDMENT:

Insert after section 205:

205.1. Section 118.95 of the Act is amended by striking out “30,”.

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Section 214

AMENDMENT:

Replace “may enter” in the second paragraph of proposed section 21.6 by “shall enter”.

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Section 229

AMENDMENT:

Insert before paragraph 1 of section 229:

(0.1) by replacing “fourth” in the second paragraph by “third”;

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Section 237

AMENDMENT:

Withdraw.

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Sections 244 and 245

AMENDMENT:

Replace sections 244 and 245 by:

244. Section 343.1 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by replacing “shall enter into an agreement with the regional conference of elected officers referred to” in the third paragraph by “shall determine, after consulting the regional county municipalities in the area of jurisdiction or, as applicable, in accordance with an agreement entered into with the responsible body referred to”;

(2) by striking out “on” in the third paragraph.

245. Section 397 of the Act is amended by striking out “, including the regional conference of elected officers,” in paragraph 1.

g. d. s. e. e. c. r.

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Section 246

AMENDMENT:

Strike out the first occurrence of “des” in paragraph 1 of the French text.

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Sections 246.1 to 246.4

AMENDMENT:

Insert before section 247:

246.1. Unless the context indicates otherwise, a reference in any document to the Regional Development Fund is a reference to the Territories Development Fund.

246.2. The expenditure and investment estimates of the Territories Development Fund that are set out in Schedule I.2 are approved for the 2015–2016 fiscal year.

246.3. Out of the sums credited to the general fund, the Minister of Municipal Affairs and Land Occupancy may transfer to the Territories Development Fund the remaining appropriations that could be granted by Parliament for element 1, “Support for Territorial Development”, of Program 1, “Territorial Development”, of the “Affaires municipales et Occupation du territoire” portfolio in the Expenditure Budget for the 2015–2016 fiscal year.

246.4. Agreements entered into by the Minister of Municipal Affairs and Land Occupancy for the implementation of the “Support for Territorial Development” financial assistance program, intended to finance local and regional development and referred to in the element mentioned in section 246.3, are deemed to be agreements entered into under section 126.3 of the Municipal Powers Act (chapter C-47.1).”

*Adopté
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Section 251

AMENDMENT:

(1) Insert after subparagraph *b* of subparagraph 2 of the first paragraph:

(c) any other document or information that it requires for the liquidation.

(2) Add at the end :

For the purposes of the first paragraph and with the necessary modifications, articles 357 and 360, the first paragraph of article 361 and article 364 of the Civil Code apply to the liquidation of the regional conference of elected officers, and Title Seven of Book Four of the Code applies to the members of the transition committee. In addition, despite the amendment made by section 187, the regional conference of elected officers continues, during the liquidation, to be considered a municipal body for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

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Section 255

AMENDMENT:

Add the following sentence at the end of the first paragraph of section 255:
“Despite the end of the agreement entered into in accordance with section 21.6 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire, as it existed before being amended by section 214, the same is true of contributions received under that agreement that were not expended on or before the date of assent to this Act by the regional conference of elected officials; contributions received by a municipality by virtue of that apportionment are deemed to be amounts whose management was delegated under section 21.23.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire.

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Sections 255.1 to 255.15

AMENDMENT:

Insert after section 255:

255.1. The rights, obligations, assets and liabilities that, on (*insert the date preceding the date of assent to this Act*), are those of a local development centre under a loan contract entered into to establish a local investment fund in accordance with Order in Council 501-98 (1998, G.O. 2, 2346, French only), as since amended, or under a variable investment credit contract entered into to establish a local solidarity fund with Fonds locaux de solidarité FTQ, s.e.c., become those of the regional county municipality whose territory it serves.

The same is true of the rights, obligations, assets and liabilities that, on that date, are those of the centre because of assistance that it granted out of amounts obtained under a contract referred to in the first paragraph.

If a regional county municipality gives or lends money to a fund referred to in the first paragraph, in accordance with the first paragraph of section 125 of the Municipal Powers Act (chapter C-47.1), the second paragraph of that section does not prevent the regional county municipality from administering that fund.

A loan granted out of the amounts, up to \$100,000 for the same 12-month reference period, obtained from a local solidarity fund referred to in the first paragraph of this section is not taken into account in calculating the \$150,000 limit prescribed in the third paragraph of section 126.3 of the Municipal Powers Act.

255.2. The Minister of the Economy, Innovation and Exports succeeds any other minister who is a party to a loan contract, entered into to establish a local investment fund referred to in the first paragraph of section 255.1; the Minister of the Economy, Innovation and Exports acquires the rights and assumes the obligations of the latter minister.

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255.3. Despite section 126.4 of the Municipal Powers Act enacted by section 199, the local development centre that, under a delegation agreement entered into in accordance with section 91 of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation (chapter M-30.01), as it existed before being repealed by section 239, served the territory of a regional county municipality, on (*insert the date preceding the date of assent to this Act*), continues to do so under the same conditions and with the same powers and functions, and the delegation agreement continues to apply for that purpose and, if applicable, is deemed to include the management of the contracts referred to in section 255.1.

That agreement ends, subject to the third and fourth paragraphs, on the first of the following dates:

- (1) the date stipulated in the agreement or the date resulting from the application of a cancellation clause it contains;
- (2) the date the parties agree on; and
- (3) 31 December 2015.

The regional county municipality may unilaterally cancel the agreement by means of a resolution it adopts before (*insert the date that is 90 days after the date of assent to this Act*). An authenticated copy of the resolution must be forwarded without delay to the local development centre and the Minister of Municipal Affairs and Land Occupancy.

To be able to renew the agreement, with or without amendments, the regional county municipality must, before 1 December 2015, send the Minister a request for authorization to that end under section 126.4 of the Municipal Powers Act. If applicable, the agreement must be amended to be in compliance with the third paragraph of this section.

255.4. Except contracts referred to in section 255.1 and any delegation agreement referred to in the first paragraph of section 255.3, agreements entered into under Division I of Chapter VI of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation, as it existed before being repealed by section 239, continue to apply until the earliest of the following events:

- (1) their cancellation or replacement; and
- (2) the end or renewal of the delegation agreement referred to in the first paragraph of section 255.3.

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The Minister of Municipal Affairs and Land Occupancy succeeds the Minister that is a party to such agreements; the Minister of Municipal Affairs and Land Occupancy acquires the rights and assumes the obligations of the latter minister.

255.5. If the delegation agreement referred to in the first paragraph of section 255.3 ended in accordance with the second or third paragraph of that section, the local development centre ceases to serve the territory of the regional county municipality, and the share of its net assets, determined in accordance with the third paragraph, must be transferred to the regional county municipality.

In addition, the regional county municipality, in relation to the exercise of a jurisdiction or mandate that it entrusted to the local development centre

(1) continues the current business and becomes, without continuance of suit, a party to any proceedings to which the local development centre was a party; and

(2) takes possession of the local development centre's records and other documents.

The share of net assets that must be transferred is the share attributable to the amounts paid to the local development centre for the performance of a contract referred to in the first paragraph of section 255.1 and for the purposes of Division I of Chapter VI of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation, except the assets and liabilities that, under section 255.1, become those of the regional county municipality. In addition, that share must be established so that the local development centre remains able to discharge the obligations it may still be required to discharge when it ceases to serve the territory of the regional county municipality.

255.6. For the purposes of section 255.5, the regional county municipality and the local development centre must, not later than the 90th day following the end of the delegation agreement referred to in the first paragraph of section 255.3, reach a sharing agreement that identifies

(1) the share of the net assets, determined in accordance with the third paragraph of section 255.5, that must be transferred to the regional county municipality;

(2) the current business of the local development centre that will be continued by the regional county municipality;

(3) the proceedings to which the local development centre was a party that will be continued or begun over again by the regional county municipality;

(4) the records and other documents of the local development centre that will become those of the regional county municipality.

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A copy of the sharing agreement must be forwarded without delay to the Minister of Municipal Affairs and Land Occupancy.

255.7. In the event of failure to reach a sharing agreement referred to in section 255.6, an arbitrator determines all the elements prescribed in that section.

If the arbitrator is not appointed by mutual agreement of the parties before the time limit set in section 255.6, the Minister of Municipal Affairs and Land Occupancy appoints the arbitrator.

255.8. The arbitrator must render a decision within 60 days of being appointed or within a longer time limit that the Minister may set, as applicable.

255.9. Unless otherwise agreed, the costs relating to remuneration of the arbitrator are borne equally by the parties.

255.10. The share of the net assets must be transferred to the regional county municipality not later than one year after the end of the sharing agreement provided for in section 255.6.

If the share is determined by an arbitrator, the arbitrator's decision must specify the applicable time frame for carrying out the transfer.

255.11. A declaration made by the regional county municipality in an application for registration in the register of personal and movable real rights or the land register, that the municipality is the holder of the rights that are the subject of the application and that were formerly registered in favour of the local development centre serving the municipality's territory, is sufficient to establish with the registrar that the municipality is the holder of those rights.

An application for registration in the land register is made in the form of a notice. In addition to the provisions of this section and the requirements of the regulation made under Book Nine of the Civil Code, the notice must indicate the legislative provision under which it is given. Only one copy of the notice is required, and it need not be certified.

255.12. An employment contract, certification or collective agreement within the meaning of the Labour Code (chapter C-27) that binds a local development centre does not bind the regional county municipality that, because of the application of this chapter, exercises responsibilities previously assigned to such a centre.

255.13. For the purposes of sections 255.1 to 255.12, a local municipality whose territory is not included in that of a regional county municipality is considered a regional county municipality.

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However, in the case of local municipalities whose territory is included in that of an urban agglomeration, within the meaning of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001), the first paragraph applies only to the central municipality within the meaning of the second paragraph of section 15 of that Act. In addition, in the case of the urban agglomeration of Montréal, the sections referred to in the first paragraph apply with the necessary modifications, in particular the following modifications:

(1) those sections apply to all local development centres serving the urban agglomeration but only for the part of the territory under each centre's jurisdiction on the day before the date of assent to this Act;

(2) the dates specified in subparagraph 3 of the second paragraph of section 255.3 and the fourth paragraph of that section are replaced by 31 March 2016 and 1 March 2016, respectively.

255.14. The provisions of sections 225.1 to 255.13 that are applicable to a local development centre apply to any body designated to act as such under the first paragraph of section 91 of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation, as it existed before being repealed by section 239.

255.15. Sections 255.1 to 255.14 apply despite any legislative provision to the contrary.

Bill 28

**An Act mainly to implement certain
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Section 256.1

AMENDMENT:

Insert after section 256:

256.1. An agreement entered into under the third paragraph of section 343.1 of the Act respecting health services and social services (chapter S-4.2), as it read before (*insert the date of assent to this Act*), is deemed to be a decision made under that paragraph, as amended by section 244.

adopté
CV

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 257

AMENDMENT:

Replace “allocated” in paragraph 2 of proposed section 22.16 by “expended”.

*Adopted
CV*

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 258

AMENDMENT:

Replace “2014–2015” by “2015–2016”.

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Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
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Sections 259 to 266

AMENDMENT:

Strike out Division II of Chapter IX, comprising sections 259 to 266.

*adopted
OK*

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 267

AMENDMENT:

Add “, and for the 2025–2026 fiscal year, it is \$5,000,000.” at the end of the last paragraph of section 5, proposed by paragraph 2.

adopted
Ch

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 268

AMENDMENT:

Replace “2025” by “2026”.

advised

Bill 28

**An Act mainly to implement certain
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budget in 2015–2016**

Section 269

AMENDMENT:

- (1) Replace “paragraph 4” in the introductory clause by “paragraph 4.1, as enacted by section 176 of this Act”.
- (2) In proposed paragraph 4.1,
 - (a) replace “4.1” by “4.2”;
 - (b) strike out subparagraph *a*;
 - (c) replace “(b)” and “(c)” by “(a)” and “(b)”, respectively.

Adopté

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 270

AMENDMENT:

Replace by:

270. The transfer of the following sums to the Fund to Finance Health and Social Services Institutions is validated to the extent that no provision allows those sums to be credited to the Fund:

(1) \$305,000,000 transferred for the 2013–2014 fiscal year out of the sums credited to the general fund and corresponding to the income tax payable by individuals under Title I of Book V of Part I of the Taxation Act (chapter I-3);

(2) \$394,000,000 transferred for the 2014–2015 fiscal year out of the sums credited to the general fund and corresponding to that income tax;

(3) \$430,000,000 transferred for the 2014–2015 fiscal year out of the sums credited to the general fund as a Canada Health Transfer under the Federal-Provincial Fiscal Arrangements Act (Revised Statutes of Canada, 1985, chapter F-8).

Adopté
CR

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 272

AMENDMENT:

Insert “of” in subparagraph 2 of the second paragraph of proposed section 4.2
after “Fund or”.

*advised
or*

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 286

AMENDMENT:

Insert “of” in subparagraph 2 of the second paragraph of proposed section 4.1
after “Fund or”.

Adopted

Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
4 June 2014 and return to a balanced
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Section 292

AMENDMENT:

Replace “investment sector each committee is responsible for” in the second paragraph of proposed section 14.3 by “sector in which the investments each committee is responsible for are to be made”.

approved

Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
4 June 2014 and return to a balanced
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Section 300

AMENDMENT:

Replace “may end when the public bodies under the authority of the Minister to whom the member is responsible ceases” in the second paragraph of proposed section 19 by “ends when the public bodies under the authority of the minister to whom the member is responsible cease”.

adopted

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 309

AMENDMENT:

Replace “are added” in the proposed introductory clause of article 8.1 by “shall be added”.

adopté

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 311

AMENDMENT:

Replace:

- (1) “the investment” in proposed subparagraph *b.5* by “an investment”;
- (2) “use” in proposed subparagraph *b.6* by “disposition”.

*adopte
cf*

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 314

AMENDMENT:

In proposed section 16.1,

- (1) Replace “pecuniary” in paragraph 1 by “monetary”;
- (2) Replace “pay” and “repay” in paragraph 2 by “transfer” and “reimburse”, respectively.

Adopted

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 316

AMENDMENT:

Replace by:

316. Section 18 of the Act is amended, in the second paragraph,

- (1) by inserting “on a monetary claim or” after “hypothecary rights”;
- (2) by adding “and any transfer of an amount of money under subparagraph 2 of that section by the Minister” at the end.

adopted
cf

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 317

AMENDMENT:

- (1) Replace both occurrences of “paid” in the first paragraph of section 19, proposed by paragraph 1, by “transferred”.
- (2) Replace “payments” in paragraph 2 by “transfers”.

*adopted
CR*

AM 109
s. 325 (heading before a. 2713.1)

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 325

AMENDMENT:

Replace “pecuniary” in the heading before proposed article 2713.1 by
“monetary”.

*adapté
CR*

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 325

AMENDMENT:

In proposed article 2713.1,

- (1) Replace both occurrences of “pecuniary” by “monetary”;
- (2) Replace “creditor’s” in the first paragraph by “creditor”.

*adopted
CK*

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 325

AMENDMENT:

In proposed article 2713.2,

- (1) Replace both occurrences of “pecuniary” by “monetary”;
- (2) Replace both occurrences of “que détient” in the French text by “détenue par”.



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 325

AMENDMENT:

In proposed article 2713.3,

- (1) Replace “pecuniary” and “to the effect that the claim secures” by “monetary” and “to the claim’s securing”, respectively;
- (2) Replace “que détient” in the French text by “détenue par” and replace “given written consent” by “consented”.

*Adopté
CV*

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 325

AMENDMENT:

In proposed article 2713.4,

(1) Replace “pecuniary claim that the grantor of the hypothec has against a third person who is the debtor of the claim” in the introductory clause by “monetary claim that the grantor of the hypothec has against a third person”;

(2) Replace subparagraphs 1 and 2 of the first paragraph by the following subparagraphs:

(1) the claim relates to the credit balance of a financial account maintained by the third person for the grantor, or the claim relates to an amount of money transferred to the third person to secure the performance of an obligation towards the creditor; and

(2) the creditor has entered into an agreement, called a control agreement, with the third person and the grantor, under which the third person agrees to comply with the creditor’s instructions, without the additional consent of the grantor, as regards the credit balance or the amount of money.

(3) Insert the following paragraph after the first paragraph:

A creditor also obtains control of a monetary claim relating to the credit balance of a financial account if the creditor becomes the account holder.

(4) Replace “The debtor of the claim” and “Nor is the debtor” in the second paragraph by “The third person” and “Nor is the third person”, respectively, and make that paragraph a separate article numbered as “2713.4.1”.



Bill 28

**An Act mainly to implement certain
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Section 325

AMENDMENT:

In proposed section 2713.5,

(1) In the first paragraph, replace

(a) “securities or securities entitlement account” by “securities account”;

(b) “account maintainer” by “person maintaining the account”;

(2) Replace “other persons are financial account maintainers” in the second paragraph by “others are persons maintaining a financial account”.

adopted
A

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 325

AMENDMENT:

In proposed article 2713.6,

- (1) Replace “pecuniary” by “monetary”;
- (2) Add the following paragraph at the end:

The creditor may, at any time, withdraw the grantor’s right. Such a withdrawal is not subject to any notification or registration formality for publication purposes.



Bill 28

**An Act mainly to implement certain
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4 June 2014 and return to a balanced
budget in 2015–2016**

Section 325

AMENDMENT:

In proposed article 2713.7,

- (1) Replace “pecuniary” and “on the same” in the first paragraph by “monetary” and “encumbering that”, respectively;
- (2) Replace the second paragraph by:

If two or more movable hypothecs with delivery are granted on a monetary claim that the grantor has against a third person in favour of creditors each of whom has obtained control of the claim under a control agreement, the hypothecs rank among themselves according to when the third person agreed to comply with the creditor’s instructions.

A hypothec granted on a monetary claim that the grantor has against the creditor ranks ahead of all other hypothecs with delivery effected by control encumbering that claim. However, if the claim relates to the credit balance of a financial account and another creditor has obtained control of the claim by becoming the account holder, that other creditor’s hypothec ranks ahead of the others.

Bill 28

**An Act mainly to implement certain
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4 June 2014 and return to a balanced
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Section 325

AMENDMENT:

Replace “pecuniary” in proposed article 2713.8 by “monetary”.

adopté

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 325.1

AMENDMENT:

Insert after section 328:

325.1. Article 2714.2 of the Code is amended by replacing the second paragraph by the following paragraphs:

“If two or more movable hypothecs with delivery are granted on the same securities in favour of creditors each of whom has obtained control of the securities, the hypothecs rank among themselves according to when the creditors obtained control.

In the case of hypothecs granted on security entitlements, the hypothec granted in favour of the creditor who obtained control of the security entitlements by becoming or by having another person acting for him become the entitlement holder ranks ahead of the others. The hypothecs granted in favour of creditors who obtained control of the security entitlements under a control agreement rank among themselves according to when the securities intermediary agreed to comply with the creditor’s instructions or the instructions of another person acting for the creditor.”

adopted

Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
4 June 2014 and return to a balanced
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Section 330

AMENDMENT:

Replace “pecuniary” in the heading before proposed article 3106.1 by
“monetary”.

adopté

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 330

AMENDMENT:

In proposed article 3106.1,

- (1) Replace “pecuniary” in the first paragraph by “monetary”;
- (2) Replace “of which control is such as may be obtained in accordance with article 2713.4” in the first paragraph by “referred to in article 2713.1 relating to the credit balance of a financial account or an amount of money transferred to secure the performance of an obligation towards the creditor”;
- (3) Replace the second paragraph by:

If no law is specified in a juridical act governing a claim, the applicable law is

(1) in the case of a claim relating to the credit balance of a financial account, the law of the State in which the establishment expressly mentioned in the act governing the financial account as being the establishment where the account is maintained is located or, if no establishment is expressly mentioned in such an act, the law of the State in which the establishment identified in an account statement as the establishment serving the account holder’s account is located. If no law may be determined from the account statement, the applicable law is the law of the State in which the decision-making centre of the person maintaining the account is located; and

(2) in the case of a claim relating to an amount of money transferred to secure the performance of an obligation towards the creditor, the law of the State in which the decision-making centre of the person to whom the amount of money was transferred is located or, if the person is a natural person, the law of the State in which the person is domiciled.

adopted

Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
4 June 2014 and return to a balanced
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Section 331.1

AMENDMENT:

Insert after section 331:

**ACT RESPECTING THE TRANSFER OF SECURITIES AND THE
ESTABLISHMENT OF SECURITY ENTITLEMENTS**

331.1. Section 113 of the Act respecting the transfer of securities and the establishment of security entitlements (chapter T-11.002) is amended by adding the following sentence at the end of the second paragraph: “The purchaser may, at any time, withdraw the entitlement holder’s right; such a withdrawal is not subject to any notification or registration formality for publication purposes.”

adopté

Bill 28

**An Act mainly to implement certain
provisions of the Budget Speech of
4 June 2014 and return to a balanced
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Section 333

AMENDMENT:

- (1) Replace “and 2686” and “and 321” by “, 2686 and 2714.2” and “, 321 and 328.1”, respectively;
- (2) Add the following paragraph:

The same is true of the new provisions of section 113 of the Act respecting the transfer of securities and the establishment of security entitlements (chapter T-11.002), enacted by section 331.1 of this Act.

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Bill 28

**An Act mainly to implement certain
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budget in 2015–2016**

Section 334

AMENDMENT:

- (1) Replace “pecuniary” by “monetary”.
- (2) Replace “(*insert the date of coming into force of section 324*)” by “1 January 2016”.

Adopted
CV

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 335

AMENDMENT:

Replace “*(insert the date of the day preceding the date of coming into force of sections 331 and 332)*” by “31 December 2015”.

Adopted
AR

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 337

AMENDMENT:

Replace by:

337. This Act comes into force on (*insert the date of assent to this Act*), except:

(1) section 167, section 168 where it enacts section 8.1 of the Act respecting prescription drug insurance (chapter A-29.01), and sections 169, 170, 171, 174 and 175, which come into force on (*insert the date that is 60 days after the date of assent to this Act*);

(2) sections 34 to 69 and 71 to 79, which come into force on 1 September 2015;

(3) section 168 where it enacts section 8.2 of the Act respecting prescription drug insurance, section 170.1 and paragraphs 2 and 3 of section 172, which come into force on 1 October 2015;

(4) sections 308 to 310, which come into force on (*insert the date that is six months after the date of assent to this Act*);

(5) sections 319, 323, 324, 325, 328.1, 329, 330, 331, 331.1 and 332, which come into force on 1 January 2016;

(6) section 84, where it enacts sections 1079.8.19 and 1079.8.29 of the Taxation Act, which comes into force on 1 February 2016;

(7) sections 128 and 129, section 130 where it amends section 60.4 of the Tax Administration Act (chapter A-6.002) to refer to section 350.51.1 of the Act respecting the Québec sales tax (chapter T-0.1), sections 131, 133 and 134, section 135 where it enacts section 350.51.1 of the Act respecting the Québec sales tax, sections 136 to 139, section 143 except where it amends sections 350.58 and 350.59 of the Act respecting the Québec Sales Tax to refer to section

adopté
dr

350.56.1 of that Act, section 144 and paragraphs 1 and 2 of section 145, which come into force on 1 February 2016 or on the date, if before 1 February 2016 but after 1 September 2015, on which an operator or person referred to in section 350.52.1, enacted by section 136, activates in an establishment a device referred to in section 350.52 of the Act respecting the Québec sales tax with regard to that establishment;

(8) sections 80 and 81, paragraph 2 of section 83, section 84 except where it enacts sections 1079.8.19 to 1079.8.24, 1079.8.29 to 1079.8.37 and 1079.8.39 to 1079.8.42 of the Taxation Act (chapter I-3), and sections 85 to 95 and 96 to 127, which come into force on 1 March 2016;

(9) section 6, which comes into force on 1 April 2016;

(10) section 82, paragraph 1 of section 83, section 84 where it enacts sections 1079.8.20 to 1079.8.24, 1029.8.30 to 1079.8.37 and 1079.8.39 to 1079.8.42 of the Taxation Act, and sections 95.1 to 95.5, which come into force on 1 September 2016;

(11) section 271, except paragraph 4, which comes into force at the close of the first general meeting of holders of class "A" and class "B" Fondation shares held after (*insert the date of assent to this Act*), and section 285, which comes into force at the close of the first general meeting of holders of Fonds de solidarité des travailleurs du Québec (F.T.Q.) shares held after that date; and

(12) sections 25 to 33, which come into force on the date or dates to be set by the Government.

Bill 28

**An Act mainly to implement certain
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Schedule I

AMENDMENT:

Replace:

- (1) “2014–2015” by “2015–2016”;
- (2) “\$175,000,000” by “\$250,000,000”.

*adopted
CV*

Bill 28

**An Act mainly to implement certain
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4 June 2014 and return to a balanced
budget in 2015–2016**

Schedule I.1

AMENDMENT:

Insert after Schedule I:

SCHEDULE I.1
(Section 165.1)

EDUCATIONAL CHILDCARE SERVICES FUND

	2015–2016
Revenues	\$2,325,235,500
Expenditures	\$2,325,235,500
Surplus (Deficit) of the Fiscal Year	0
Ending Cumulative Surplus (Deficit)	0
Investments	\$1,000,000
Total loans or advances ¹	\$162,000,000
¹ To (from) the Financing Fund and the general fund.	

adopted
ch

Bill 28

**An Act mainly to implement certain
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budget in 2015–2016**

Schedule I.2

AMENDMENT:

Insert after Schedule I:

SCHEDULE I.2
(Section 246.2)

TERRITORIES DEVELOPMENT FUND

	2015–2016
Revenues	\$100,000,000
Expenditures	\$100,000,000
Surplus (Deficit) of the Fiscal Year	0
Ending Cumulative Surplus (Deficit)	0
Investments	0
Total loans or advances ¹	0

1. To (from) the Financing Fund and the general fund.

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ck*

Bill 28

**An Act mainly to implement certain
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4 June 2014 and return to a balanced
budget in 2015–2016**

Schedule II

AMENDMENT:

Replace “*Section 257*” by “*Section 258*” and “2014–2015” by “2015–2016”.

*adopted
CF*