

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 1

**AMENDMENT:**

1. Insert after paragraph 1:

(1.1) by inserting “any Native organization,” after “of children,” in subparagraph *d* of the first paragraph;

2. Replace the paragraph proposed by paragraph 3 by:

“In addition, in this Act, whenever it is provided that a child may be entrusted to a foster family, the child, if a Native, may also be entrusted to one or more persons whose activities are under the responsibility of a Native community or group of such communities with which an institution operating a child and youth protection centre has entered into an agreement under section 37.6 concerning such activities or with which the Government has entered into an agreement under section 37.5 that includes such activities. Those persons are then considered to be foster families for the purposes of this Act.”

*Adopted*  
*M. D.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 79

**AMENDMENT:**

Add the following sentence at the end of the proposed paragraph: "In making its assessment, the institution must, in particular, take into consideration the important ties the child has with that person or those persons."

*Adopte  
MBO.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 2

**AMENDMENT:**

Replace by:

2. Section 3 of the Act is amended by adding the following sentence at the end of the second paragraph: "In the case of a Native child, the preservation of the child's cultural identity must also be taken into account."

A handwritten signature in dark ink, appearing to read "D. J. P. 1980", is written over the printed text of the amendment.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 3

**AMENDMENT:**

Replace by:

3. Section 4 of the Act is amended by adding the following paragraph at the end:

“A decision made under the second or third paragraph regarding a Native child must aim at entrusting the child to an alternative living environment capable of preserving his cultural identity, by giving preference to a member of his extended family or his community or nation.”

A handwritten signature in dark ink, appearing to read "Scept" followed by a stylized flourish or initials.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 5

**AMENDMENT:**

Strike out “judges and” in the first paragraph of proposed section 9.

*adopted MAO*

AM m  
s. 5.2 (11.1.1)

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 5.2

**AMENDMENT:**

Amendment 6 has been withdrawn and renamed Am m.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 5.3

**AMENDMENT:**

Insert after section 5.2:

**5.3.** The Act is amended by inserting the following section after section 11.1.1:

**“11.1.2.** If the child is placed in an open rehabilitation unit in an institution operating a rehabilitation centre following an immediate protection measure or an order issued by the tribunal under this Act, and there is reasonable cause to believe that the child is at risk of running away and thus placing himself or others in danger, without the child’s situation warranting placement in an intensive supervision unit, the child may be the subject of a measure intended to prevent him from leaving the facilities maintained by the institution.

The measure intended to prevent the child from leaving the facilities maintained by the institution must be aimed at ensuring the safety of the child, putting an end to the situation placing the child or others in danger, and preventing the recurrence of such a situation in the short term. It must also be aimed at helping maintain the child in the open rehabilitation unit in which he has been placed.

Such a measure may be used only following a decision by the executive director of the institution or the person the executive director authorizes in writing and must comply with the conditions prescribed by regulation. A detailed report on the measure, mentioning the grounds for it and its duration, must be entered in the child’s record. The information contained in the regulation must be given and explained to both the child, if he is able to understand it, and the child’s parents. The child or the parents may refer the executive director’s decision to the tribunal. Such an application is heard and decided by preference.

The measure must end as soon as the risk of the child running away and thus placing himself in danger no longer exists and the situation warranting the measure is not likely to recur in the short term. It must also end if the child’s situation, after reassessment, warrants placement in an intensive supervision unit.

In the case of an immediate protective measure, the placement may not exceed the period prescribed in section 46.”



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

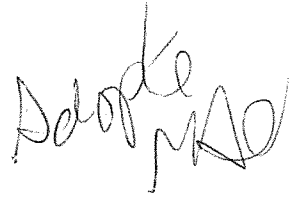
Section 5.1

**AMENDMENT:**

Insert after section 5:

**5.1.** Section 10 of the Act is amended by replacing the last paragraph by the following paragraph:

“The measures provided for in section 118.1 of the Act respecting health services and social services (chapter S-4.2), in particular isolation, may never be used as disciplinary measures. The same applies to placement in an intensive supervision unit, as provided for in section 11.1.1 of this Act, and to a measure intended to prevent a child from leaving the facilities maintained by an institution operating a rehabilitation centre, as provided for in section 11.1.2 of this Act.”

A handwritten signature in dark ink, appearing to read 'Solange M. L.' or similar, is written over the right side of the page.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 72.1

**AMENDMENT:**

Insert after section 72:

**72.1.** Section 132 of the Act is amended by replacing subparagraph *k* of the first paragraph by the following subparagraph:

“(k) determine the conditions applicable to placement in an intensive supervision unit, as provided for in section 11.1.1, and to measures intended to prevent a child from leaving the facilities maintained by the institution operating a rehabilitation centre, as provided for in section 11.1.2.”

*Adopté  
M40*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.1

*Adopte  
MSO*

**AMENDMENT:**

Insert after section 83:

**REGULATION RESPECTING THE CONDITIONS OF PLACEMENT IN AN  
INTENSIVE SUPERVISION UNIT**

**83.1.** The title of the Regulation respecting the conditions of placement in an intensive supervision unit (chapter P-34.1, r. 6) is replaced by the following title:

**“REGULATION RESPECTING CONDITIONS APPLICABLE TO THE USE  
OF CERTAIN SUPERVISION MEASURES”.**

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.2

*Adopte  
MFO*

**AMENDMENT:**

Insert after section 83.1:

**83.2.** The Regulation is amended by inserting the following before section 1:

**“DIVISION I**

**“CONDITIONS APPLICABLE TO PLACEMENT IN AN INTENSIVE  
SUPERVISION UNIT”.**

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.3

*Script  
MSO*

**AMENDMENT:**

Insert after section 83.2:

**83.3.** Section 1 of the Regulation is amended

- (1) by replacing “of the child” in the first paragraph by “of the child’s situation”;
- (2) by replacing “the child’s characteristics” in subparagraph 2 of the second paragraph by “the characteristics of the child and of his or her environment”;
- (3) by adding the following subparagraph at the end of the second paragraph:
  - “(5) the child’s participation in his or her rehabilitation process.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.5

*Doyle  
MSO*

**AMENDMENT:**

Insert after section 83.4:

**83.5.** Section 3 of the Regulation is amended by replacing “review” in the first paragraph by “reassess”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.6

*Adopte  
MSO*

**AMENDMENT:**

Insert the following section after section 83.5:

**83.6.** The Regulation is amended by inserting the following section after section 3:

“**3.1.** If, during reassessment of the child’s situation, the executive director of the institution or the person the executive director authorizes in writing allows a child to carry out activities outside the intensive supervision unit during a transition period, that period may not exceed 5 consecutive days and the activities during that period are limited to 12 consecutive hours. The activities must, among other things, allow the child to test his or her progress in a less supervised environment than that of the intensive supervision unit and must facilitate his or her integration into or return to an open rehabilitation unit.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.8

*Adopted  
MSO*

**AMENDMENT:**

Insert after section 83.7 of the Act:

**83.8.** The Regulation is amended by inserting the following after section 7:

**“DIVISION II**

**“CONDITIONS APPLICABLE TO THE USE OF MEASURES INTENDED TO  
PREVENT A CHILD FROM LEAVING THE FACILITIES MAINTAINED BY  
THE INSTITUTION**

**“7.1.** The decision of the executive director of an institution or the person the executive director authorizes in writing to use a measure intended to prevent a child from leaving the facilities maintained by the institution must be in writing and give reasons. The decision must be based on an assessment of the child’s situation that shows there is reasonable cause to believe that the child is at risk of running away and thus placing himself or herself or others in danger, without the child’s situation warranting placement in an intensive supervision unit.

The assessment must be made with the same recognized clinical tools as those used to assess the situation of the child before placement in an intensive supervision unit.

**“7.2.** If a child is the subject of a measure intended to prevent him or her from leaving the facilities maintained by the institution, the child must receive rehabilitation services and services to ensure he or she receives schooling. Clinical support for the child must be adapted to the child’s needs.

The intervention plan developed for the child must take the situation into account.

**“7.3.** The executive director of the institution or the person the executive director authorizes in writing must reassess the child’s situation as soon as the



child's clinical situation so requires to ensure that the use of the measure intended to prevent him or her from leaving the facilities maintained by the institution is still warranted or that the child's situation does not warrant placement in an intensive supervision unit.

The child may not be the subject of such a measure for a period exceeding 7 days without the measure's advisability being reassessed.

"7.4. Sections 4, 5 and 6 apply, with the necessary modifications, to this division."

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 7.1

*Adopted  
MDE*

**AMENDMENT:**

Insert after section 7:

**7.1.** Section 23 of the Act is amended by inserting “even if at the time of the investigation the intervention under this Act has ended,” after “bodies,” in paragraph *b*.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 7.2

*Adopte  
MSO*

**AMENDMENT:**

Insert after section 7.1:

**7.2.** Section 26 of the Act is amended by adding the following sentence at the end of the first paragraph: “Where the member is exercising the responsibility provided for in paragraph *b* of section 23, the member may also consult the record of a child regarding whom an intervention has ended, including because the child has reached 18 years of age.”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 7.3

A handwritten signature in black ink, appearing to be 'Adopte' with a large 'M' or 'N' below it.

**AMENDMENT:**

Insert after section 7.2:

**7.3.** Section 27 of the Act is amended by replacing “must be removed from the file not later than on the child’s reaching 18 years of age” by “must be removed from the file not later than on the child’s reaching 18 years of age. However, if a file is opened for the purposes of an investigation that is continued or conducted after the child has reached that age, the information must be removed not later than 30 days after the end of the investigation.”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 12

*Adopte  
M40*

**AMENDMENT:**

Replace “executory” in the first proposed paragraph by “enforceable”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 11

*Amended  
MSO*

**AMENDMENT:**

Replace by:

**11.** Section 38 of the Act is amended

(1) by replacing “provide the child with schooling” at the end of subparagraph iii of subparagraph 1 of subparagraph *b* of the second paragraph by “ensure that the child receives a proper education and, if applicable, that he attends school as required under the Education Act (chapter I-13.3) or any other applicable legislation”;

(2) by replacing subparagraph *d* of the second paragraph by the following subparagraph:

“(d) “sexual abuse” refers to

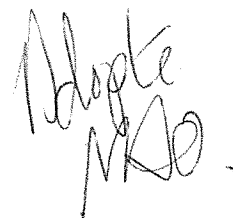
(1) a situation in which the child is subjected to gestures of a sexual nature by the child’s parents or another person, with or without physical contact, including any form of sexual exploitation, and the child’s parents fail to take the necessary steps to put an end to the situation; or

(2) a situation in which the child runs a serious risk of being subjected to gestures of a sexual nature by the child’s parents or another person, with or without physical contact, including a serious risk of sexual exploitation, and the child’s parents fail to take the necessary steps to put an end to the situation;”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 11.1

A handwritten signature in dark ink, appearing to read "Adopte" followed by a stylized mark that could be "MKD" or similar.

**AMENDMENT:**

Insert after section 11:

**11.1.** Section 38.1 of the Act is amended by striking out paragraph *b*.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 51.0.1

*Adopted*  
*MCO*

**AMENDMENT:**

Insert after section 51:

**51.0.1.** The Act is amended by inserting the following section after section 82:

“83. A person or foster family is admitted to the hearing of any application concerning the child entrusted to the person or foster family.

The person or foster family may testify and make representations before the tribunal at the hearing and may, for those purposes, be assisted by an advocate.

The person or foster family may not otherwise participate in the hearing, unless it has obtained the tribunal’s authorization to do so.

Except in the case of an application under section 47, the director must, as soon as possible, inform the person or foster family of the date, time and place of the hearing of any application concerning the child entrusted to the person or foster family, of the subject of such an application and of the person’s or foster family’s right to be admitted to the hearing and participate in it to the extent provided for in this section.”



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 51

*Adopte  
M40*

**AMENDMENT:**

Replace by:

**51.** Section 81 of the Act is replaced by the following section:

“**81.** The child, the child’s parents and the director are parties to the hearing.

The Commission may, *ex officio*, intervene at the hearing as if it were a party to it. The same applies to the Public Curator in tutorship and emancipation matters.

Any person who wishes to intervene at the hearing in the interest of the child may, on an application, testify before the tribunal and make representations if the person has information likely to enlighten the tribunal, and may, for that purpose, be assisted by an advocate. The tribunal may, for exceptional reasons, in urgent cases or if the parties present at the hearing consent to it, authorize the person to make the application orally.

For the requirements of the hearing, the tribunal may grant a person the status of party to the hearing if the tribunal considers it advisable to do so in the interest of the child. The status of party remains valid until withdrawn by a decision or order of the tribunal.

The director must, on request, inform a person who wishes to present an application under the third or fourth paragraph of the date, time and place of the hearing.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 51.1

**AMENDMENT:**

Insert after section 51:

**51.1.** Section 84 of the Act is amended by replacing “person” in the second paragraph by “party”.

*Adopté*  
*MRO.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 58

*Boyle*  
*MEO*

**AMENDMENT:**

Replace by:

**58.** Section 96 of the Act is amended

(1) by replacing subparagraph *k* of the first paragraph by the following subparagraph:

“(k) the Public Curator, with regard to the records of the tribunal kept under sections 70.0.1 to 70.6.”;

(2) by inserting the following paragraph after the first paragraph:

“In addition, a person who proves a legitimate interest may be authorized by the tribunal to take cognizance of a document the tribunal specifies or to receive a copy or duplicate of it.”;

(3) by inserting “referred to in the first paragraph and” after “person” in the last paragraph.

AM 26  
s. 58.1 (96.1)

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 58.1

*Adopte*  
*MSE*

**AMENDMENT:**

Insert after section 58:

**58.1.** Section 96.1 of the Act is amended by replacing “of a decision, order” by “of a document”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 47

*Adopte  
MAB*

**AMENDMENT:**

Replace by:

47. Section 76 of the Act is replaced by the following section:

“76. Every application must be accompanied by a notice stating the date, time and place it will be presented and must, not less than 10 days or more than 60 days before the hearing,

(1) be served personally by a bailiff on the parents, the child if he is 14 years of age or over, and any person who has been granted the status of party by the tribunal, or be notified to those persons by the director personally or by registered mail provided receipt of the document is attested to by the addressee;

(2) be notified in accordance with the rules of the Code of Civil Procedure (chapter C-25.01) to the advocates of the parties mentioned in subparagraph 1, the director, the Commission if the application raises an encroachment of rights, or the Public Curator in tutorship or emancipation matters.

However, an application made under the third or fourth paragraph of section 81 must, within the same time and on the same conditions, be notified only to the director. It must also be filed at the office of the tribunal at least 10 days before the hearing. On receiving the application, the clerk shall send by registered mail to the parents and to the child if he is 14 years of age or over, at their last address entered in the record, a notice informing them of the filing of the application.

Any other written proceeding, document or notice must be notified using a method provided for in the Code of Civil Procedure that protects its confidentiality.

The tribunal may

(1) authorize a different method of service or notification if required in the circumstances;

(2) extend or reduce the service or notification time limit for exceptional reasons or in urgent cases; and

(3) dispense with service or notification for exceptional reasons, in urgent cases or if all the parties are present before the tribunal and waive it.

Applications addressed to the tribunal under the fourth paragraph must be presented in the district established under section 73.

The clerk may exercise the powers conferred on the tribunal in subparagraphs 1 and 2 of the fourth paragraph.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 47.1

*Adopte*  
*M40.*

**AMENDMENT:**

Insert after section 47:

**47.1.** The Act is amended by inserting the following sections after section 76:

**“76.0.1.** To ensure the orderly progress of a proceeding, the tribunal may, in accordance with the directives issued by the chief judge, on his own initiative or on request, given the nature, character or complexity of the case, order that it be examined as soon as the application is filed to determine whether the tribunal considers it necessary to establish a case protocol in collaboration with the parties or hold a management conference. The tribunal may also determine with the parties the time limits and terms applicable to them.

**“76.0.2.** The parties are required to cooperate to establish the case protocol which, if considered necessary, sets out their agreements and undertakings and the issues in dispute, describes the steps to be taken to ensure the orderly progress of the proceeding, includes an assessment of the time completing these steps could require and sets the deadlines to be met.

The case protocol covers such aspects as

- (1) preliminary exceptions and provisional measures;
- (2) the advisability of holding a settlement conference or discussions with a view to submitting a draft agreement to the tribunal under section 76.3;
- (3) the advisability of seeking one or more expert opinions and the nature of the opinion or opinions to be sought;
- (4) the procedure and time limit for pre-hearing discovery and disclosure; and
- (5) foreseeable incidental applications.

The tribunal may, in cooperation with the parties, amend the protocol to, among other reasons, include items that could not be determined.

The protocol is binding on the parties, who are each required to comply with it.

**“76.0.3.** When convening a case management conference, the tribunal acquaints itself with the issues of fact or law in dispute, discusses the case protocol, if applicable, with the parties and takes the appropriate case management measures. If it considers it useful, the tribunal may require undertakings from the parties as to the further conduct of the proceeding, or subject the proceeding to certain conditions.

The tribunal may also, even if a party is absent, hear the party that is present if the latter is ready to proceed on case management measures.

**“76.0.4.** At the case management conference, the tribunal may decide to hold a hearing of the parties, on the preliminary exceptions, or to hear the parties on the grounds of their defence, which are recorded in the minutes of the hearing. The tribunal may try the case immediately if the parties are ready to proceed, or postpone the hearing to another date set by the tribunal. It may also examine a draft agreement submitted to it under section 76.3.

Preliminary exceptions are presented and contested orally, but the tribunal may authorize the parties to submit the relevant evidence.

**“76.0.5.** For case management purposes, at any stage of a proceeding, the tribunal may decide, on its own initiative or on request, to

(1) take measures to simplify or expedite the proceeding and shorten the hearing by ruling, among other things, on the advisability of ordering the consolidation or separation of proceedings, of better defining the issues in dispute, of amending the pleadings, of limiting the length of the hearing, of admitting facts or documents, of authorizing affidavits in lieu of testimony or of determining the procedure and time limit for the disclosure of exhibits and other evidence between the parties, or by convening the parties to a case management conference or a settlement conference, or encouraging them to hold discussions with a view to submitting a draft agreement to the tribunal under section 76.3;

(2) assess the purpose and usefulness of seeking expert opinion, determine the mechanics of that process and set a time limit for submission of the expert report; and

(3) rule on any special requests made by the parties, modify the case protocol or order provisional measures as it considers appropriate.



**“76.0.6.** The tribunal’s case management decisions are recorded in the minutes of the hearing and are considered to be part of the case protocol. Unless revised by the tribunal, they govern the conduct of the proceeding together with the case protocol.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 47.2

**AMENDMENT:**

Insert after section 47.1:

**47.2.** Section 76.2 of the Act is repealed.

*Adopte  
MSO -*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 47.3

*Adopte  
MSB*

**AMENDMENT:**

Insert after section 47.2:

**47.3.** Section 76.3 of the Act is amended

(1) in the first paragraph,

(a) by inserting “including after a settlement conference,” after “At any time after the filing of the application,”;

(b) by replacing “submit a draft agreement on measures to put an end to the situation to the tribunal” by “submit a draft agreement or settlement on measures to put an end to the situation to the tribunal or to the judge who presided over the settlement conference”;

(2) by inserting “or the judge” after “The tribunal” in the second paragraph.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 47.4

*Adopte  
MLB*

**AMENDMENT:**

Insert after section 47.3:

**47.4.** Section 76.4 of the Act is amended

- (1) by inserting “or settlement” after “draft agreement”;
- (2) by inserting “or the judge who presided over the settlement conference” after “the tribunal” and “or he” after “it”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 52.1

*Adopted  
MLO*

**AMENDMENT:**

Insert after section 52:

**52.1.** The Act is amended by inserting the following section after section 89:

**“89.1.** The defence is to be oral.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 53

*Adopted*

**AMENDMENT:**

Replace "The Chief Judge may extend that time limit for serious reasons." in the second paragraph of proposed section 90 by "If that time limit is not complied with, the Chief Judge may, on his own initiative or on a party's application, extend it or remove the judge from the case."

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 52

*Adopte  
MSB*

**AMENDMENT:**

Replace by:

**52.** Section 85 of the Act is replaced by the following section:

“**85.** Unless the context indicates otherwise and subject to the special provisions of this Act, Books I and II of the Code of Civil Procedure (chapter C-25.01), except the second paragraph of article 10, the second, third and fourth paragraphs of article 31, articles 48, 54, 72, 142, 145 to 147, 155, 156, 166, 172 to 178, 180 to 183, 217 to 230, 243 and 246 to 252 and the third paragraph of article 279, apply, with the necessary modifications. For the purposes of article 74, the time limit is five days.

Articles 321, 325 to 327, 334, the second paragraph of article 336 and articles 337, 338, 349, 350 and 489 to 508 of that Code also apply in the same manner.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 62

*Adopted*

**AMENDMENT:**

Replace “of the decision or order” in the first paragraph of proposed section 103 by “on which the decision or order is recorded in writing”.



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 63

*Adopte  
MSB*

**AMENDMENT:**

Insert "or the order" after "rendered the decision" and "which the decision" in paragraph 2.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 65

*schulte  
1/20*

**AMENDMENT:**

Replace by:

**65.** Section 109 of the Act is amended by replacing “service on” by “notification to”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 69

**AMENDMENT:**

Replace “set under” by “set out in”.

*Adopte  
M. A.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 72

*Delegated  
MFO.*

**AMENDMENT:**

Replace paragraph 1 by:

- (1) by inserting "82 to 84, 85, 92, 94, 94.1," after "Sections";

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 73.1

*Adopte  
M40*

**AMENDMENT:**

Insert after section 73:

**73.1.** The Act is amended by replacing all occurrences of “executory” in sections 93, 114 and 131 by “enforceable”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 47.0.1

**AMENDMENT:**

Insert after section 47:

**47.0.1.** Section 76.1 of the Act is amended by inserting the following paragraphs after the first paragraph:

“However, it may order the execution of the measure provided for in subparagraph *j* of the first paragraph of section 91 only if it concludes that the child’s remaining with or returning to his parents or to his residence is likely to cause him serious harm. Such a measure may not exceed 60 days, unless the parties consent to a longer period or there are serious reasons warranting one.

The tribunal shall, without delay, inform the parents of the child who is the subject of a measure taken under this section.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 50

**AMENDMENT:**

Replace by:

**50.** Section 79 of the Act is repealed.

*Adopté  
M-40-*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.10

**AMENDMENT:**

Insert after section 83.9:

**83.10.** Section 3 of the Regulation is amended by adding the following subparagraph at the end of paragraph 4:

“(f) the perception and assessment of the situation by the foster family or by the person to whom the child has been entrusted;”.

*Adopted  
mso*



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 4

*Adopte  
MAO.*

**AMENDMENT:**

Replace by:

4. Section 7 of the Act is amended

(1) by replacing “from one foster family or facility maintained by an institution operating a rehabilitation centre to another foster family or facility maintained by another institution operating a rehabilitation centre” in the first paragraph by “from one alternative living environment to another”;

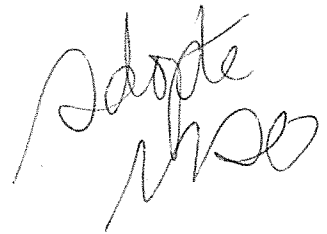
(2) by adding the following paragraph at the end:

“The alternative living environment to which the child is entrusted must also be consulted unless doing so would be contrary to the interest of child.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 7

A handwritten signature in dark ink, appearing to read 'Dagte' followed by a stylized flourish.

**AMENDMENT:**

Replace by:

7. Section 11.3 of the Act is amended by replacing “who has committed an offence against an Act or a regulation in force in Québec” by “and, with the necessary modifications, any person 18 years of age or over who are placed in an institution operating a rehabilitation centre and who have committed an offence against an Act or a regulation in force in Québec or who are awaiting a decision of the tribunal regarding the commission of such an offence”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 9

A handwritten signature in dark ink, appearing to read "Adopte" followed by a stylized flourish.

**AMENDMENT:**

1. Add "and until he has reached 19 years of age" at the end of the first paragraph of proposed section 37.4.
2. Replace all occurrences of "18 years of age" by "19 years of age".
3. Insert the following section after proposed 37.4.1:

**"37.4.1.1.** From the time the child reaches 18 years of age and subject to the first paragraph of section 37.4.2, only the child may have access to the information kept in his record in accordance with the Act respecting health services and social services (chapter S-4.2)."

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 46

**AMENDMENT:**

Replace by:

**46.** Section 74.2 of the Act is amended

(1) by replacing “of voluntary foster care by a foster family or an institution operating a rehabilitation centre” in paragraph *c* by “of a voluntary measure entrusting the child to an alternative living environment”;

(2) by replacing “9 or 11.1.1” in paragraph *e* by “9, 11.1.1 or 11.1.2”.

*Scripte  
11.1.2*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.7

*Adopte  
140*

**AMENDMENT:**

Insert after section 83.6:

**83.7.** Section 6 of the Regulation is amended

- (1) by replacing “6 months” by “3 months”;
- (2) by adding the following paragraph at the end:  
“The report must include, for the period concerned,
  - (1) the number of placements in an intensive supervision unit;
  - (2) the number of children who have been the subject of such a measure, broken down by age and gender;
  - (3) the percentage of children placed in the institution’s facilities who have been the subject of such a measure;
  - (4) the average number of placements in this type of unit per child who has been the subject of such a measure; and
  - (5) the average length of placement in this type of unit.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 14

**AMENDMENT:**

Withdraw.

*Supprimé  
MSO*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 21

*palapke*  
*MSO*

**AMENDMENT:**

Replace by:

**21.** Section 54 of the Act is amended by inserting the following subparagraph after subparagraph *e* of the first paragraph:

“(e.1) that the parents entrust the child to a kinship foster family chosen by the institution operating the child and youth protection centre;”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 19

**AMENDMENT:**

Replace “e or” by “e, e.1 or”.

*J. D. L. P.  
M. D. O.*



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 20

**AMENDMENT:**

Replace “*e* or *f*” in the first paragraph of proposed section 53.0.1 by “*e*, *e.1* or *f*”.

*Adopte  
use*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 26

*Adopte  
MSE*

**AMENDMENT:**

Replace the first and second paragraphs of proposed section 62 by the following paragraphs:

“When the tribunal orders that a child be entrusted to an institution operating a rehabilitation centre or hospital centre or to a foster family, it shall require the director to designate the institution or an institution operating a child and youth protection centre that has recourse to foster families, that the child may be entrusted to.

However, when making an order under the third paragraph of section 91.1, the tribunal may designate, by name, the foster family chosen by the institution operating a child and youth protection centre.

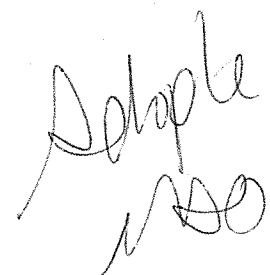
Furthermore, when it orders that the child be entrusted to a kinship foster family chosen by the institution operating a child and youth protection centre, the tribunal shall designate the foster family by name.

The director shall see to it that the conditions in which the child is placed are adequate.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 26

A handwritten signature in dark ink, appearing to read 'Schepke' with a large flourish underneath.

**AMENDMENT:**

Replace proposed section 63 by:

“63. If a child is placed in an intensive supervision unit in accordance with section 11.1.1, the executive director of the institution that maintains the unit must, without delay, send the Commission a notice giving the child’s name, date of birth and gender, the authorization given by the director for a child under 14 years of age, if applicable, the placement start date and end date and the dates on which the child’s situation is to be reassessed. The executive director must also, without delay, send the Commission the tribunal’s decision or order if the executive director’s decision to place the child in such a unit was referred to the tribunal.

If a child is subject to a measure intended to prevent him from leaving the facilities maintained by the institution, as provided for in section 11.1.2, the same information as that provided for in the first paragraph must also be sent without delay to the Commission by the executive director, with the necessary modifications.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 26

**AMENDMENT:**

Replace “a placement period in another alternative living environment” in the second paragraph of proposed section 64 by “the placement period for a child entrusted to another alternative living environment by the tribunal”.

*Adopted  
MSE*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 26

**AMENDMENT:**

Strike out “, including a kinship foster family,” in the second paragraph of proposed section 64.1.

*Adopted  
MSD*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 54

**AMENDMENT:**

Replace by:

**54.** Section 91 of the Act is amended

(1) by inserting the following subparagraph after subparagraph *e* of the first paragraph:

“(e.1) that the child be entrusted to a kinship foster family chosen by the institution operating a child and youth protection centre;”;

(2) by replacing “place where the child may be provided with foster care and state how long the child is to stay at each of those places” in the third paragraph by “environment to which the child may be entrusted and state how long the child is to stay in each of those environments”.

*Adopté*  
*MSE*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 55

**AMENDMENT:**

Replace “*e* or *j*” in the first and second paragraphs of proposed section 91.1 by “*e*,  
*e.1* or *j*”.

Adopte  
Mao

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 56

**AMENDMENT:**

Replace “subparagraph *e* or” by “subparagraph *e*, *e.1* or”.

*Selegste*  
*MSO*



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.9

**AMENDMENT:**

Insert after section 83.8:

**REGULATION RESPECTING THE REVIEW OF THE SITUATION OF A  
CHILD**

**83.9.** Section 1 of the Regulation respecting the review of the situation of a child (chapter P-34.1, r. 8) is amended by replacing “in foster care” in subparagraphs 2 and 3 of the second paragraph by “entrusted to an alternative living environment”.

*Adopte  
MRO.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 30

**AMENDMENT:**

Withdraw.

*Supprimé*  
*msl*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 31

**AMENDMENT:**

Withdraw.

*Supprime  
MSD*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 32

**AMENDMENT:**

Withdraw.

*Supp  
MS*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 33

**AMENDMENT:**

Withdraw.

*Supprime  
MSO.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 34

**AMENDMENT:**

Withdraw.

*Supprimé  
MAO*

AM 66  
s. 35 (71.12)

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 35

**AMENDMENT:**

Withdraw.

*Supprimé  
MAO*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 36

**AMENDMENT:**

Withdraw.

*Supprime  
MDE.*



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 84

**AMENDMENT:**

Withdraw.

*Supprimé  
NABO,*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 17

**AMENDMENT:**

1. Insert “before its expiry” after “or the agreement ends” in the first paragraph of proposed section 51.5.
2. Strike out the second paragraph of proposed section 51.5.
3. Replace proposed section 51.7 by the following sections:

“51.7. Before reaching an agreement on a short-term intervention with the parents and child, the director must inform them of his obligations in the event that they withdraw from the agreement or that the agreement ends, regardless of when, and the security or development of the child remains in danger.

Before putting an end to the intervention or deciding on a new direction for the child in accordance with sections 51.5 and 51.6, the director must meet with the parents and child.

“51.8. Sections 52.1 and 55 and the first paragraph of section 57.2.1 apply, with the necessary modifications, to short-term interventions.”

*Delepte  
MSO -*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 11.3

**AMENDMENT:**

Insert after section 11.2:

**11.3.** Section 39 of the Act is amended by replacing the last paragraph by the following paragraphs:

“Every person referred to in this section may, after reporting a child’s situation to the director, communicate to the director any relevant information about the situation that is related to the report, with a view to ensuring the child’s protection.

The first, second and fourth paragraphs apply even to persons who are bound by professional secrecy, except to advocates or notaries who, in the practice of their profession, receive information concerning a situation described in section 38 or 38.1.”

*Belopke*  
*MSO*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 38

**AMENDMENT:**

Replace by:

**38.** Section 72.6 of the Act is replaced by the following section:

“**72.6.** Despite section 72.5, confidential information may, without the consent of the person to whom it relates or an order of the tribunal, be disclosed to any person, body or institution having responsibilities under this Act and to every court of justice called upon, in accordance with this Act, to make decisions respecting a child, where the disclosure is necessary for the purposes of this Act. The same applies to a person, body or institution called on to cooperate with the director, if the latter considers the disclosure necessary to ensure the child’s protection in accordance with this Act.

Despite section 72.5, confidential information may also be disclosed by the director or the Commission, according to their respective powers, without it being necessary to obtain the consent of the person to whom it relates or an order of the tribunal,

(1) to the Commission des normes, de l’équité, de la santé et de la sécurité du travail, where the disclosure is necessary for the application of the Crime Victims Compensation Act (chapter I-6) in respect of a claim relating to a child whose situation has been reported to the director under this Act;

(2) to the Director of Criminal and Penal Prosecutions, where the information is required for the prosecution of an offence under this Act;

(3) to the Minister of Families or a home child care coordinating office within the meaning of the Educational Childcare Act (chapter S-4.1.1), where the disclosure is necessary for the application of that Act; and

(4) to a school board, where the disclosure is necessary to ensure the monitoring of the child’s situation within the framework of an agreement described in section 37.7.

Furthermore, despite section 72.5, confidential information may be disclosed by the director, without the consent of the person to whom it relates or an order of the tribunal, to a person who acts as director outside of Québec, if the director has reasonable cause to believe that the security or development of a child is or may be considered to be in danger.

Disclosure of information must take place in a manner that will ensure its confidentiality.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 42

**AMENDMENT:**

Replace “information contained in the record of a user who is a minor in foster care, placed or entrusted to a tutor under this Act to the Canada Revenue Agency” in the paragraph proposed by paragraph 2 by “to the Canada Revenue Agency information contained in the record of a user who is a minor provided with foster care or placed, or who is a minor entrusted to a tutor under this Act,”.

*Adopté  
M20*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 41.1

**AMENDMENT:**

Insert after section 41:

**41.1.** Section 72.9 of the Act is amended by replacing “37.4” in the last paragraph by “37.4.2”.

*People  
MB.*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.8.1

**AMENDMENT:**

Insert after section 83.8:

**REGULATION ESTABLISHING THE REGISTER OF REPORTED  
CHILDREN**

**83.8.1.** Section 4 of the Regulation establishing the Register of Reported Children (chapter P-34.1, r. 7) is amended by replacing “37.4” in the last paragraph by “37.4.2”.

*Adopted*



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 11.2

**AMENDMENT:**

Insert after section 11.1:

**11.2.** The Act is amended by inserting the following section after section 38.2:

**“38.2.1.** For the purposes of section 38.2, any decision relating to a report for a situation of educational neglect in connection with the schooling a child receives or with the child’s compliance with compulsory school attendance must, in particular, take into consideration the following factors:

(a) the consequences for the child of not attending school or of being absent from school, in particular with regard to his social integration ability;

(b) the child’s level of development in relation to his age and personal characteristics;

(c) the measures taken by the parents to ensure the child receives proper schooling, including academic supervision of the child and cooperation with local resources, including school resources; and

(d) the local resources’ ability to support the parents in carrying out their responsibilities and to help the child make progress in his learning.

If the nature of the report warrants it, the assessment of the child’s ability to re-enter the school system, the evaluation of the child’s academic development and the measures taken by the parents with regard to the conditions in which the child’s learning is to occur in a home-schooling context must also be taken into consideration. Those factors must be considered in the manner stipulated in the agreement described in section 37.7.”

*Adopte*  
*MSO*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 11.4

**AMENDMENT:**

Insert after section 11.3:

**11.4.** Section 45 of the Act is amended by adding the following paragraph at the end:

“In a case where the situation of a group of five or more children is reported for educational neglect in connection with the schooling they receive or with their compliance with compulsory school attendance, the director must, during his analysis, make an additional verification in the children’s family environment or any other environment the children frequent, unless the director has all the information necessary to accept the reports for evaluation.”

*Adopted*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 10.1

**AMENDMENT:**

Insert after section 10:

**10.1.** The Act is amended by inserting the following after Division III of Chapter III:

**“DIVISION IV  
“EDUCATION NETWORK ORGANIZATIONS**

**“37.7.** Every institution operating a child and youth protection centre must enter into an agreement with a school board in the region served by the centre concerning the services to be provided to a child and his parents by the health and social services network and the education network if the child is the subject of a report for a situation of educational neglect in connection with the schooling the child receives or with the child’s compliance with compulsory school attendance under subparagraph iii of subparagraph 1 of subparagraph *b* of the second paragraph of section 38.

The agreement must establish a method of cooperation to ensure the child’s situation is monitored.

The agreement must cover, among other aspects, the continuity and complementarity of the services provided and the actions to be taken jointly. The parties are required to share the information necessary for the implementation of the agreement.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 76.1

**AMENDMENT:**

Insert after section 76:

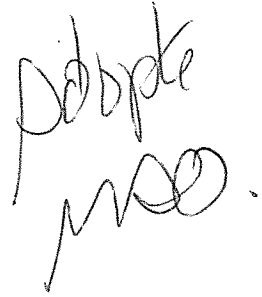
**EDUCATION ACT**

**76.1.** The Education Act (chapter I-13.3) is amended by inserting the following section after section 214.2:

“**214.3.** A school board must enter into an agreement with an institution operating a child and youth protection centre in its territory concerning the services to be provided to a child and his parents by the health and social services network and the education network if the child is the subject of a report for a situation of educational neglect in connection with the schooling the child receives or with the child’s compliance with compulsory school attendance under subparagraph iii of subparagraph 1 of subparagraph *b* of the second paragraph of section 38 of the Youth Protection Act (chapter P-34.1).

The agreement must establish a method of cooperation to ensure the child’s situation is monitored.

The agreement must cover, among other aspects, the continuity and complementarity of the services provided and the actions to be taken jointly. The parties are required to share the information necessary for the implementation of the agreement.”

A handwritten signature in black ink, appearing to read 'D. Dube' or similar, with a stylized flourish below it.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.4

**AMENDMENT:**

Insert after section 83.3:

**83.4.** Section 2 of the Regulation is amended by replacing the first paragraph by the following paragraph:

“A child placed in an intensive supervision unit must receive rehabilitation services as well as services to ensure he or she receives schooling. Clinical support for the child must be sustained and personalized.”

*Adopte  
MCO*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 10

**AMENDMENT:**

Replace by:

**10.** The Act is amended by inserting the following sections after section 37.5:

**“37.6.** In order to facilitate preservation of the cultural identity of Native children and the involvement of Native communities in the decision-making and choice of measures concerning these children, an institution operating a child and youth protection centre may enter into an agreement with a Native community represented by its band council or by the northern village council or with a group of communities so represented which stipulates that such a community or such a group is to recruit and evaluate, in keeping with the general criteria determined by the Minister, persons able to take in one or more children who are members of the community and who are entrusted to them under this Act.

Such an agreement may also stipulate any other responsibility of the community or group of communities in relation to these persons' activities, in accordance with ministerial policy directions.

**“37.6.1.** An institution operating a child and youth protection centre may, for the same purposes as those mentioned in section 37.6, enter into an agreement with a Native community represented by its band council or by the northern village council or with a group of communities so represented that specifies the terms applicable to the authorizations granted by the director for the exercise of one or more of the exclusive responsibilities of the director provided for in the following paragraph.

The director may, within the framework of such an agreement, authorize a person who is an employee of the Native community or the group of communities, in writing and to the extent the director specifies,

(1) to carry out the assessment of a child's situation and living conditions as provided for in subparagraph *b* of the first paragraph of section 32, without, however, allowing that person to decide whether the security or development of the child is in danger; and

(2) to exercise, under the director's authority as regards clinical matters or under the authority of the person the director authorizes in writing, one or more of the responsibilities provided for in subparagraphs *b* to *e* and *h.1* of the first paragraph of section 32.

Section 35 and any other section that applies to a person acting under section 32 applies to a person authorized to exercise a responsibility under this section. The director may, at any time, terminate an authorization.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

*Adopted  
MBO*

Section 8

**AMENDMENT:**

Replace by:

8. Section 32 of the Act, amended by section 56 of chapter 12 of the statutes of 2017, is again amended

- (1) by striking out subparagraph *c* of the second paragraph;
- (2) by replacing the last paragraph by the following paragraph:

“Where the decision on the directing of the child involves the application of an agreement on a short-term intervention or on voluntary measures, the director may decide personally to reach an agreement on such measures with only one of the parents to the extent that the conditions set out in the second paragraph of section 52.1 are met.”



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 39

**AMENDMENT:**

1. Change the number of section 72.6.1 to 72.6.0.1.
2. In the first paragraph of proposed section 72.6.1:
  - (a) Replace “when a child who is a member of a Native community” by “as soon as a Native child”.
  - (b) Replace “or of the community” by “or his community or nation”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 51.0.0.1

**AMENDMENT:**

Insert after section 51:

**51.0.0.1.** The Act is amended by inserting the following section after section 81:

“**81.1.** A person responsible for the youth protection services of a Native community or, in the absence of such a person, the person who assumes a role in child and family services in a Native community may testify and make representations before the tribunal at the hearing of any application concerning a Native child of that community and may, for those purposes, be assisted by an advocate.

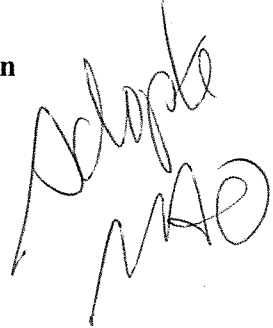
That person may not otherwise participate in the hearing, unless the person has obtained the tribunal’s authorization to do so.

Except in the case of an application under section 47, the director must, as soon as possible, inform the person responsible for the youth protection services of a Native community or, in the absence of such a person, the person who assumes a role in child and family services in a Native community of the date, time and place of the hearing of any application concerning a Native child of that community, of the subject of such an application and of the person’s right to participate in the hearing to the extent provided for in this section.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 29.1

Handwritten signature and initials, possibly "Schopke" and "MAO", in cursive script.

**AMENDMENT:**

Insert after section 29:

**29.1.** Section 70.1 of the Act is amended by replacing “protect the interest of the child and ensure” in the first paragraph by “ensure the interest of the child and”.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 78.1

**AMENDMENT:**

Insert after section 78:

**ACT RESPECTING THE SHARING OF CERTAIN HEALTH INFORMATION**

**78.1.** Section 113 of the Act respecting the sharing of certain health information (chapter P-9.0001) is amended

(1) by replacing “the information concerning the child that is held in the health information banks in the clinical domains or in the electronic prescription management system for medication” in the first paragraph by “the health information concerning the child that is referred to in the first paragraph of section 112”;

(2) by inserting the following paragraph after the first paragraph:

“The person having parental authority over a minor child under the age of 14 is entitled to be informed of and to receive the health information concerning the child that is referred to in the first paragraph of section 112. However, the person’s right is denied in cases where a director of youth protection determines, on the basis of the information contained in the record he keeps on the child, that the release of any or all of that health information causes or could cause harm to the child’s health in any of the following situations:

(1) the assessment of the child’s situation and living conditions under section 49 of the Youth Protection Act (chapter P-34.1) is ongoing; or

(2) the situation of the child is or has previously been taken in charge by a director of youth protection under section 51 of that Act.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**


Section 75

**AMENDMENT:**

Replace by:

**75.** Section 6 of the Code of Penal Procedure (chapter C-25.1) is amended by adding the following paragraph at the end:

“However, section 7 does not apply to persons who are 20 years of age or over on the date their detention begins.”

A handwritten signature in black ink, appearing to read 'Adopted' with a large flourish underneath.

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 5.2

A handwritten signature in black ink, appearing to read 'P. D. P. M. A. O.', is written over the text 'Section 5.2'.

**AMENDMENT:**

Insert after section 5.1:

**5.2.** Section 11.1.1 of the Act is amended by replacing the second, third and fourth paragraphs by the following paragraphs:

“Placement in such a unit must be aimed at ensuring the child’s safety, putting an end to the situation placing the child or others in danger and preventing the recurrence of such a situation in the short term.

Placement of the child in an intensive supervision unit may occur only following a decision by the executive director of the institution or the person the executive director authorizes in writing and must comply with the conditions prescribed by regulation. A detailed report on the placement, mentioning the grounds for it and its duration, must be entered in the child’s record. The information contained in the regulation must be given and explained to both the child, if he is able to understand it, and the child’s parents. The child or the parents may refer the executive director’s decision to the tribunal. Such an application is heard and decided by preference.

Where the child’s situation is being reassessed, the executive director or the person the executive director authorizes in writing may, during a transition period and if the child’s situation requires it, allow the child to engage in activities outside the intensive supervision unit, in accordance with the conditions prescribed by regulation, with a view to returning the child to an open rehabilitation unit.

Placement in an intensive supervision unit must end as soon the serious risk of danger no longer exists and the situation warranting the measure is not likely to recur in the short term. In the case of an immediate protective measure, the placement may not exceed the period prescribed in section 46.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 40

**AMENDMENT:**

Replace by:

**40.** Section 72.7 of the Act is amended by replacing the first paragraph by the following paragraphs:

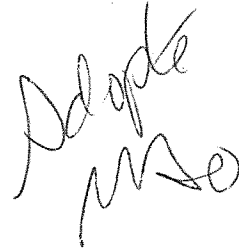
“If there is reasonable cause to believe that the security or development of a child is in danger on any of the grounds set out in subparagraph *b*, *d* or *e* of the second paragraph of section 38, the director or the Commission, according to their respective powers, may, to ensure the protection of the child or of another child, disclose confidential information regarding the situation to the Director of Criminal and Penal Prosecutions or to a police force without it being necessary to obtain the consent of the person to whom it relates or an order of the tribunal. The disclosure must be limited to the information required to facilitate their intervention with regard to the reported situation. If the director or Commission considers it appropriate, he or it may also, for the same purpose, disclose such information to the Minister of Families or an institution or body exercising a responsibility in respect of the child concerned.

The director or the Commission may also disclose confidential information related to the situation that gave rise to the disclosure to the Director of Criminal and Penal Prosecutions, the Minister of Families or such an institution or body without the consent of the person to whom it relates or an order of the tribunal if such information is necessary for the exercise of their duties and responsibilities. Such a disclosure may be made until the end of the director’s intervention in respect of the child.”

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 83.11

A handwritten signature in dark ink, appearing to read 'Adopted' followed by a flourish.

**AMENDMENT:**

Insert after section 83.10:

**EDUCATIONAL CHILDCARE REGULATION**

**83.11.** Section 76 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended by replacing the second paragraph by the following paragraphs:

“Despite the first paragraph, the coordinating office must immediately suspend the recognition of a home childcare provider if the provider or, if applicable, the provider’s assistant or a person residing in the residence where the childcare is provided, is implicated by a report that has been accepted for evaluation by the director of youth protection. The same applies in cases where any of those persons is implicated by a report leading to a disclosure of confidential information by the director of youth protection to the Director of Criminal and Penal Prosecutions or to a police force under section 72.7 of the Youth Protection Act (chapter P-34.1).

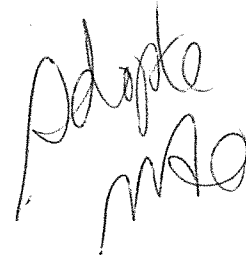
In the cases referred to in the second paragraph, the coordinating office must notify the provider as well as the parents of the children it provides homecare to of the suspension in writing without delay, and give the provider an opportunity to submit observations as soon as possible and, in all cases, within 10 days.”



Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 85

Handwritten signature and initials, possibly "Adyke" and "MSO", in dark ink.

**AMENDMENT:**

Replace by:

**85.** An agreement entered into between an institution operating a child and youth protection centre and a Native community or a group of such communities before (*insert the date of coming into force of section 10 of this Act*) and dealing, in particular, with one or more of the elements provided for in section 37.6 of the Youth Protection Act (chapter P-34.1), enacted by section 10, in connection with the exercise of the institution's responsibilities in foster family matters, is considered to have been entered into under that section 37.6 only for the elements provided for in that section.

The elements not agreed on in writing must be confirmed by the parties in a written agreement entered into not later than (*insert the date that is 24 months after the date of coming into force of section 10*).

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 86.1

**AMENDMENT:**

Insert after section 86:

**86.1.** The agreements described in section 37.7 of the Youth Protection Act, enacted by section 10.1, and in section 214.3 of the Education Act (chapter I-13.3), enacted by section 76.1, must be entered into before *(insert the date that is 12 months after the date of coming into force of sections 10.1 and 76.1).*

*Adopted*

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 87

**AMENDMENT:**

1. Strike out paragraph 2.
2. Replace “has already been presented” in paragraph 4 by “has already been served on (*insert the date of coming into force of section 70 of this Act*)”.

Adopte  
MAD

Bill 99

**An Act to amend the Youth Protection  
Act and other provisions**

Section 88

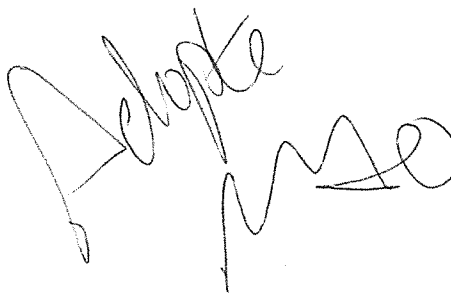
**AMENDMENT:**

Replace by:

**88.** The provisions of this Act come into force on *(insert the date of assent to this Act)*, except

(1) paragraph 1, to the extent that it enacts paragraph *c.2* of section 1 of the Youth Protection Act, and paragraphs 1.1 to 3 of section 1, sections 2 to 5.3, 8 to 11.2, 11.4, 13, 15 to 21, 23 to 29, 37 to 41.1, 46, 54 to 56, 72.1, 76.1 to 78, 79 to 81, 83.1 to 83.11 and 85 to 86.1, which come into force on the date or dates to be set by the Government;

(2) sections 51.0.0.1 and 51.0.1, which come into force on the date to be set by the Government, but not later than 1 January 2018.

A handwritten signature in black ink, appearing to read "Adopte" followed by a stylized flourish or initials.