

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 1

AMENDMENT:

Strike out “, mausoleum or columbarium” in proposed subparagraph 3.

Adopté S01

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 50.1

AMENDMENT:

Insert after section 50:

50.1. Section 31 of the Act is amended by inserting the following paragraph after the fifth paragraph:

“A by-law provided for in this section may only be adopted if the vote of the mayor or warden is included in the two-thirds majority vote, in favour of the by-law, of the members of the council of the municipality.”

Adopté SM

Bill 155

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Section 58.1

AMENDMENT:

Insert after section 58:

58.1. Section 50.1 has effect from 13 February 2018.

Adopté SM

Bill 155

**An Act to amend various legislative
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Section 11

AMENDMENT:

Replace by:

11. Section 58.3.2 of the Charter of Ville de Longueuil (chapter C-11.3) is amended by replacing “no instrument of the city adopted by the council under that Act is subject to approval by way of referendum” in the second paragraph by “the instruments of the city that would otherwise be subject to approval by way of referendum are not so subject, whether adopted under the Act respecting land use planning and development or under this Charter”.

Adopté ST

Bill 155

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Section 12

AMENDMENT:

Replace by:

12. Section 89.1.2 of the Charter is amended by replacing “no instrument of the city adopted by the council under that Act is subject to approval by way of referendum” in the second paragraph by “the instruments of the city that would otherwise be subject to approval by way of referendum are not so subject, whether adopted under the Act respecting land use planning and development or under this Charter.”

Adopté 577

Bill 155

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Section 14

AMENDMENT:

Replace by:

14. Section 74.5.2 of the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is amended by replacing “no instrument of the city adopted by the council under that Act is subject to approval by way of referendum” in the second paragraph by “the instruments of the city that would otherwise be subject to approval by way of referendum are not so subject, whether adopted under the Act respecting land use planning and development or under this Charter.”

Adopté ST

Bill 155

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Section 11.1

AMENDMENT:

Insert after the heading "CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC":

11.1. Section 43 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended by replacing "city" by "borough", and by adding the following sentence at the end: "It may also fix additional remuneration relating to any special position held by a city councillor on that council or on any committee of the council."

Adopté SM

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Section 26

AMENDMENT:

Replace “clerk” in the sixth and seventh paragraphs of proposed article 445 by
“secretary-treasurer”.

Adopté SM

AM 9
s. 48 (57)

Bill 155

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provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 48

AMENDMENT:

Replace “the rules governing the exercise of its powers and the appointment of” in the second paragraph of subsection 1 of proposed section 57 by “and the rules governing the exercise of its powers, and shall designate”.

Adopté S11

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Section 49

AMENDMENT:

In the first paragraph of proposed section 57.1:

1. Replace “the Société” in the second sentence by “the Minister”.
2. Strike out the last sentence.

Adopté SM

AM 11
s. 49.0.1 (58.4)

Bill 155

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provisions concerning municipal affairs
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Section 49.0.1

AMENDMENT:

Insert after section 49:

49.0.1. Section 58.4 of the Act is amended by striking out “two” in the third sentence.

Adopté SM

Bill 155

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provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 47.1

AMENDMENT:

Insert after section 47:

47.1. Section 3.2 of the Act is replaced by the following section:

“3.2. For the pursuit of its objects, the Société may

(1) conduct or commission research, studies, inquiries or surveys on the housing requirements and housing conditions of the population;

(2) grant subsidies for housing studies and research and for experimental projects pertaining to housing; and

(3) obtain from the departments and any public or private body the information it requires to manage the programs it implements.”

Adopté SH

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Section 49.0.2

AMENDMENT:

Insert after section 49:

49.0.2. Section 93 of the Act is amended by striking out paragraph *b*.

Adopté SH

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provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.13

AMENDMENT:

Insert after section 27.12:

27.13. The Act is amended by inserting the following division after section 84:

“DIVISION X

“AUDITS OF MUNICIPALITIES AND MUNICIPAL BODIES

“85. The Commission is the auditor of the accounts and affairs of the following municipalities and municipal bodies:

(1) the Communauté métropolitaine de Montréal and the Communauté métropolitaine de Québec;

(2) every regional county municipality;

(3) every local municipality having less than 100,000 inhabitants;

(4) every legal person

(a) that is part of the reporting entity defined in the financial statements of a local municipality having less than 100,000 inhabitants or of a regional county municipality;

(b) of which a local municipality having less than 100,000 inhabitants, a regional county municipality or a mandatary of either appoints more than 50% of the members of the board of directors; or

(c) of which a local municipality having less than 100,000 inhabitants, a regional county municipality or a mandatary of either holds more than 50% of the outstanding voting shares or units;

(5) any body referred to in the first paragraph of section 573.3.5 of the Cities and Towns Act (chapter C-19) that is not a legal person referred to in subparagraph 4 or in the first paragraph of section 107.7 of that Act, provided

(a) in the case of a body referred to in subparagraph 1 of the first paragraph of section 107.7 of the Cities and Towns Act, it is the mandatory or agent of at least one local municipality having less than 100,000 inhabitants or one regional county municipality;

(b) under subparagraph 2 of the first paragraph of that section, its board of directors includes at least one member who is a member of the council of, or was appointed by, a local municipality having less than 100,000 inhabitants or a regional county municipality;

(c) its budget is adopted or approved by at least one local municipality having less than 100,000 inhabitants or one regional county municipality;

(d) in the case of a body referred to in subparagraph 4 of the first paragraph of that section, part of the funds it receives from municipalities comes from a local municipality having less than 100,000 inhabitants or a regional county municipality; or

(e) in the case of a body designated under subparagraph 5 of the first paragraph of that section, it has its principal place of business in the territory of a local municipality having less than 100,000 inhabitants or of a regional county municipality.

On an application by the council of a municipality, the Commission may also act as auditor of the chief auditor appointed under section 107.2 of the Cities and Towns Act; such an audit includes, to the extent considered useful by the Commission, auditing of operations to verify their compliance with the Acts, regulations, policies and directives applicable to the chief auditor, and value-for-money auditing.

"86. Audits of the accounts and affairs of metropolitan communities and regional county municipalities, of municipalities having less than 10,000 inhabitants, and of the municipal bodies referred to in subparagraph 4 of the first paragraph of section 85 that are related to those municipalities in the manner provided for in that subparagraph include, to the extent considered appropriate by the Commission, auditing their operations to verify the latter's compliance with the Acts, regulations, policies and directives applicable to them, and value-for-money auditing.

Audits of the accounts and affairs of municipalities having at least 10,000 but less than 100,000 inhabitants and of the municipal bodies referred to in subparagraph 4 of the first paragraph of section 85 that are related to those

municipalities in the manner provided for in that subparagraph include, to the extent considered appropriate by the Commission, auditing their operations to verify the latter's compliance with the laws, regulations, policies and directives applicable to them. Such audits also include, in the case of a municipality where a by-law adopted under section 108.2.0.2 of the Cities and Towns Act or article 966.2.2 of the Municipal Code of Québec (chapter C-27.1) is in force, value-for-money auditing of both the municipality and the bodies referred to in subparagraphs 4 and 5 of the first paragraph of section 85 that are related to it in the manner provided for in that subparagraph.

Such audits are to be conducted at the times and intervals and in the manner determined by the Commission.

If, under this section, section 107.7 or 108.2.0.1 of the Cities and Towns Act or article 966.2.1 of the Municipal Code of Québec, a mandate to audit certain aspects of the accounts and affairs of a body referred to in section 573.3.5 of the Cities and Towns Act is entrusted to more than one auditor, the audit of those aspects must be conducted exclusively by the following designated auditor:

- (1) the chief auditor of the municipality with the largest population;
- (2) if no chief auditor of a municipality is concerned, the Commission municipale du Québec; or
- (3) if neither a chief auditor of a municipality nor the Commission is concerned, the external auditor of the municipality with the largest population.

“86.1. An audit conducted in accordance with section 85 or 86 must not call into question the merits of the policies and objectives of the municipalities, chief auditors or bodies whose accounts and affairs are being audited.

“86.2. Any municipality or municipal body subject to audit under section 85, as well as its officers and employees, is required to provide the Commission, on request, with the records, reports, documents or data, in whatever form, that the Commission considers necessary for the purposes of its mandate. They must also provide it with any relevant information or explanation.

The Commission may make copies of the records, reports, documents or data obtained in accordance with the first paragraph.

“86.3. For the purposes of its audit mandate, the Commission may assign its employees, experts and technicians to a municipality or municipal body referred to in section 85. The municipality or municipal body must provide the Commission with the premises the Commission considers necessary.

“86.4. The Commission may also audit the records, files, documents and accounts of a person, establishment, institution, body, association or enterprise as regards the use made of any assistance granted by a municipality or municipal body referred to in section 85.

The recipient of assistance and its employees are required to provide the Commission, on request, with any document or data, in whatever form, that the Commission considers necessary for the purposes of the mandate provided for in the first paragraph. They must also provide it with any relevant information or explanation.

The Commission may make copies of the documents or data obtained in accordance with the second paragraph.

“86.5. The auditor of the accounts and affairs of a recipient of assistance referred to in section 86.4 must, at the Commission’s request, promptly transmit to the Commission a copy of

- (1) the recipient’s annual financial statements;
- (2) the recipient’s report on those statements; and
- (3) any other report made to the recipient’s board of directors, executive or chief executive officer, as the case may be, on the auditor’s findings and recommendations.

“86.6. Not later than 30 September each year, the Commission must report on the results of the audit of each municipality or body referred to in section 85 that the Commission conducted for the fiscal year ended on the preceding 31 December.

The report must indicate any fact, irregularity or deficiency the Commission considers advisable to bring up with the municipality or body.

The Commission may also, at any other time, transmit to a municipality or body referred to in section 85 a report presenting any findings or recommendations that, in its opinion, warrant being brought to the attention of the municipality or body.

In any report it produces, the Commission must disclose any situation that could cause a conflict between the interest of any of its commissioners or employees and his duties of office.

“86.7. The Commission must transmit any report made under section 86.6 to the municipality or body that was audited or that is the subject of the report’s findings or recommendations.

If a report concerns a municipal body referred to in subparagraph 4 or 5 of the first paragraph of section 85 or the audit of such a body, it must also be transmitted to the municipality related to the body under that subparagraph.

If a report concerns a chief auditor of a municipality having 100,000 inhabitants or more, it must also be transmitted to that municipality.

If a report concerns a recipient of assistance subject to section 86.4, it must be transmitted to the recipient and to the municipality or municipal body that granted the assistance.

Any report transmitted under this section must be simultaneously transmitted to the Minister and published on the Commission's website.

"86.8. Any Commission report received by a metropolitan community or a municipality under section 86.7 must be tabled at the first meeting of its council following receipt of the report.

"86.9. Despite any general law or special Act, the Commission's members, secretary and employees, experts and technicians may not be compelled to give testimony relating to information obtained in the exercise of their audit functions or to produce any document containing such information. A judge of the Court of Appeal may, on an application, summarily annul any proceeding instituted or decision rendered contrary to this paragraph.

Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised, nor any injunction granted, against the Commission, the employees under its direction or the experts or technicians whose services it retains when the Commission, employees, experts or technicians are acting in their official capacity in the exercise of its or their audit functions."

"86.10. The Commission may not audit the accounts or affairs of a municipality for which it performs the functions of officer or director, makes managerial decisions or performs managerial functions, or of a body related to such a municipality, nor for a period during which it performed such functions."

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 86

AMENDMENT:

Replace proposed section 86, introduced by amendment 14, by:

“86. Audits of the accounts and affairs of metropolitan communities and regional county municipalities, of municipalities having less than 10,000 inhabitants, and of the municipal bodies referred to in subparagraphs 4 and 5 of the first paragraph of section 85 that are related to those municipalities in the manner provided for in those subparagraphs include, to the extent considered appropriate by the Commission, auditing their operations to verify the latter's compliance with the Acts, regulations, policies and directives applicable to them, and value-for-money auditing.

Audits of the accounts and affairs of municipalities having at least 10,000 but less than 100,000 inhabitants and of the municipal bodies referred to in subparagraphs 4 and 5 of the first paragraph of section 85 that are related to those municipalities in the manner provided for in those subparagraphs include, to the extent considered appropriate by the Commission, auditing their operations to verify the latter's compliance with the Acts, regulations, policies and directives applicable to them. Such audits also include, in the case of a municipality where a by-law adopted under section 108.2.0.2 of the Cities and Towns Act or article 966.2.2 of the Municipal Code of Québec (chapter C-27.1) is in force, value-for-money auditing of both the municipality and the bodies referred to in subparagraphs 4 and 5 of the first paragraph of section 85 that are related to it in the manner provided for in those subparagraphs.

Such audits are to be conducted at the times and intervals and in the manner determined by the Commission.

If, under this section, section 107.7 or 108.2.0.1 of the Cities and Towns Act or article 966.2.1 of the Municipal Code of Québec, a mandate to audit certain aspects of the accounts and affairs of a body referred to in section 573.3.5

of the Cities and Towns Act is entrusted to more than one auditor, the audit of those aspects must be conducted exclusively by the following designated auditor:

- (1) the chief auditor of the municipality with the largest population;
- (2) if no chief auditor of a municipality is concerned, the Commission municipale du Québec; or
- (3) if neither a chief auditor of a municipality nor the Commission is concerned, the external auditor of the municipality with the largest population.

Adopté SM

AM f
s. 19.18 (108.2.0.1)

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Section 19.18

AMENDMENT:

Amendment 15 has been withdrawn and renamed amendment f.

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**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 19.19

AMENDMENT:

Insert after section 19.18:

19.19. The Act is amended by inserting the following section after section 108.2.0.1:

“108.2.0.2. A municipality referred to in section 108.2.0.1 may, by by-law, entrust to the Commission municipale du Québec the audit mandate provided for in that section. An authenticated copy of the by-law must be transmitted to the Commission without delay.

A by-law made under the first paragraph applies from the fiscal year following that of its coming into force, provided it comes into force before 1 September; if it does not, the by-law applies from the second fiscal year following that of its coming into force. Section 108.2.0.1 ceases to apply to the municipality's external auditor as of that fiscal year.

Despite the third paragraph of section 86 of the Act respecting the Commission municipale (chapter C-35), the audit mandate entrusted to the Commission by a by-law adopted under this section must be carried out once every two years.

The by-law may not be repealed.”

Adopté SM

Bill 155

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Section 27.3

AMENDMENT:

Insert after section 27.2.1.1:

27.3. The Code is amended by inserting the following articles after article 966.2:

“966.2.1. In addition to his mandate under article 966.2, the external auditor of a municipality having at least 10,000 inhabitants shall conduct, to the extent he considers appropriate, a value-for-money audit

(1) of the municipality;

(2) of any legal person

(a) that is part of the reporting entity defined in the municipality's financial statements;

(b) of which the municipality or a mandatary of the municipality appoints more than 50% of the members of the board of directors; or

(c) of which the municipality or a mandatary of the municipality holds more than 50% of the outstanding voting shares or units;

(3) of any body referred to in the first paragraph of section 573.3.5 of the Cities and Towns Act (chapter C-19), provided

(a) in the case of a body referred to in subparagraph 1 of the first paragraph of that section, it is the mandatary or agent of the municipality;

(b) under subparagraph 2 of the first paragraph of that section, the majority of the members of its board of directors are members of the council of, or are appointed by, the municipality;

- (c) its budget is adopted or approved by the municipality;
- (d) in the case of a body referred to in subparagraph 4 of the first paragraph of that section, it receives part or all of its financing from the municipality; or
- (e) in the case of a body designated under subparagraph 5 of the first paragraph of that section, it has its principal place of business in the territory of the municipality.

If, under this section, section 107.7 or 108.2.0.1 of the Cities and Towns Act (chapter C-19) or section 86 of Act respecting the Commission municipale (chapter C-35), a mandate to audit certain aspects of the accounts and affairs of a body referred to in the first paragraph of section 573.3.5 of the Cities and Towns Act is entrusted to more than one auditor, the audit of those aspects must be conducted exclusively by the following designated auditor:

- (1) the chief auditor of the municipality with the largest population;
- (2) if no chief auditor of a municipality is concerned, the Commission municipale du Québec; or
- (3) if neither a chief auditor of a municipality nor the Commission is concerned, the external auditor of the municipality with the largest population.

An audit under the first paragraph must be completed once every two years.

The auditor shall report to the council on his audit.

"966.2.2. A municipality referred to in article 966.2.1 may, by by-law, entrust to the Commission municipale du Québec the audit mandate provided for in that section. An authenticated copy of the by-law must be transmitted to the Commission without delay.

A by-law made under the first paragraph applies from the fiscal year following that of its coming into force, provided it comes into force before 1 September; if it does not, the by-law applies from the second fiscal year following that of its coming into force. Article 966.2.1 ceases to apply to the municipality's external auditor as of that fiscal year.

Despite the third paragraph of section 86 of the Act respecting the Commission municipale (chapter C-35), the audit mandate entrusted to the Commission by a by-law adopted under this section must be carried out once every two years.

The by-law may not be repealed."

Adopte SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.10

AMENDMENT:

Insert after section 19.9:

19.10. Section 107.7 of the Act is amended by adding the following at the end:

“(3) of any body referred to in the first paragraph of section 573.3.5,
provided

(a) in the case of a body referred to in subparagraph 1 of the first
paragraph of that section, it is the mandatary or agent of the municipality;

(b) under subparagraph 2 of the first paragraph of that section, the
majority of the members of its board of directors are members of the council of,
or are appointed by, the municipality;

(c) its budget is adopted or approved by the municipality;

(d) in the case of a body referred to in subparagraph 4 of the first
paragraph of that section, it receives part or all of its financing from the
municipality; or

(e) in the case of a body designated under subparagraph 5 of the first
paragraph of that section, it has its principal place of business in the territory of
the municipality.

If, under this section, section 108.2.0.1, article 966.2 of the Municipal
Code of Québec (chapter C-27.1) or section 86 of the Act respecting the
Commission municipale (chapter C-35), a mandate to audit certain aspects of the
accounts and affairs of a body referred to in section 573.3.5 is entrusted to more
than one auditor, the audit of those aspects must be conducted exclusively by the
following designated auditor:

(1) the chief auditor of the municipality with the largest population;

(2) if no chief auditor of a municipality is concerned, the Commission municipale du Québec; or

(3) if neither a chief auditor of a municipality nor the Commission is concerned, the external auditor of the municipality with the largest population.”

Adopté 591

Bill 155

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Section 19.10.1

AMENDMENT:

Insert after section 19.10:

19.10.1. Section 107.8 of the Act is amended

(1) by replacing “and of any legal person referred to in paragraph 2 of section 107.7 comprises” in the first paragraph by “and of any legal person or body referred to in subparagraph 2 or 3 of the first paragraph of section 107.7 includes”;

(2) by replacing “or legal persons referred to in paragraph 2 of section 107.7” in the second paragraph by “or legal persons or bodies referred to in subparagraph 2 or 3 of the first paragraph of section 107.7”;

(3) by replacing “or any legal person referred to in paragraph 2 of section 107.7” in subparagraph 2 of the third paragraph by “or any legal person or body referred to in subparagraph 2 or 3 of the first paragraph of section 107.7”.

Adopté SM

Bill 155

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Section 19.22

AMENDMENT:

Insert after section 19.21:

19.22. Section 108.4 of the Act is amended by adding the following paragraph at the end:

“However, a council may not ask the external auditor for audits that fall under the mandate assigned to the Commission municipale du Québec under the Act respecting the Commission municipale (chapter C-35).”

Adopté SM

Bill 155

**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 19.23

AMENDMENT:

Insert after section 19.22:

19.23. Section 109 of the Act is amended by inserting “or that such an audit does not fall under the mandate assigned to the Commission municipale du Québec under the Act respecting the Commission municipale (chapter C-35)” at the end of the first paragraph.

Adopté SM

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Section 27.5

AMENDMENT:

Insert after section 27.4:

27.5. Article 966.5 of the Code is amended by inserting “or provided such an audit does not fall under the mandate of the Commission municipale to audit municipalities and municipal bodies under the Act respecting the Commission municipale (chapter C-35)” at the end of the first and second paragraphs.

Adopté SM

Bill 155

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and the Société d'habitation du Québec**

Section 28.2

AMENDMENT:

Insert after section 28.1:

28.2. Section 216 of the Act is amended by adding the following sentence at the end: “However, it may not require any of the audits that fall under the mandate assigned to the Commission municipale du Québec under the Act respecting the Commission municipale (chapter C-35).”

Adopté SM

Bill 155

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Section 29.2

AMENDMENT:

Insert after section 29.1:

29.2. Section 203 of the Act is amended by adding the following sentence at the end: “However, it may not require any of the audits that fall under the mandate assigned to the Commission municipale du Québec under the Act respecting the Commission municipale (chapter C-35).”

Adopté S11

Bill 155

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Section 56.2

AMENDMENT:

Insert after section 56.1:

56.2. Section 230 of the Act is amended by inserting “or that such an audit does not fall under the audit mandate assigned to the Commission municipale du Québec under the Act respecting the Commission municipale (chapter C-35)” at the end of subsection 1.

Adopté SM

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Section 27.6

AMENDMENT:

Insert after section 27.5:

ACT RESPECTING THE COMMISSION MUNICIPALE

27.6. Section 3 of the Act respecting the Commission municipale (chapter C-35) is amended by adding the following paragraph after the fourth paragraph:

“One of the vice-presidents designated by the Government shall be assigned to matters relating to audits of municipalities and municipal bodies. In addition, despite section 8 of the Act respecting Access to documents kept by public bodies and the Protection of personal information (chapter A-2.1), that vice-president shall, with regard to matters relating to audits of municipalities and municipal bodies, perform the duties conferred by that Act on the person in charge of access to documents or protection of personal information. Persons who are, or were in the past four years, council members or employees of a local municipality having less than 100,000 inhabitants, a regional county municipality or a metropolitan community are disqualified from performing those duties.”

Adopté 591

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Section 27.7

AMENDMENT:

Insert after section 27.6:

27.7. Section 5 of the Act is amended by adding the following paragraphs at the end:

“Despite the first sentence of the first paragraph, the vice-president assigned to matters relating to audits of municipalities and municipal bodies is appointed for a period of seven years. A person may not be so appointed more than once. At the end of the seven-year period, such a vice-president remains in office and continues the assignment until he is reappointed as a member of the Commission or replaced.

If the vice-president assigned to matters relating to audits is absent or unable to act, the Government shall designate a member of the Commission to act in that capacity on an interim basis.”

Adopté 591

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Section 27.8

AMENDMENT:

Insert after section 27.7:

27.8. Section 8 of the Act is amended by adding the following paragraph at the end:

“The first paragraph does not apply when the Commission exercises, under Division X, its audit functions with regard to municipalities and municipal bodies.”

Adopté SH

Bill 155

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Section 27.9

AMENDMENT:

Insert after section 27.8:

27.9. Section 14 of the Act is amended

(1) by replacing out “The Government may, whenever it” by
“Whenever it”;

(2) by replacing “attach to the Commission experts or technical men”
by “the Commission may retain the services of experts or technicians”.

Adopté 591

Bill 155

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Section 27.10

AMENDMENT:

Insert after section 27.9:

27.10. Section 17 of the Act is amended by inserting “, nor any experts or technicians referred to in section 14” after “or employees,”.

Adopté SH

Bill 155

**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 27.11

AMENDMENT:

Insert after section 27.10:

27.11. Section 20 of the Act is amended

(1) by replacing “encourues” and “encourus” in the first paragraph in the French text by “engagées” and “engagés”, respectively;

(2) by inserting “and out of those received by the Commission in accordance with the second paragraph” at the end of the first paragraph;

(3) by replacing the second and third paragraphs by the following paragraphs:

“However, the Commission may

(1) order that the expenses, except those relating to the salaries of its commissioners and regular employees, that it incurs in the exercise of its functions other than its audit functions with regard to municipalities and municipal bodies, be paid in whole or in part by the municipality it designates; and

(2) order that the expenses it incurs in the exercise of its audit functions with regard to the accounts and affairs of a chief auditor of a municipality having 100,000 inhabitants or more be paid by that municipality.

The amount of the expenses referred to in the second paragraph shall then be established by a certificate signed by a member of the Commission or by its secretary; the certificate is final and may not be contested.”

Adopté 571

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.12

AMENDMENT:

Insert after section 27.11:

27.12. Section 22 of the Act is amended by inserting “Except when exercising its audit functions with regard to municipalities and municipal bodies under Division X,” at the beginning of the first paragraph of subsection 1.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.14

AMENDMENT:

Insert after section 27.13:

27.14. Section 91 of the Act is amended by adding the following paragraph at the end:

“This section does not apply when the Commission exercises, under Division X, its audit functions with regard to municipalities and municipal bodies.”

Adopté SN

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.16

AMENDMENT:

Insert after section 19.15:

19.16. Section 108 of the Act is amended

(1) by replacing the first sentence by the following sentence: "The council shall appoint an external auditor for not less than three nor more than five fiscal years.";

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

"In the case of a municipality with a population of at least 10,000 but less than 100,000 inhabitants, the council may appoint two external auditors. In such a case, the council shall entrust one auditor with the audit mandates under section 108.2 and the other with the audit mandate under section 108.2.0.1.

Every external auditor must be a member of the Ordre des comptables professionnels agréés du Québec.

When carrying out their value-for-money audit mandate and despite any general law or special Act, neither an external auditor nor the employees under the external auditor's direction or the professionals under contract may be compelled to give testimony relating to any information obtained in the performance of their duties or to produce any document containing such information. A judge of the Court of Appeal may, on an application, summarily annul any proceeding instituted or decision rendered contrary to this paragraph.

Neither an external auditor nor the employees under the external auditor's direction may be prosecuted for any act they have done or failed to do in good faith in the performance of the duties related to their value-for-money audit mandate.

No civil action may be instituted for the publication of a report of an external auditor prepared under this Act in connection with a value-for-money audit mandate or the publication in good faith of an extract or summary of such a report.

Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised nor any injunction granted against an external auditor, the employees under the external auditor's direction or the professionals under contract when the external auditor, employees or professionals are acting in their official capacity in connection with their value-for-money audit mandate."

Adopte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.17

AMENDMENT:

Insert after section 19.16:

19.17. Section 108.2 of the Act is replaced by the following section:

“108.2. The external auditor of a municipality having less than 100,000 inhabitants, or the external auditor designated by the council where two external auditors have been appointed, shall audit, for the fiscal year for which he was appointed,

(1) the financial statements of the municipality and of any legal person referred to in subparagraph 4 of the first paragraph of section 85 of Act respecting the Commission municipale (chapter C-35) that is related to the municipality in the manner provided for in that subparagraph;

(2) the effective aggregate taxation rate to verify its compliance with Division III of Chapter XVIII.1 of the Act respecting municipal taxation (chapter F-2.1); and

(3) any document determined by the Minister of Municipal Affairs, Regions and Land Occupancy by a regulation published in the *Gazette officielle du Québec*.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.20.1

AMENDMENT:

Insert after section 19.20:

19.20.1. The Act is amended by inserting the following section after section 108.2.1:

“108.2.2. An audit conducted by an external auditor must not call into question the merits of the policies and objectives of the municipality or of a person or body whose accounts and affairs are being audited.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.21

AMENDMENT:

Insert after section 19.20:

19.21. Section 108.3 of the Act is replaced by the following section:

“108.3. Each year, not later than on the date determined by the municipal council, the external auditor shall transmit any report for the preceding fiscal year that was made under section 108.2, 108.2.0.1 or 108.2.1 to the treasurer of the municipality concerned or to the legal person or body concerned.

Any report on the audit of a legal person or a body must also be transmitted to the mayor of a municipality related to the legal person or body under subparagraph 2 or 3 of the first paragraph of section 107.7 or under subparagraph 4 or 5 or the first paragraph of section 85 of the Act respecting the Commission municipale (chapter C-35).

Any report made under section 108.2.0.1 on the value-for-money audit of a municipality having at least 10,000 but less than 100,000 inhabitants must also be transmitted to the Commission municipale du Québec not later than 30 September following the last fiscal year to which the report pertains. The Commission shall publish the report on its website.

The treasurer of a municipality shall file any report he receives under this section at the first regular sitting of the council following receipt of the report.”

Adepte 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.2

AMENDMENT:

Insert after section 27.1:

27.2. Article 966 of the Code is replaced by the following section:

“966. The council shall appoint an external auditor for not less than three nor more than five fiscal years. At the end of the term, the external auditor shall remain in office until replaced or reappointed.

In the case of a municipality having a population of at least 10,000 but less than 100,000 inhabitants, the council may appoint two external auditors. In such a case, the council entrusts one auditor with the audit mandates under article 966.2 and the other with the audit mandate under article 966.2.1.

Every external auditor must be a member of the Ordre des comptables professionnels agréés du Québec.

When carrying out their value-for-money audit mandate and despite any general law or special Act, neither an external auditor nor the employees under the external auditor's direction or the professionals under contract may be compelled to give testimony relating to any information obtained in the performance of their duties or to produce any document containing such information. A judge of the Court of Appeal may, on an application, summarily annul any proceeding instituted or decision rendered contrary to this paragraph.

Neither an external auditor nor the employees under the external auditor's direction may be prosecuted for any act they have done or failed to do in good faith in the performance of the duties related to their value-for-money audit mandate.

No civil action may be instituted for the publication of a report of an external auditor prepared under this Act in connection with a value-for-money

audit mandate or the publication in good faith of an extract or summary of such a report.

Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised nor any injunction granted against an external auditor, the employees under the external auditor's direction or the professionals under contract when the external auditor, employers or professionals are acting in their official capacity in connection with their value-for-money audit mandate."

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.2

AMENDMENT:

Strike out “less than three nor” in the first paragraph of proposed article 966.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.2.1

AMENDMENT:

Insert after section 27.2:

27.2.1. Article 966.2 of the Code is replaced by the following section:

“966.2. The external auditor or the external auditor designated by the council where two external auditors have been appointed, shall audit, for the fiscal year for which he was appointed,

(1) the financial statements of the municipality and of any legal person referred to in subparagraph 2 of the first paragraph of article 966.2.1 that is related to the municipality in the manner provided for in that subparagraph;

(2) the effective aggregate taxation rate to verify its compliance with Division III of Chapter XVIII.1 of the Act respecting municipal taxation (chapter F-2.1); and

(3) any document determined by the Minister of Municipal Affairs, Regions and Land Occupancy by a regulation published in the *Gazette officielle du Québec*.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.3.1

AMENDMENT:

Insert after section 27.3:

27.3.1. The Code is amended by inserting the following article after article 966.2:

“966.2.3. An audit conducted by an external auditor must not call into question the merits of the policies and objectives of the municipality or of a person or body whose accounts and affairs are being audited.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.4

AMENDMENT:

Insert after section 27.3:

27.4. The Code is amended by inserting the following article after article 966.2:

“966.3. Each year, not later than on the date determined by the municipal council, the external auditor shall transmit any report for the preceding fiscal year that was made under article 966.2 or 966.2.1 to the treasurer of the municipality concerned or to the legal person or body concerned.

Any report on the audit of a legal person or a body must also be transmitted to the mayor of a municipality related to the legal person or body under subparagraph 2 or 3 of the first paragraph of article 966.2.1.

Any report made under article 966.2.1 on the value-for-money audit of a municipality having 10,000 inhabitants or more must also be transmitted to the Commission municipale du Québec not later than 30 September following the last fiscal year to which the report pertains. The Commission shall publish the report on its website.

The treasurer of a municipality shall file any report he receives under this section at the first regular sitting of the council following receipt of the report.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.1

AMENDMENT:

Insert after section 28:

28.1. Section 212 of the Act is replaced by the following section:

“**212.** During the period from 1 December to 1 May, the Community shall appoint an auditor for the fiscal year beginning during that period. The Community shall fix the auditor's term of office at not less than three nor more than five fiscal years.”

Adopté SM

SAM 1
AM 42
s. 28.1 (212)

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.1

AMENDMENT:

Strike out “less than three nor” in proposed section 212.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.1

AMENDMENT:

Insert after section 29:

29.1. Section 199 of the Act is replaced by the following section:

“199. During the period from 1 December to 1 May, the Community shall appoint an auditor for the fiscal year beginning during that period. The Community shall fix the auditor's term of office at not less than three nor more than five fiscal years.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.1

AMENDMENT:

Strike out "less than three nor" in proposed section 199.

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.21

AMENDMENT:

Insert after section 49.20:

49.21. Section 137 of the Act is amended by adding the following paragraph at the end:

“The transit authority shall fix the auditor’s term at not less than three nor more than five fiscal years.”

Adepte SM

SAM 1
AM 44
s. 49.21 (137)

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.21

AMENDMENT:

Strike out “less than three nor” in the proposed paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.1

AMENDMENT:

Insert after section 56:

56.1. Section 228 of the Act is amended

(1) by adding the following sentence at the end of subsection 1: "The council shall fix the auditor's or auditors' term at not less than three nor more than five fiscal years.";

(2) by adding the following sentence at the end of subsection 5: "However, it may not require any audit that falls under the audit mandate assigned to the Commission municipale du Québec under the Act respecting the Commission municipale (chapter C-35)."

Adopté 891

SAM 1
AM 45
s. 56.1 (228)

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.1

AMENDMENT:

Strike out "less than three nor" in paragraph 1 of proposed section 56.1.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.20

AMENDMENT:

Insert after section 19.19:

19.20. Section 108.2.1 of the Act is replaced by the following section:

“108.2.1. The external auditor of a municipality having 100,000 inhabitants or more shall audit, for the fiscal year for which he was appointed,

- (1) the accounts and affairs of the chief auditor;
- (2) the financial statements of the municipality and of any legal person referred to in subparagraph 2 of the first paragraph of section 107.7;
- (3) the effective aggregate taxation rate to verify its compliance with Division III of Chapter XVIII.1 of the Act respecting municipal taxation (chapter F-2.1); and
- (4) any document determined by the Minister of Municipal Affairs, Regions and Land Occupancy by a regulation published in the *Gazette officielle du Québec*.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.14

AMENDMENT:

Insert after section 19.13:

19.14. Sections 107.14 and 107.15 of the Act are repealed.

Adopté SQ

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 18.2

AMENDMENT:

Insert after section 18.1:

18.2. Section 105.1 of the Act is amended by striking out “, the chief auditor’s report transmitted under section 107.14 and the external auditor’s report transmitted under section 108.3” in the first paragraph.

Adepte SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 18.3

AMENDMENT:

Insert after section 18.2:

18.3. Section 105.2 of the Act is amended by replacing the first paragraph by the following paragraph:

“Not later than 15 May, the clerk shall transmit to the Minister the financial report and any report of a chief auditor or external auditor under section 108.2 or 108.2.1 that were filed at a sitting of the municipal council.”

Adepte SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 18.1

AMENDMENT:

Insert after section 18:

18.1. Section 52 of the Act is amended

(1) by inserting “except the chief auditor,” after “employees of the municipality,” in the first paragraph;

(2) by inserting “except the chief auditor,” after “employee of the municipality,” in the second paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.1

AMENDMENT:

Insert after section 19:

19.1. The Act is amended by inserting the following heading before section 107.1:

“(a) Appointment”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.2

AMENDMENT:

Insert after section 19.1:

19.2. Section 107.1 of the Act is amended by adding “who is a member of the Ordre des comptables professionnels agréés du Québec” at the end.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.3

AMENDMENT:

Insert after section 19.2:

19.3. Section 107.2 of the Act is amended by replacing “term of seven years.
The term may not be renewed” by “single term of seven years”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.4

AMENDMENT:

Insert after section 19.3:

19.4. The Act is amended by inserting the following section after section 107.2:

"107.2.1. The chief auditor shall perform his duties of office exclusively and on a full-time basis. However, he may participate in educational activities, in particular as an instructor, or professional activities within associations of auditors, educational or research institutions, committees within his professional order, or the Association des vérificateurs généraux municipaux du Québec."

Adopté S01

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.5

AMENDMENT:

Insert after section 19.4:

19.5. Section 107.3 of the Act is amended

(1) by replacing “or a legal person referred to in paragraph 2 of section 107.7” in subparagraph 3 of the first paragraph by “, a legal person referred to in subparagraph 2 of the first paragraph of section 107.7 or a body referred to in subparagraph 3 of that paragraph”;

(2) by adding the following subparagraph at the end of the first paragraph:

“(4) a person who, in the four years preceding his appointment, was a member of a council, or an employee or officer, of the municipality, unless the person was an employee under the direction of the chief auditor during all or part of those years;”.

Adopté 597

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.6

AMENDMENT:

Insert after section 19.5:

19.6. The Act is amended by inserting the following heading before section 107.4:

“(b) Operating expenses”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.7

AMENDMENT:

Insert after section 19.6:

19.7. Section 107.5 of the Act is amended by replacing the second paragraph by the following paragraph:

“Subject to the third paragraph, the appropriation must be equal to or greater than the sum of $A + B + C$ where

- (1) A is \$500,000;
- (2) B is the product obtained by multiplying 0.13% by the portion of the appropriations provided for in the budget for operating expenses that is equal to or greater than \$345,000,000 but less than \$510,000,000; and
- (3) C is the product obtained by multiplying 0.11% by the portion of the appropriations provided for in the budget for operating expenses that is equal to or greater than \$510,000,000.”

Adopté 57

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.8

AMENDMENT:

Insert after section 19.7:

19.8. The Act is amended by inserting the following heading after section 107.5:

“(c) Mandate”.

Adopté S91

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.9

AMENDMENT:

Insert after section 19.8:

19.9. The Act is amended by inserting the following section after section 107.6:

“107.6.1. Despite section 8 of the Act respecting Access to documents kept by public bodies and the Protection of personal information (chapter A-2.1), the chief auditor shall perform the duties conferred by that Act on the person in charge of access to documents or the protection of personal information with regard to the documents the chief auditor prepares in performing his duties or with regard to the documents he keeps for the purposes of his mandate, provided the latter documents are not also kept by a body subject to that Act.

The chief auditor shall transmit without delay to the person in charge of access to documents or the protection of personal information within a concerned body any application he receives concerning documents that are also kept by the body.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.11

AMENDMENT:

Insert after section 19.10:

19.11. Section 107.10 of the Act is amended

- (1) by replacing the first paragraph by the following paragraph:

“The chief auditor may conduct an audit of the accounts or documents of any person or body having received financial assistance from the municipality or from a person or body referred to in subparagraph 2 or 3 of the first paragraph of section 107.7 to verify the use made of such assistance.”;

- (2) by inserting “or body” after “person” in the second paragraph;
- (3) by inserting “or body” after “person” in the third paragraph.

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.12

AMENDMENT:

Insert after section 19.12:

19.12. The Act is amended by inserting the following heading after section 107.12:

“(d) Reporting”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.13

AMENDMENT:

Insert after section 19.12:

19.13. Section 107.13 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by the following:

“107.13. Not later than 31 August each year, the chief auditor shall transmit a report presenting the results of the audit for the fiscal year ended on 31 December to the mayor of the municipality, or to the legal person or body, that was audited.

A report on the audit of a legal person or body shall also be transmitted to the mayor of a municipality related to the legal person or body under subparagraph 2 or 3 of the first paragraph of section 107.7, subparagraph 4 or 5 of the first paragraph of section 85 of the Act respecting the Commission municipale (chapter C-35), or subparagraph 2 or 3 or the first paragraph of article 966.2 of the Municipal Code of Québec (chapter C-27.1).

Where applicable, the report must also indicate any fact or irregularity concerning, in particular,”;

(2) by replacing the second and third paragraphs by the following paragraphs:

“The chief auditor may also, at any time, transmit to the mayor of a municipality or to a legal person or body a report presenting his findings and recommendations. Such a report concerning a person or body must also be transmitted to the mayor of a municipality related to the person or body under the provisions mentioned in the second paragraph.

The mayor of a municipality shall file any report he receives under this section at the first regular sitting of the council following receipt of the report."

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.15

AMENDMENT:

Insert after section 19.14:

19.15. The Act is amended by inserting the following heading after section 107.15:

“(e) Immunity”.

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.2

AMENDMENT:

Insert after section 59.1:

59.2. Sections 107.2 and 107.2.1 and paragraph 4 of section 107.3 of the Cities and Towns Act (chapter C-19), as enacted or amended by this Act, do not apply to chief auditors in office on *(insert the date of assent to this Act)*.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.24

AMENDMENT:

Insert after section 19.23:

19.24. Section 116.1 of the Act is replaced by the following section:

“116.1. If an appointment or personal designation provided for in this Act is not made within the prescribed time or within a period of time the Minister considers reasonable, the Minister may make it. However, the appointment or designation may be made by the competent person or council, even after the expiry of that time, with the Minister's permission.

If the Minister makes an appointment or designation, the Minister may, if no remuneration has been fixed for the position concerned or if the Minister considers the remuneration fixed to be inappropriate, fix any remuneration the Minister considers appropriate.

An appointment or designation made, or remuneration fixed, by the Minister under this section is deemed to have been made or fixed by the person or council otherwise competent to make or fix it under this Act.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 23.1

AMENDMENT:

Insert after section 23:

23.1. Article 169 of the Code is repealed.

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 24.1

AMENDMENT:

Insert after section 24:

24.1. Article 410 of the Code is replaced by the following section:

“410. If an appointment or personal designation provided for in this Code has not been made within the prescribed time or within a period of time the Minister considers reasonable, the Minister may make it. However, the appointment or designation may be made by the competent person or council, even after the expiry of that time, with the Minister's permission.

If the Minister makes an appointment or designation, the Minister may, if no remuneration has been fixed for the position concerned or if the Minister considers the remuneration fixed to be inappropriate, fix any remuneration the Minister considers appropriate.

An appointment or designation made, or remuneration fixed, by the Minister under this article is deemed to have been made or fixed by the person or council otherwise competent to make or fix it under this Code.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.3

AMENDMENT:

Insert after section 28.2:

28.3. Section 234 of the Act is replaced by the following section

“**234.** If an appointment or personal designation provided for in this Act is not made within the prescribed time or within a period of time the Minister considers reasonable, the Minister may make it. However, the appointment or designation may be made by the competent person or council of the Community, even after the expiry of that time, with the Minister’s permission.

If the Minister makes an appointment or designation, the Minister may, if no remuneration has been fixed for the position concerned or if the Minister considers the remuneration fixed to be inappropriate, fix any remuneration the Minister considers appropriate.

An appointment or designation made, or remuneration fixed, by the Minister under this section is deemed to have been made or fixed by the person or council of the Community otherwise competent to make or fix it under this Act.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.3

AMENDMENT:

Insert after section 29.2:

29.3. Section 221 of the Act is replaced by the following section

“221. If an appointment or personal designation provided for in this Act is not made within the prescribed time or within a period of time the Minister considers reasonable, the Minister may make it. However, the appointment or designation may be made by the competent person or council of the Community, even after the expiry of that time, with the Minister's permission.

If the Minister makes an appointment or designation, the Minister may, if no remuneration has been fixed for the position concerned or if the Minister considers the remuneration fixed to be inappropriate, fix any remuneration the Minister considers appropriate.

An appointment or designation made, or remuneration fixed, by the Minister under this section is deemed to have been made or fixed by the person or council of the Community otherwise competent to make or fix it under this Act.”

Adepte 571

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.4

AMENDMENT:

Insert after section 29.3:

**ACT TO FACILITATE THE DISCLOSURE OF WRONGDOINGS RELATING
TO PUBLIC BODIES**

29.4. Section 2 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1) is amended by inserting the following paragraph after paragraph 9:

“(9.1) municipal bodies within the meaning of section 5 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) or section 307 of the Act respecting elections and referendums in municipalities (chapter E-2.2) and legal persons referred to in subparagraph 2 of the first paragraph of section 107.7 of the Cities and Towns Act (chapter C-19);”.

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.5

AMENDMENT:

Insert after section 29.4:

29.5. Section 5 of the Act, amended by section 187 of chapter 27 of the statutes of 2017, is again amended by replacing the second paragraph by the following paragraph:

“Moreover, this Act does not apply

(1) to a disclosure of a contravention of an Act or regulation regarding the tendering or awarding process for, or the performance of, a public contract described in the first paragraph of section 20 of the Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics (2017, chapter 27);

(2) to a disclosure falling within the inspector general's oversight mandate provided for in section 57.1.8 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4); or

(3) to a disclosure regarding an ethics- or conduct-related violation covered by Division I of Chapter III of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1).”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.6

AMENDMENT:

Insert after section 29.5:

29.6. Section 6 of the Act, amended by section 188 of chapter 27 of the statutes of 2017, is again amended by adding the following paragraph at the end:

“Despite the first paragraph, if a person wishes to make a disclosure concerning a public body referred to in paragraph 9.1 of section 2, the person must contact the minister responsible for municipal affairs to make the disclosure.”

Adopté SM

SAM 1
AM 72
s. 29.6 (6)

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.6

AMENDMENT:

Replace “must” in the proposed paragraph by “may”.

Adopté SH

SAM 2
AM 72
s. 29.6 (6)

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.6

AMENDMENT:

Strike out "Despite the first paragraph," in the proposed paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.7

AMENDMENT:

Insert after section 29.6:

29.7. Section 10 of the Act is amended by replacing “section 14” in subparagraph 4 of the first paragraph by “sections 12.1 and 14”.

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.8

AMENDMENT:

Insert after section 29.7:

29.8. Section 12 of the Act, amended by section 189 of chapter 27 of the statutes of 2017, is again amended by replacing subparagraph 4.1 of the second paragraph by the following subparagraphs:

“(4.1) that the disclosure concerns a contravention of an Act or regulation regarding the tendering or awarding process for, or the performance of, a public contract described in the first paragraph of section 20 of the Act to facilitate oversight of public bodies’ contracts and to establish the Autorité des marchés publics (2017, chapter 27);

(4.2) that the disclosure falls within the inspector general’s oversight mandate provided for in section 57.1.8 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);

(4.3) that the disclosure concerns an ethics- or professional conduct-related violation covered by Division I of Chapter III of the Municipal Ethics and Good Conduct Act (chapter E 15.1.0.1); or”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
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Section 29.9

AMENDMENT:

Insert after section 29.8:

29.9. The Act is amended by inserting the following section after section 12:

“12.1. The Public Protector must put an end to the processing of a disclosure if the alleged wrongdoing exclusively concerns a public body referred to in paragraph 9.1 of section 2, and must forward the information concerning the disclosure to the minister responsible for municipal affairs.

However, if a disclosure concerns both a body referred to in paragraph 9.1 of section 2 and a body referred to in another paragraph of that section, the Public Protector and the minister must agree on the terms for processing the disclosure, unless the Minister of Municipal Affairs and Land Occupancy is involved in the disclosure, in which case the Public Protector processes it alone.

The sending of information between the minister and the Public Protector that is required for the purposes of the first and second paragraphs must be carried out in accordance with the terms and conditions determined in an agreement.”

Adopté 501

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.10

AMENDMENT:

Insert after section 29.9:

29.10. Section 13 of the Act is amended by adding the following sentence at the end of the second paragraph: "The Public Protector may also, in the case of a public body, other than a local municipality, referred to in paragraph 9.1 of section 2, inform any local municipality having ties with that body if the Public Protector deems it appropriate."

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.11

AMENDMENT:

Insert after section 29.10:

29.11. Section 14 of the Act, amended by section 190 of chapter 27 of the statutes of 2017, is again amended by replacing the second paragraph by the following paragraph:

“Likewise, if the Public Protector considers that information disclosed to the Public Protector may be communicated under section 57.1.13 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4), section 20 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1) or section 56 of the Act to facilitate oversight of public bodies’ contracts and to establish the Autorité des marchés publics (2017, chapter 27), the Public Protector forwards the information as soon as possible to the inspector general of Ville de Montréal, the Commission municipale du Québec or the Autorité des marchés publics, as applicable.”

Adopté 57

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.12

AMENDMENT:

Insert after section 29.11:

29.12. Section 15 of the Act is amended by inserting the following paragraph after the second paragraph:

“In the case of a public body referred to in paragraph 9.1 of section 2, the Public Protector may, in addition to the communication provided for in the first paragraph and if warranted by the circumstances, report the findings and send the recommendations to the board of directors of the public body and to any local municipality having ties with that body if the latter is not a local municipality.”

Adopté S17

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.13

AMENDMENT:

Insert after section 29.12:

29.13. The Act is amended by inserting the following after section 17:

“CHAPTER III.1

**“DISCLOSURES TO THE MINISTER RESPONSIBLE FOR MUNICIPAL
AFFAIRS**

“17.1. Disclosures concerning public bodies referred to in paragraph 9.1 of section 2 are processed by the minister responsible for municipal affairs in compliance with the rules set out in sections 10 to 15, with the necessary modifications.

“17.2. If the minister considers that the disclosure does not fall within the responsibilities assigned to the minister under section 7 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1), or if it does not involve the minister's department, the minister transfers the information relating to the disclosure to the Public Protector for processing.

If a disclosure concerns both a body referred to in paragraph 9.1 of section 2 and a body referred to in another paragraph of that section, the minister and the Public Protector must agree on the terms for processing the disclosure.

The sending of information between the minister and the Public Protector that is required for the purposes of the first and second paragraphs must be carried out in accordance with the terms and conditions determined by agreement.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.14

AMENDMENT:

Insert after section 29.13:

29.14. Section 18 of the Act is amended by inserting “or 9.1” after “9”.

Adopté 5/11

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.15

AMENDMENT:

Insert after section 29.14:

29.15. Section 29 of the Act is amended by adding the following paragraph at the end:

“Sections 24, 25, 30 to 33, 34 and 35 of that Act apply, with the necessary modifications, to the minister responsible for municipal affairs with regard to investigations the minister conducts and other acts the minister carries out under this Act.”

Adopté S81

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.16

AMENDMENT:

Insert after section 29.15:

29.16. Section 32 of the Act is amended

(1) by adding "Subject to the second paragraph," at the beginning of the first paragraph;

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

"Any complaint regarding a reprisal that concerns a public body referred to in paragraph 9.1 of section 2 may be addressed, at the complainant's choice, either to the Public Protector or to the minister responsible for municipal affairs. However the minister responsible for municipal affairs may not examine a complaint that concerns a disclosure involving the minister and must transfer it to the Public Protector for examination. Once the examination is completed, the Public Protector or the minister must submit his or her recommendations, if any, to the highest ranking administrative official within the public body concerned and, if the Public Protector or the minister considers it appropriate, to the body's board of directors and to any local municipality having ties with the body if the body is not a local municipality.";

(3) by inserting "or the minister responsible for municipal affairs, as applicable," after "Public Protector" in the third paragraph.

Adepte 57

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 29.17

AMENDMENT:

Insert after section 29.16:

29.17. Section 34 of the Act is amended by inserting “, the minister responsible for municipal affairs” after “Public Protector” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.1

AMENDMENT:

Insert after section 34:

**ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES, DES
RÉGIONS ET DE L'OCCUPATION DU TERRITOIRE**

34.1. Section 14 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1) is amended by replacing "under section 15 or an investigation under section 16 or under subsection 1 of section 22 of the Act respecting the Commission municipale (chapter C-35)," in the first paragraph by "or an investigation conducted, as the case may be, under section 15 or 16, subsection 1 of section 22 of the Act respecting the Commission municipale (chapter C-35) or section 11 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1)".

Adopté 597

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.2

AMENDMENT:

Insert after section 34.1:

34.2. Section 17.0.1 of the Act is amended by replacing “described in” by “referred to in subparagraph 2 of the first paragraph of”.

Adopté 577

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.2.0.1

AMENDMENT:

Insert after section 34.2:

34.2.0.1. Section 17.8 of the Act is amended by replacing the third paragraph by the following paragraph:

“The report must also include the following information about the disclosures and complaints received by the Minister under the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1):

- (1) the number of disclosures received;
- (2) the number of disclosures transferred to the Public Protector in accordance with the first paragraph of section 17.2 of that Act;
- (3) the number of disclosures whose processing or examination was ended under section 12 of that Act;
- (4) the number of undertaken, ongoing or concluded investigations;
- (5) the number of well-founded disclosures;
- (6) the number of disclosures broken down according to the categories of wrongdoings set out in section 4 of that Act;
- (7) the number of complaints received regarding reprisals;
- (8) the number of well-founded complaints regarding reprisals;
- (9) the number of times information was forwarded under the first three paragraphs of section 14 of that Act; and

(10) whether the time limits for processing disclosures were complied with."

Adopte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 32.1

AMENDMENT:

Insert after section 32:

32.1. Division I of Chapter III of the Act and the heading of Division II of that chapter are replaced by the following, and Divisions III and IV of that chapter become Divisions II and III:

“DIVISION I

“COMMUNICATION OF INFORMATION AND INQUIRIES

“20. Any person may communicate information to the Commission municipale du Québec concerning a violation of a code of ethics and conduct applicable to a member of a council of a municipality.

The first paragraph applies despite the provisions of the Act respecting the protection of personal information in the private sector (chapter P-39.1) and the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) that concern the release or communication of information, except section 33 of the latter Act. It also applies despite any other communication restrictions under a law and any duty of confidentiality or loyalty that may be binding on a person, including toward an employer or, if applicable, a client.

However, the lifting of professional secrecy authorized under this section does not apply to professional secrecy between a lawyer or a notary and a client.

The Commission must take all necessary measures to protect the identity of persons who have communicated information to it confidentially under the first paragraph.

“21. The Commission may, on its own initiative or after information is communicated under section 20, obtain from any person information it considers necessary concerning a violation referred to in that section. The first two

paragraphs of section 91 of the Act respecting the Commission municipale (chapter C-35) apply to the obtaining of such information by the Commission.

“22. The Commission may, if of the opinion that the information in its possession is likely to show that a member of the council of a municipality has violated a rule of the code of ethics and conduct applicable to the member, conduct an inquiry to determine whether such a violation has been committed.

The inquiry must be opened within three years after the end of the member's term.

The Commission must inform the council member that he or she is under inquiry.

“22.1. The inquiry is conducted by a member, lawyer or notary designated by the president of the Commission.

For the purposes of the inquiry, the member has the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.”

Adopte 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 32.2

AMENDMENT:

Insert after section 32.1:

32.2. Section 23 of the Act is repealed.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 32.3

AMENDMENT:

Insert after section 32.2:

32.3. Section 24 of the Act is amended by replacing “whose conduct is under examination” in the first paragraph by “under inquiry”.

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 32.4

AMENDMENT:

Insert after section 32.3:

32.4. Section 27 of the Act is replaced by the following section:

“27. The Commission must, not later than 90 days after the day on which the council member was informed of the inquiry in accordance with section 22, send its decision to the member and the municipality or, if the inquiry is still under way, inform the council member of the progress of the inquiry and the date on which the Commission will send its decision.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 32.5

AMENDMENT:

Insert after section 32.4:

32.5. Section 36 of the Act is replaced by the following sections:

“36. An inquiry by the Commission under Division I of this chapter and, if applicable, the imposition of a sanction under section 31 do not prevent the bringing of an action for a declaration of disqualification against the council member under inquiry regarding the same facts.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 32.6

AMENDMENT:

Insert after section 32.5:

32.6. The Act is amended by inserting the following sections after section 36:

“**36.1.** Any person who, in good faith, communicates information referred to in section 20 to the Commission or cooperates in a search for information or an inquiry conducted by the Commission under Division I of this chapter incurs no civil liability for doing so.

“**36.2.** It is forbidden to take a reprisal against a person who has, in good faith, communicated information referred to in section 20 to the Commission or cooperated in a search for information or an inquiry conducted by the Commission under Division I of this chapter.

It is also forbidden to threaten to take a reprisal against a person to dissuade him or her from performing an act described in the first paragraph.

The demotion, suspension, termination of employment or transfer of a person referred to in the first paragraph or any disciplinary or other measure that adversely affects the employment or working conditions of such a person is presumed to be a reprisal.

“**36.3.** Any person who believes a reprisal has been taken against him or her may file a complaint with the Commission in order to have the Commission examine whether the complaint is well-founded and submit any recommendations the Commission considers appropriate to the clerk or the secretary-treasurer of the municipality concerned, who must submit them to the council at the first regular sitting held after their receipt.

The Commission may, for the purpose of examining the merits of the complaint, obtain information in accordance with section 21.

If the reprisal a person believes has been taken against him or her seems, in the opinion of the Commission, to constitute a prohibited practice within the meaning of subparagraph 15 of the first paragraph of section 122 of the Act respecting labour standards (chapter N-1.1), the Commission refers that person to the Commission des normes, de l'équité, de la santé et de la sécurité du travail.

On completing its examination, the Commission informs the complainant of its findings and of any recommendations it may have.

"36.4. Any person who communicates or wishes to communicate information under section 20, who cooperates in a search for information or an inquiry conducted by the Commission under Division I or who believes a reprisal has been taken against him or her may contact the Public Protector to obtain the legal advice provided for in section 26 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1), in which case the third and fourth paragraphs of that section apply, with the necessary modifications.

"36.5. As soon as possible, the Commission sends the public body concerned the information obtained under Division I of this chapter that it considers may be

(1) communicated to the inspector general of Ville de Montréal under section 57.1.13 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);

(2) disclosed to the Public Protector or the minister responsible for municipal affairs, as applicable, under section 6 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1);

(3) communicated to the Autorité des marchés publics under section 56 of the Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics (2017, chapter 27); or

(4) disclosed to the Anti-Corruption Commissioner under section 26 of the Anti-Corruption Act (chapter L-6.1).

The communication of information by the Commission in accordance with this section must comply with the terms and conditions determined in an agreement.

"36.6. Whoever

(1) communicates information under section 20 that he or she knows to be false or misleading;

(2) contravenes section 36.2;

(3) by an act or omission, helps a person to commit an offence under subparagraph 1 or 2; or

(4) by encouragement, advice or consent or by an authorization or order, induces another person to commit an offence under subparagraph 1 or 2

is guilty of an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in all other cases.

For any subsequent offence, the amounts are doubled.

“36.7. Whoever

(1) hinders or attempts to hinder the Commission, refuses to provide information or a document that he or she must send or refuses to make it available, or conceals or destroys a document likely to be useful for an inquiry;

(2) by an act or omission, helps a person to commit an offence under subparagraph 1; or

(3) by encouragement, advice or consent or by an authorization or order, induces another person to commit an offence under subparagraph 1

is guilty of an offence and is liable to a fine of \$4,000 to \$20,000.

For any subsequent offence, the amounts are doubled.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.2.1

AMENDMENT:

Insert after section 34.2.0.1:

34.2.1. Section 3.1 of the Act respecting labour standards (chapter N-1.1), amended by section 201 of chapter 27 of the statutes of 2017, is again amended by replacing “14” in the second paragraph by “15”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.2.2

AMENDMENT:

Insert after section 34.2.1:

34.2.2. Section 122 of the Act, amended by section 202 of chapter 27 of the statutes of 2017, is again amended by adding the following subparagraph after subparagraph 14 of the first paragraph:

“(15) on the ground of a communication of information in good faith by the employee under section 20 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1) or the employee’s cooperation in a search for information or an inquiry conducted by the Commission municipale du Québec under Division I of Chapter III of that Act.”

Adopté S97

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.2.3

AMENDMENT:

Insert after section 34.2.2:

34.2.3. Section 140 of the Act, amended by section 203 of chapter 27 of the statutes of 2017, is again amended by replacing “, 13 and 14” in paragraph 6 by “and 13 to 15”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.7.1

AMENDMENT:

Insert after section 56.7:

56.7.1. Section 71 of the Act is amended by replacing the first paragraph by the following paragraph:

“As soon as possible, the Authority sends the public body concerned the information brought to the Authority’s attention that it considers may be

(1) communicated to the inspector general of Ville de Montréal under section 57.1.13 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);

(2) disclosed to the Public Protector or the minister responsible for municipal affairs, as applicable, under section 6 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1);

(3) communicated to the Commission municipale du Québec under section 20 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1); or

(4) disclosed to the Anti-Corruption Commissioner under section 26 of the Anti-Corruption Act (chapter L-6.1).”

Adopté SM

Bill 155

**An Act to amend various legislative
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Section 21.4

AMENDMENT:

Insert after section 21.3:

21.4. The Act is amended by inserting the following section after section 573.1:

“573.1.0.0.1. Tenders submitted electronically may only be submitted through the electronic tendering system approved by the Government.

Any municipality that agrees to receive tenders electronically must mention that fact in its calls for tenders or in the documents to which they refer.

However, a municipality may not require that tenders be submitted only electronically.”

Adopté S91

Bill 155

**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 26.3

AMENDMENT:

Insert after section 26.2:

26.3. The Code is amended by inserting the following article after article 936:

“936.0.0.1. Tenders submitted electronically may only be submitted through the electronic tendering system approved by the Government.

Any municipality that agrees to receive tenders electronically must mention that fact in its calls for tenders or in the documents to which they refer.

However, a municipality may not require that tenders be submitted only electronically.”

Adopté SM

Bill 155

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and the Société d'habitation du Québec**

Section 27.19

AMENDMENT:

Insert after section 27.18:

27.19. The Act is amended by inserting the following section after section 108:

“108.1.1. Tenders submitted electronically may only be submitted through the electronic tendering system approved by the Government.

If the Community agrees to receive tenders electronically, it must mention that fact in its calls for tenders or in the documents to which they refer.

However, the Community may not require that tenders be submitted only electronically.”

Adopté S91

Bill 155

**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 28.8

AMENDMENT:

Insert after section 28.7:

28.8. The Act is amended by inserting the following section after section 101.1:

“101.1.1. Tenders submitted electronically may only be submitted through the electronic tendering system approved by the Government.

If the Community agrees to receive tenders electronically, it must mention that fact in its calls for tenders or in the documents to which they refer.

However, the Community may not require that tenders be submitted only electronically.”

Adopté S7

Bill 155

**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 49.6.8

AMENDMENT:

Insert after section 49.5:

49.6. The Act is amended by inserting the following section after section 95.1:

“95.1.1. Tenders submitted electronically may only be submitted through the electronic tendering system approved by the Government.

Any transit authority that agrees to receive tenders electronically must mention that fact in its calls for tenders or in the documents to which they refer.

However, a transit authority may not require that tenders be submitted only electronically.”

Adopté 571

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 21.5

AMENDMENT:

Insert after section 21.4:

21.5. Section 573.1.0.1.1 of the Act is amended

(1) by replacing subparagraph *d* of subparagraph 3 of the first paragraph by the following subparagraph:

“(d) as regards envelopes or electronic sendings containing the proposed price, open only those from persons whose tender has obtained an interim score of at least 70 and return the others unopened to the senders, despite subsections 4 and 6 of section 573;”;

(2) by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) despite subparagraph 2, if the council accepts electronic submission of tenders, specify that the tender must be submitted in two separate sendings, the first containing all the documents and the second containing the proposed price;”.

Adopté 597

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 26.4

AMENDMENT:

Insert after section 26.3:

26.4. Article 936.0.1.1 of the Code is amended

(1) by replacing subparagraph *d* of subparagraph 3 of the first paragraph by the following subparagraph:

“(d) as regards envelopes or electronic sendings containing the proposed price, open only those from persons whose tender has obtained an interim score of at least 70 and return the others unopened to the senders, despite subarticles 4 and 6 of article 935;”;

(2) by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) despite subparagraph 2, if the council accepts electronic submission of tenders, specify that the tender must be submitted in two separate sendings, the first containing all the documents and the second containing the proposed price;”.

Adopté S91

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.20

AMENDMENT:

Insert after section 27.19:

27.20. Section 109.1 of the Act is amended

(1) by replacing subparagraph *d* of subparagraph 3 of the first paragraph by the following subparagraph:

“(d) as regards envelopes or electronic sendings containing the proposed price, open only those from persons whose tender has obtained an interim score of at least 70 and return the others unopened to the senders, despite the ninth paragraph of section 108;”;

(2) by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) despite subparagraph 2, if the Community accepts electronic submission of tenders, specify that the tender must be submitted in two separate sendings, the first containing all the documents and the second containing the proposed price;”.

Adopté SN

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.9

AMENDMENT:

Insert after section 28.8:

28.9. Section 102.1 of the Act is amended

(1) by replacing subparagraph *d* of subparagraph 3 of the first paragraph by the following subparagraph:

“(d) as regards envelopes or electronic sendings containing the proposed price, open only those from persons whose tender has obtained an interim score of at least 70 and return the others unopened to the senders, despite the ninth paragraph of section 101;”;

(2) by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) despite subparagraph 2, if the Community accepts electronic submission of tenders, specify that the tender must be submitted in two separate sendings, the first containing all the documents and the second containing the proposed price;”.

Adopté SM

Bill 155

**An Act to amend various legislative
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and the Société d'habitation du Québec**

Section 49.7

AMENDMENT:

Insert after section 49.6:

49.7. Section 96.1 of the Act is amended

(1) by replacing subparagraph *d* of subparagraph 3 of the first paragraph by the following subparagraph:

“(d) as regards envelopes or electronic sendings containing the proposed price, open only those from persons whose tender has obtained an interim score of at least 70 and return the others unopened to the senders, despite the ninth paragraph of section 95;”;

(2) by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) despite subparagraph 2, if the transit authority accepts electronic submission of tenders, specify that the tender must be submitted in two separate sendings, the first containing all the documents and the second containing the proposed price;”.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 21.2

AMENDMENT:

Insert after section 21.1:

21.2. Section 573 of the Act is amended

(1) by replacing “of \$100,000 or more” in the introductory clause of subsection 1 by “equal to or above the threshold ordered by the Minister”;

(2) by replacing subparagraph 3 of the first paragraph of subsection 1 by the following paragraph:

“(3) supply contracts;”;

(3) by replacing subparagraph *a* of subparagraph 4 of the first paragraph of subsection 1 by the following subparagraph:

“(a) covered by a regulation adopted under section 573.3.0.1 or 573.3.0.2, where the contract is made in accordance with that regulation; and”;

(4) by replacing the second paragraph of subsection 1 by the following paragraph:

“For the purposes of this section, “supply contracts” includes, in particular, any contract for the purchase or lease of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”;

(5) by replacing “of \$100,000 or more” in the introductory clause of the third paragraph of subsection 1 by “equal to or above the threshold ordered by the Minister”;

(6) by striking out subparagraph 2 of the fourth paragraph of subsection 1;

(7) by replacing “shall not be less than eight days” in the first paragraph of subsection 2 by “must be in accordance with the time ordered by the Minister”;

(8) by striking out the second paragraph of subsection 2;

(9) by replacing subsection 2.1 by the following subsection:

“(2.1) A public call for tenders for a contract referred to in the third paragraph of subsection 1 may also provide that tenders will be considered only if

(1) they are submitted by contractors or suppliers that have an establishment in Canada, in the case of supply contracts or contracts for the supply of services involving an expenditure below the ceiling ordered by the Minister;

(2) they are submitted by contractors or suppliers that have an establishment in Canada, in the case of contracts for the supply of services other than services listed in subparagraph 2.3 of the first paragraph of section 573.3 and involving an expenditure equal to or above the ceiling ordered by the Minister;

(3) in the case of supply contracts or contracts for the supply of services listed in subparagraph 2.3 of the first paragraph of section 573.3 involving an expenditure equal to or above the ceiling ordered by the Minister, they are submitted by contractors or suppliers that have an establishment in Canada or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and are mentioned in the electronic tendering system approved by the Government; or

(4) in the case of construction contracts, they are submitted by contractors or suppliers that have an establishment in Canada or only in a part of Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government according to whether they involve an expenditure below or above the ceiling ordered by the Minister.”;

(10) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adopté S17

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 26.1

AMENDMENT:

Insert after section 26:

26.1. Article 935 of the Code is amended

(1) by replacing “of \$100,000 or more” in the introductory clause of subarticle 1 by “equal to or above the threshold ordered by the Minister”;

(2) by replacing subparagraph 3 of the first paragraph of subarticle 1 by the following paragraph:

“(3) supply contracts;”;

(3) by replacing subparagraph *a* of subparagraph 4 of the first paragraph of subarticle 1 by the following subparagraph:

“(a) covered by a regulation adopted under article 938.0.1 or 938.0.2, where the contract is made in accordance with that regulation; and”;

(4) by replacing the second paragraph of subarticle 1 by the following paragraph:

“For the purposes of this article, “supply contracts” includes, in particular, any contract for the purchase or lease of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”;

(5) by replacing “of \$100,000 or more” in the introductory clause of the third paragraph of subarticle 1 by “equal to or above the threshold ordered by the Minister”;

(6) by striking out subparagraph 2 of the fourth paragraph of subarticle 1;

(7) by replacing “shall not be less than eight days” in the first paragraph of subarticle 2 by “must be in accordance with the time ordered by the Minister”;

(8) by striking out the second paragraph of subarticle 2;

(9) by replacing subarticle 2.1 by the following subarticle:

“2.1. A public call for tenders for a contract referred to in the third paragraph of subarticle 1 may also provide that tenders will be considered only if

(1) they are submitted by contractors or suppliers that have an establishment in Canada, in the case of supply contracts or contracts for the supply of services involving an expenditure below the ceiling ordered by the Minister;

(2) they are submitted by contractors or suppliers that have an establishment in Canada, in the case of contracts for services other than services listed in subparagraph 2.3 of the first paragraph of article 938, and involving an expenditure equal to or above the ceiling ordered by the Minister; or

(3) in the case of supply contracts or contracts for the supply of services listed in subparagraph 2.3 of the first paragraph of article 938 involving an expenditure equal to or above the ceiling ordered by the Minister, they are submitted by contractors or suppliers that have an establishment in Canada or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and are mentioned in the electronic tendering system approved by the Government; or

(4) in the case of construction contracts, they are submitted by contractors or suppliers that have an establishment in Canada or only in a part of Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government according to whether they involve an expenditure above or below the ceiling ordered by the Minister.”;

(10) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 21.3

AMENDMENT:

Insert after section 21.2:

21.3. Section 573.1 of the Act is amended

(1) by replacing the first paragraph by the following paragraphs:

“A contract referred to in any of the subparagraphs of the first paragraph of subsection 1 of section 573 may be awarded only after a call for tenders by written invitation to at least two contractors or, as applicable, two suppliers if it involves an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 573.

The time for the receipt of tenders must not be less than eight days.”;

(2) by striking out “The first paragraph of subsection 2 and” in the last paragraph.

Adopté S07

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 26.2

AMENDMENT:

Insert after section 26.1:

26.2. Article 936 of the Code is amended

- (1) by replacing the first paragraph by the following paragraphs:

“A contract referred to in any of the subparagraphs of the first paragraph of subarticle 1 of article 935 may be awarded only after a call for tenders by written invitation to at least two contractors or, as applicable, two suppliers if it involves an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under article 935.

The time for the receipt of tenders must not be less than eight days.”;

- (2) by striking out “The first paragraph of subarticle 2 and” in the last paragraph.

Adopté S91

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.2

AMENDMENT:

Insert after section 22.1:

22.2. The Act is amended by inserting the following section after section 573.3.3.1:

“573.3.3.1.1. The Minister of Municipal Affairs, Regions and Land Occupancy shall order, by regulation,

(1) the expenditure threshold for a contract that may be awarded only after a public call for tenders under subsection 1 of section 573;

(2) the minimum time for the receipt of tenders after a public call for tenders under that subsection; and

(3) the expenditure ceiling allowing the territory from which tenders originate to be limited under subparagraph 2.1 of section 573.

The threshold, ceiling and time ordered under this section may vary according to the class of contract, in particular according to the type of contract concerned or the amount of the expenditure involved. They may also vary according to other criteria determined by the Minister.”

Adopté 577

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.1.1

AMENDMENT:

Insert after section 27.1:

27.1.1. The Code is amended by inserting the following article after article 938.3.1:

“938.3.1.1. The Minister of Municipal Affairs, Regions and Land Occupancy shall order, by regulation,

(1) the expenditure threshold for a contract that may be awarded only after a public call for tenders under subarticle 1 of article 935;

(2) the minimum time for the receipt of tenders after a public call for tenders under that subarticle; and

(3) the expenditure ceiling allowing the territory from which tenders originate to be limited under subarticle 2.1 of article 935.

The threshold, ceiling and time ordered under this article may vary according to the class of contract, in particular according to the type of contract concerned or the amount of the expenditure involved. They may also vary according to other criteria determined by the Minister.”

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.29

AMENDMENT:

Insert after section 27.28:

27.29. The Act is amended by inserting the following section after section 118.1:

“118.1.0.1. The Minister of Municipal Affairs, Regions and Land Occupancy shall order, by regulation,

(1) the expenditure threshold for a contract that may be awarded only after a public call for tenders under the first paragraph of section 106 and the first paragraph of section 108;

(2) the minimum time for the receipt of tenders after a public call for tenders under the fourth paragraph of section 108; and

(3) the expenditure ceiling allowing the territory from which tenders originate to be limited under the seventh paragraph of section 108.

The threshold, ceiling and time ordered under this section may vary according to the class of contract, in particular according to the type of contract concerned or the amount of the expenditure involved. They may also vary according to other criteria determined by the Minister.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.19

AMENDMENT:

Insert after section 28.18:

28.19. The Act is amended by inserting the following section after section 111.1:

“111.1.0.1. The Minister of Municipal Affairs, Regions and Land Occupancy shall order, by regulation,

(1) the expenditure threshold for a contract that may be awarded only after a public call for tenders under the first paragraph of section 99 and the first paragraph of section 101;

(2) the minimum time for the receipt of tenders after a public call for tenders under the fourth paragraph of section 101; and

(3) the expenditure ceiling allowing the territory from which tenders originate to be limited under the seventh paragraph of section 101.

The threshold, ceiling and time ordered under this section may vary according to the class of contract, in particular according to the type of contract concerned or the amount of the expenditure involved. They may also vary according to other criteria determined by the Minister.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.17

AMENDMENT:

Insert after section 49.16:

49.17. The Act is amended by inserting the following section after section 108.1:

“108.1.0.1. The Minister of Municipal Affairs, Regions and Land Occupancy shall order, by regulation,

(1) the expenditure threshold for a contract that may be awarded only after a public call for tenders under the first paragraph of section 93 and the first paragraph of section 95;

(2) the minimum time for the receipt of tenders after a public call for tenders under the fourth paragraph of section 95; and

(3) the expenditure ceiling allowing the territory from which tenders originate to be limited under the seventh paragraph of section 95.

The threshold, ceiling and time ordered under this section may vary according to the class of contract, in particular according to the type of contract concerned or the amount of the expenditure involved. They may also vary according to other criteria determined by the Minister.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.16

AMENDMENT:

Insert after section 27.15:

27.16. Section 106 of the Act is amended

(1) by replacing “of \$100,000 or more” in the introductory clause of the first paragraph by “equal to or above the threshold ordered by the Minister”;

(2) by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) supply contracts;”;

(3) by replacing subparagraph *a* of subparagraph 4 of the first paragraph by the following subparagraph:

“(a) covered by a regulation adopted under section 112.1 or 112.2, where the contract is made in accordance with that regulation; and”;

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

“Contracts referred to in any of the subparagraphs of the first paragraph may be awarded only in accordance with section 107 if they involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under the first paragraph.

For the purposes of this section, “supply contracts” includes, in particular, any contract for the purchase, lease or rental of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.5

AMENDMENT:

Insert after section 28.4:

28.5. Section 99 of the Act is amended

(1) by replacing “of \$100,000 or more” in the introductory clause of the first paragraph by “equal to or above the threshold ordered by the Minister”;

(2) by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) supply contracts;”;

(3) by replacing subparagraph *a* of subparagraph 4 of the first paragraph by the following subparagraph:

“(a) covered by a regulation adopted under section 105.1 or 105.2, where the contract is made in accordance with that regulation; and”;

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

“Contracts referred to in any of the subparagraphs of the first paragraph may be awarded only in accordance with section 100 if they involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under the first paragraph.

For the purposes of this section, “supply contracts” includes, in particular, any contract for the purchase, lease or rental of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.3

AMENDMENT:

Insert after section 49.2:

49.3. Section 93 of the Act is amended

(1) by replacing “of \$100,000 or more” in the introductory clause of the first paragraph by “equal to or above the threshold ordered by the Minister”;

(2) by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) supply contracts;”;

(3) by replacing subparagraph *a* of subparagraph 4 of the first paragraph by the following subparagraph:

“(a) covered by a regulation adopted under section 100 or 101, where the contract is made in accordance with that regulation; and”;

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

“Contracts referred to in any of the subparagraphs of the first paragraph may be awarded only in accordance with section 94 if they involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under the first paragraph.

For the purposes of this section, “supply contracts” includes, in particular, any contract for the purchase or lease of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”

Adopté 87

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.17

AMENDMENT:

Insert after section 27.16:

27.17. Section 107 of the Act is amended

(1) by replacing “of \$100,000 or less, from among the contracts referred to in the second paragraph of section 106,” in the first paragraph by “below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 106, from among the contracts referred to in the second paragraph of that section,”;

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

“The time for the receipt of tenders must not be less than eight days.”;

(3) by striking out “The first sentence of the fourth paragraph and” in the second paragraph.

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.6

AMENDMENT:

Insert after section 28.5:

28.6. Section 100 of the Act is amended

(1) by replacing “of less than \$100,000, from among the contracts referred to in the second paragraph of section 99,” in the first paragraph by “below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 99, from among the contracts referred to in the second paragraph of that section,”;

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

“The time for the receipt of tenders must not be less than eight days.”;

(3) by striking out “The first sentence of the fourth paragraph and” in the last paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.4

AMENDMENT:

Insert after section 49.3:

49.4. Section 94 of the Act is amended

(1) by replacing “of less than \$100,000, from among the contracts referred to in the second paragraph of section 93,” in the first paragraph by “below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 93, from among the contracts referred to in the second paragraph of that section,”;

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

“The time for the receipt of tenders must not be less than eight days.”;

(3) by striking out “The first sentence of the fourth paragraph and” in the last paragraph.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.18

AMENDMENT:

Insert after section 27.17:

27.18. Section 108 of the Act is amended

(1) by replacing “of \$100,000 or more” in the first paragraph by “equal to or above the threshold ordered by the Minister”;

(2) by striking out subparagraph 2 of the third paragraph;

(3) by replacing “must not be less than eight days” in the fourth paragraph by “must be in accordance with the time ordered by the Minister”;

(4) by striking out the following sentence in the fourth paragraph: “However, in the case of tenders in relation to a contract referred to in the second paragraph, the time limit for the receipt of tenders must not be less than 15 days.”;

(5) by replacing the seventh paragraph by the following paragraph:

“A public call for tenders for a contract referred to in the second paragraph may also provide that tenders will be considered only if

(1) they are submitted by contractors or suppliers that have an establishment in Canada, in the case of supply contracts or contracts for the supply of services involving an expenditure below the ceiling ordered by the Minister;

(2) they are submitted by contractors or suppliers that have an establishment in Canada for a contract involving an expenditure equal to or above the ceiling ordered by the Minister and whose object is the supply of services other than

(a) courier or mail services, including email;

- (b) fax services;
- (c) real estate services;
- (d) computer services, including consultation services for the purchase or installation of computer software or hardware, and data processing services;
- (e) maintenance or repair services for office equipment;
- (f) management consulting services, except arbitration, mediation and conciliation services with regard to human resources management;
- (g) architectural or engineering services, except those related to transportation infrastructure construction;
- (h) architectural landscaping services;
- (i) land use and planning services;
- (j) test, analysis or inspection services for quality control;
- (k) exterior and interior building cleaning services; and
- (l) machinery or equipment repair services;

(3) in the case of supply contracts or service contracts for the supply of services listed in subparagraph 2 involving an expenditure equal to or above the ceiling ordered by the Minister, they are submitted by contractors or suppliers that have an establishment in Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government; or

(4) in the case of construction contracts, they are submitted by contractors or suppliers that have an establishment in Canada or only in a part of Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government according to whether they involve an expenditure below or above the ceiling ordered by the Minister.”;

(6) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adopte 57

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.7

AMENDMENT:

Insert after section 28.6:

28.7. Section 101 of the Act is amended

(1) by replacing “of \$100,000 or more” in the first paragraph by “equal to or above the threshold ordered by the Minister”;

(2) by striking out subparagraph 2 of the third paragraph;

(3) by replacing “must not be less than eight days” in the fourth paragraph by “must be in accordance with the time ordered by the Minister”;

(4) by striking out the following sentence in the fourth paragraph: “However, in the case of tenders in relation to a contract referred to in the second paragraph, the time limit for the receipt of tenders must not be less than 15 days.”;

(5) by replacing the seventh paragraph by the following paragraph:

“A public call for tenders for a contract referred to in the second paragraph may also provide that tenders will be considered only if

(1) they are submitted by contractors or suppliers that have an establishment in Canada, in the case of supply contracts or contracts for the supply of services involving an expenditure below the ceiling ordered by the Minister;

(2) they are submitted by contractors or suppliers that have an establishment in Canada for a contract involving an expenditure equal to or above the ceiling ordered by the Minister and whose object is the supply of services other than

(a) courier or mail services, including email;

- (b) fax services;
- (c) real estate services;
- (d) computer services, including consultation services for the purchase or installation of computer software or hardware, and data processing services;
- (e) maintenance or repair services for office equipment;
- (f) management consulting services, except arbitration, mediation and conciliation services with regard to human resources management;
- (g) architectural or engineering services, except those related to transportation infrastructure construction;
- (h) architectural landscaping services;
- (i) land use and planning services;
- (j) test, analysis or inspection services for quality control;
- (k) exterior and interior building cleaning services; and
- (l) machinery or equipment repair services;

(3) in the case of supply contracts or service contracts for the supply of services listed in subparagraph 2 involving an expenditure equal to or above the ceiling ordered by the Minister, they are submitted by contractors or suppliers that have an establishment in Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government; or

(4) in the case of construction contracts, they are submitted by contractors or suppliers that have an establishment in Canada or only in a part of Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government according to whether they involve an expenditure below or above the ceiling ordered by the Minister.”;

(6) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adepta 571

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.5

AMENDMENT:

Insert after section 49.4:

49.5. Section 95 of the Act is amended

(1) by replacing “of \$100,000 or more” in the first paragraph by “equal to or above the threshold ordered by the Minister”;

(2) by striking out subparagraph 2 of the third paragraph;

(3) by replacing “must not be less than eight days” in the fourth paragraph by “must be in accordance with the time ordered by the Minister”;

(4) by striking out the following sentence in the fourth paragraph: “However, in the case of tenders in relation to a contract referred to in the second paragraph, the time limit for the receipt of tenders must not be less than 15 days.”;

(5) by replacing the seventh paragraph by the following paragraph:

“A public call for tenders for a contract referred to in the second paragraph may also provide that tenders will be considered only if

(1) they are submitted by contractors or suppliers that have an establishment in Canada in the case of supply contracts or contracts for the supply of services involving an expenditure below the ceiling ordered by the Minister;

(2) they are submitted by contractors or suppliers that have an establishment in Canada for a contract involving an expenditure equal to or above the ceiling ordered by the Minister and whose object is the supply of services other than

(a) courier or mail services, including email;

- (b) fax services;
- (c) real estate services;
- (d) computer services, including consultation services for the purchase or installation of computer software or hardware, and data processing services;
- (e) maintenance or repair services for office equipment;
- (f) management consulting services, except arbitration, mediation and conciliation services with regard to human resources management;
- (g) architectural or engineering services, except those related to transportation infrastructure construction;
- (h) architectural landscaping services;
- (i) land use and planning services;
- (j) test, analysis or inspection services for quality control;
- (k) exterior and interior building cleaning services; and
- (l) machinery or equipment repair services;

(3) in the case of supply contracts or service contracts for the supply of services listed in subparagraph 2 involving an expenditure equal to or above the ceiling ordered by the Minister, they are submitted by contractors or suppliers that have an establishment in Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government; or

(4) in the case of construction contracts, they are submitted by contractors or suppliers that have an establishment in Canada or only in a part of Canada, or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, and are mentioned in the electronic tendering system approved by the Government according to whether they involve an expenditure below or above the ceiling ordered by the Minister.”;

(6) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.5

AMENDMENT:

Insert after section 59.4:

59.5. Until the coming into force of the first regulation made under, as applicable, section 573.3.3.1.1 of the Cities and Towns Act, enacted by section 22.2, article 938.3.1.1 of the Municipal Code of Québec, enacted by section 27.1.1, section 118.1.0.1 of the Act respecting the Communauté métropolitaine de Montréal, enacted by section 27.29, section 111.1.0.1 of the Act respecting the Communauté métropolitaine de Québec, enacted by section 28.19, or section 108.1.0.1 of the Act respecting public transit authorities, enacted by section 49.17,

(1) the expenditure threshold for a contract that may be awarded only after a public call for tenders under, as applicable, subsection 1 of section 573 of the Cities and Towns Act, subarticle 1 of article 935 of the Municipal Code of Québec, the first paragraph of sections 106 and 108 of the Act respecting the Communauté métropolitaine de Montréal, the first paragraph of sections 99 and 101 of the Act respecting the Communauté métropolitaine de Québec or the first paragraph of sections 93 and 95 of the Act respecting public transit authorities is \$101,100;

(2) the minimum time for the receipt of tenders after a public call for tenders under, as applicable, subsection 1 of section 573 of the Cities and Towns Act, subarticle 1 of article 935 of the Municipal Code of Québec, the fourth paragraph of section 108 of the Act respecting the Communauté métropolitaine de Montréal, the fourth paragraph of section 101 of the Act respecting the Communauté métropolitaine de Québec or the fourth paragraph of section 95 of the Act respecting public transit authorities is

(a) eight days in the case of an insurance contract or a contract for the performance of work, other than a construction contract;

(b) 15 days in the case of a supply contract or a contract for the supply of services involving an expenditure of less than \$365,700;

(c) 15 days in the case of a contract involving an expenditure equal to or greater than \$365,700 that is a contract for the supply of services other than

(i) courier or mail services, including email;

(ii) fax services;

(iii) real estate services;

(iv) computer services, including consultation services for the purchase or installation of computer software or hardware, and data processing services;

(v) maintenance or repair services for office equipment;

(vi) management consulting services, except arbitration, mediation and conciliation services with regard to human resources management;

(vii) architectural or engineering services, except those related to transportation infrastructure construction;

(viii) architectural landscaping services;

(ix) land use and planning services;

(x) test, analysis or inspection services for quality control;

(xi) exterior and interior building cleaning services; and

(xii) machinery or equipment repair services;

(d) 30 days in the case of a supply contract or a contract for the supply of services listed in subparagraph *c* involving an expenditure equal to or greater than \$365,700;

(e) 15 days in the case of a construction contract involving an expenditure of less than \$9,100,000; and

(f) 30 days in the case of a construction contract involving an expenditure equal to or greater than \$9,100,000;

(3) the expenditure ceiling allowing the territory from which tenders originate to be limited under, as applicable, subsection 2.1 of section 573 of the Cities and Towns Act, subarticle 2.1 of article 935 of the Municipal Code of

Québec, the seventh paragraph of section 108 of the Act respecting the Communauté métropolitaine de Montréal, the seventh paragraph of section 101 of the Act respecting the Communauté métropolitaine de Québec or the seventh paragraph of section 95 of the Act respecting public transit authorities is \$365,700 in the case of a supply contract or a contract for the supply of services; and

(4) for the purposes of the provisions mentioned in paragraph 3,

(a) in the case of a construction contract involving an expenditure of less than \$252,700, the public call for tenders may provide that only tenders submitted by contractors or suppliers that have an establishment in Québec or Ontario will be considered;

(b) in the case of a construction contract involving an expenditure equal to or greater than \$252,700 but less than \$9,100,000, the public call for tenders may provide that only tenders submitted by contractors or suppliers that have an establishment in Canada will be considered; and

(c) in the case of a construction contract involving an expenditure greater than \$9,100,000, the public call for tenders may provide that only tenders submitted by contractors or suppliers that have an establishment in Canada or in any of the territories covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and are mentioned in the electronic tendering system approved by the Government will be considered.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 21.1

AMENDMENT:

Insert after section 21:

21.1. Section 477.4 of the Act is amended by adding the following paragraphs at the end:

“If a call for tenders contains a contract renewal option, the estimate of the price of the contract must include the renewal and any possible subsequent renewals.

Likewise, if a call for tenders contains an option to make an additional supply of the same goods or services, the estimate of the price of the contract must include the additional supply and any subsequent additional supply.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.1.5

AMENDMENT:

Insert after section 27.1.4:

27.1.5. Article 961.2 of the Code is amended by adding the following paragraphs at the end:

“If a call for tenders contains a contract renewal option, the estimate of the price of the contract must include the renewal and any possible subsequent renewals.

Likewise, if a call for tenders contains an option to make an additional supply of the same goods or services, the estimate of the price of the contract must include the additional supply and any subsequent additional supply.”

Adopté 577

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.15

AMENDMENT:

Insert after the heading "ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL":

27.15. Section 105.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by adding the following paragraphs at the end:

"If a call for tenders contains a contract renewal option, the estimate of the price of the contract must include the renewal and any possible subsequent renewals.

Likewise, if a call for tenders contains an option to make an additional supply of the same goods or services, the estimate of the price of the contract must include the additional supply and any subsequent additional supply."

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.4

AMENDMENT:

Insert after the heading "ACT RESPECTING THE COMMUNAUTÉ
MÉTROPOLITAINE DE QUÉBEC":

28.4. Section 98.1 of the Act respecting the Communauté métropolitaine du Québec (chapter C-37.02) is amended by adding the following paragraphs at the end:

"If a call for tenders contains a contract renewal option, the estimate of the price of the contract must include the renewal and any possible subsequent renewals.

Likewise, if a call for tenders contains an option to make an additional supply of the same goods or services, the estimate of the price of the contract must include the additional supply and any subsequent additional supply."

Adopté ST

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.2

AMENDMENT:

Insert after section 49.1:

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

49.2. Section 92.1 of the Act respecting public transit authorities (chapter S-30.01) is amended by adding the following paragraphs at the end:

“If a call for tenders contains a contract renewal option, the estimate of the price of the contract must include the renewal and any possible subsequent renewals.

Likewise, if a call for tenders contains an option to make an additional supply of the same goods or services, the estimate of the price of the contract must include the additional supply and any subsequent additional supply.”

A dépté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 21.7

AMENDMENT:

Insert after section 21.6:

21.7. The Act is amended by inserting the following section after section 573.1.0.13:

“573.1.0.14. If, in any of the situations mentioned in the second paragraph, a municipality requires certain technical specifications, it must describe those specifications in terms of performance or functional requirements rather than in terms of descriptive characteristics. If unable to do so, the municipality must provide that any description containing what is equivalent to descriptive characteristics will be considered compliant, and may define how equivalency to such characteristics will be evaluated.

The situations concerned are those

(1) where, in a call for tenders under section 573 or under a regulation made under section 573.3.0.1 or 573.3.0.2, or in any document referred to in such a call for tenders, a municipality requires technical specifications with regard to goods, services or work;

(2) where, under section 573.1.0.1 or 573.1.0.1.1, a municipality evaluates tenders submitted after a call for tenders under section 573 or under a regulation made under section 573.3.0.1 or 573.3.0.2 on the basis of the technical specifications of the goods, services or work; and

(3) where, under section 573.1.0.2 or 573.1.0.3, a municipality establishes a qualification, certification or registration process that takes into account the technical specifications of the goods, services or work.

Technical specifications of goods, services or work include, in particular, their physical or, as applicable, professional characteristics and attributes.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 26.6

AMENDMENT:

Insert after section 26.5:

26.6. The Code is amended by inserting the following article after article 936.0.13:

“936.0.14. If, in any of the situations mentioned in the second paragraph, a municipality requires certain technical specifications, it must describe those specifications in terms of performance or functional requirements rather than in terms of descriptive characteristics. If unable to do so, the municipality must provide that any description containing what is equivalent to descriptive characteristics will be considered compliant, and may define how equivalency to such characteristics will be evaluated.

The situations concerned are those

(1) where, in a call for tenders under article 935 or under a regulation made under article 938.0.1 or 938.0.2, or in any document referred to in such a call for tenders, a municipality requires technical specifications with regard to goods, services or work;

(2) where, under article 936.0.1 or 936.0.1.1, a municipality evaluates tenders submitted after a call for tenders under article 935 or under a regulation made under article 938.0.1 or 938.0.2 on the basis of the technical specifications of the goods, services or work; and

(3) where, under article 936.0.2 or 936.0.3, a municipality establishes a qualification, certification or registration process that takes into account the technical specifications of the goods, services or work.

Technical specifications of goods, services or work include, in particular, their physical or, as applicable, professional characteristics and attributes.”

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.22

AMENDMENT:

Insert after section 27.21:

27.22. The Act is amended by inserting the following section after section 112.0.1:

"112.0.2. If, in any of the situations mentioned in the second paragraph, the Community requires certain technical specifications, it must describe those specifications in terms of performance or functional requirements rather than in terms of descriptive characteristics. If unable to do so, the Community must provide that any description containing what is equivalent to descriptive characteristics will be considered compliant, and may define how equivalency to such characteristics will be evaluated.

The situations concerned are those

(1) where, in a call for tenders under section 108 or under a regulation made under section 112.1 or 112.2, or in any document referred to in such a call for tenders, the Community requires technical specifications with regard to goods, services or work;

(2) where, under section 109 or 109.1, the Community evaluates tenders submitted after a call for tenders under section 108 or under a regulation made under section 112.1 or 112.2 on the basis of the technical specifications of the goods, services or work; and

(3) where, under section 110 or 111, the Community establishes a qualification, certification or registration process that takes into account the technical specifications of the goods, services or work.

Technical specifications of goods, services or work include, in particular, their physical or, as applicable, professional characteristics and attributes."

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.11

AMENDMENT:

Insert after section 28.10:

28.11. The Act is amended by inserting the following section after section 105.0.1:

“105.0.2. If, in any of the situations mentioned in the second paragraph, the Community requires certain technical specifications, it must describe those specifications in terms of performance or functional requirements rather than in terms of descriptive characteristics. If unable to do so, the Community must provide that any description containing what is equivalent to descriptive characteristics will be considered compliant, and may define how equivalency to such characteristics will be evaluated.

The situations concerned are those

(1) where, in a call for tenders under section 101 or under a regulation made under section 105.1 or 105.2, or in any document referred to in such a call for tenders, the Community requires technical specifications with regard to goods, services or work;

(2) where, under section 102 or 102.1, the Community evaluates tenders submitted after a call for tenders under section 101 or under a regulation made under section 105.1 or 105.2 on the basis of the technical specifications of the goods, services or work; and

(3) where, under section 103 or 104, the Community establishes a qualification, certification or registration process that takes into account the technical specifications of the goods, services or work.

Technical specifications of goods, services or work include, in particular, their physical or, as applicable, professional characteristics and attributes.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.9

AMENDMENT:

Insert after section 49.8:

49.9. The Act is amended by inserting the following section after section 99.1:

“99.2. If, in any of the situations mentioned in the second paragraph, a transit authority requires certain technical specifications, it must describe those specifications in terms of performance or functional requirements rather than in terms of descriptive characteristics. If unable to do so, the transit authority must provide that any description containing what is equivalent to descriptive characteristics will be considered compliant, and may define how equivalency to such characteristics will be evaluated.

The situations concerned are those

(1) where, in a call for tenders under section 95 or under a regulation made under section 100 or 101, or in any document referred to in such a call for tenders, a transit authority requires technical specifications with regard to goods, services or work;

(2) where, under section 96 or 96.1, a transit authority evaluates tenders submitted after a call for tenders under section 96 or under a regulation made under section 100 or 101 on the basis of the technical specifications of the goods, services or work; and

(3) where, under section 97 or 98, a transit authority establishes a qualification, certification or registration process that takes into account the technical specifications of the goods, services or work.

Technical specifications of goods, services or work include, in particular, their physical or, as applicable, professional characteristics and attributes.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.0.2

AMENDMENT:

Insert after section 22.0.1:

22.0.2. Section 573.3.0.1 of the Act is amended

- (1) by replacing the first paragraph by the following paragraph:

“The Government may, by regulation, determine the procedure for making a contract for the supply of services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, lawyer or notary. Such a regulation must establish the rules applicable to the making of such a contract.”;

- (2) by striking out the second paragraph.

Adopté STT

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.0.2

AMENDMENT:

Insert after section 27.0.1:

27.0.2. Article 938.0.1 of the Code is amended

(1) by replacing the first paragraph by the following paragraph:

“The Government may, by regulation, determine the procedure for making a contract for the supply of services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, lawyer or notary. Such a regulation must establish the rules applicable to the making of such a contract.”;

(2) by striking out the second paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.23

AMENDMENT:

Insert after section 27.22:

27.23. Section 112.1 of the Act is amended

- (1) by replacing the first paragraph by the following paragraph:

“The Government may, by regulation, determine the procedure for making a contract for the supply of services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, lawyer or notary. Such a regulation must establish the rules applicable to the making of such a contract.”;

- (2) by striking out the second paragraph

Adopte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.12

AMENDMENT:

Insert after section 28.11:

28.12. Section 105.1 of the Act is amended

- (1) by replacing the first paragraph by the following paragraph:

“The Government may, by regulation, determine the procedure for making a contract for the supply of services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, lawyer or notary. Such a regulation must establish the rules applicable to the making of such a contract.”;

- (2) by striking out the second paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.10

AMENDMENT:

Insert after section 49.9:

49.10. Section 100 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“The Government may, by regulation, determine the procedure for making a contract for the supply of services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, lawyer or notary. Such a regulation must establish the rules applicable to the making of such a contract.”;

(2) by striking out the second paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.26

AMENDMENT:

Insert after section 27.25:

27.26. Section 112.4 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by:

“Section 106 and any regulation made under section 112.1 or 112.2 do not apply to a contract”;

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

“(1) that is a supply contract, or to a contract for the supply of services, for which a tariff is fixed or approved by the Government of Canada or the Gouvernement du Québec or any of its ministers or bodies;

(2) that is an insurance or supply contract, or to a contract for the supply of services, that is entered into either with a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) or with a supplier who, after thorough and documented verification, is found to be the only supplier in all the territories covered by an intergovernmental agreement on the opening of public procurement that is applicable to municipalities and to municipal bodies such as the Community;

(3) by striking out “or computer software for educational purposes” in subparagraph 7 of the first paragraph;

(4) by replacing “section 112.2” in the second paragraph by “a regulation made under section 112.1”;

(5) by replacing the last paragraph by the following paragraph:

"Section 106 does not apply to a contract covered by a regulation made under section 112.2 or 112.2 where the contract is made in accordance with that regulation."

Adopte S01

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.15

AMENDMENT:

Insert after section 28.14:

28.15. Section 105.4 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by:

“Section 99 and any regulation made under section 105.1 or 105.2 do not apply to a contract”;

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

“(1) that is a supply contract, or to a contract for the supply of services, for which a tariff is fixed or approved by the Government of Canada or the Gouvernement du Québec or any of its ministers or bodies;

(2) that is an insurance or supply contract, or to a contract for the supply of services, that is entered into either with a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) or with a supplier who, after thorough and documented verification, is found to be the only supplier in all the territories covered by an intergovernmental agreement on the opening of public procurement that is applicable to municipalities and to municipal bodies such as the Community;

(3) by striking out “or computer software for educational purposes” in subparagraph 7 of the first paragraph;

(4) by replacing “section 105.2” in the second paragraph by “a regulation made under section 105.1”;

(5) by replacing the last paragraph by the following paragraph:

"Section 99 does not apply to a contract covered by a regulation made under section 105.1 or 105.2 where the contract is made in accordance with that regulation."

Adopte S01

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.12

AMENDMENT:

Insert after section 49.11:

49.12. Section 101.1 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by:

“Section 93 and any regulation made under section 100 or 101 do not apply to a contract”;

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

“(1) that is a supply contract, or to a contract for the supply of services, for which a tariff is fixed or approved by the Government of Canada or the Gouvernement du Québec or any of its ministers or bodies;

(2) that is an insurance or supply contract, or to a contract for the supply of services, that is entered into either with a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) or with a supplier who, after thorough and documented verification, is found to be the only supplier in all the territories covered by an intergovernmental agreement on the opening of public procurement that is applicable to municipalities and to municipal bodies such as a public transit authority;

(3) by striking out “or computer software for educational purposes” in subparagraph 7 of the first paragraph;

(4) by replacing “materials or equipment” in subparagraph 9 of the first paragraph by “movable property”;

(5) by replacing "section 101" in the second paragraph by "a regulation made under section 100";

(6) by replacing the last paragraph by the following paragraph:

"Section 93 does not apply to a contract covered by a regulation made under section 100 or 101 where the contract is made in accordance with that regulation."

Adopte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.8

AMENDMENT:

Insert after section 56.7:

**REGULATION RESPECTING THE AWARDING OF CONTRACTS FOR
CERTAIN PROFESSIONAL SERVICES**

56.8. The heading of Chapter II of the Regulation respecting the awarding of contracts for certain professional services (chapter C-19, r. 2) is replaced by the following heading:

**“AWARDING OF CONTRACTS FOR CERTAIN SERVICES OF AN
ARCHITECT”.**

Adepte 581

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.9

AMENDMENT:

Insert after section 56.8:

56.9. Divisions I and II of Chapter II of the Regulation, comprising sections 3 to 23, are repealed.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.10

AMENDMENT:

Insert after section 56.9:

56.10. The heading of Division III of Chapter II of the Regulation is struck out.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.11

AMENDMENT:

Insert after section 56.10:

56.11. Section 23.1 of the Regulation is amended by striking out “Despite sections 3 to 23,” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.12

AMENDMENT:

Insert after section 56.11:

56.12. Section 24 of the Regulation is amended by replacing “\$100,000” by “\$101,100”.

Adopté SN

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.13

AMENDMENT:

Insert after section 56.12:

56.13. The heading of Chapter IV of the Regulation is amended by striking out
“, VETERINARY SURGEON”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.14

AMENDMENT:

Insert after section 56.13:

56.14. Section 27 of the Regulation is amended by striking out “, veterinary surgeon”.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.15

AMENDMENT:

Insert after section 56.14:

56.15. Section 28 of the Regulation is repealed.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 13.1

AMENDMENT:

Insert after section 13:

13.1. Section 201 of Schedule C to the Charter is amended

(1) by replacing “a joint application for public” in the first paragraph by “a joint public call for”;

(2) by replacing “award of an insurance contract or a contract for the supply of material, materials or” in the first paragraph by “awarding of an insurance contract, supply contract or contract for the supply of”;

(3) by replacing “contract for the supply of material” in the second paragraph by “supply contract”;

(4) by replacing “application for public” in the third paragraph by “public call for”, “joint call for public” in the fourth paragraph by “joint public call for”, and “call for public” in the sixth paragraph by “public call for”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.28.1

AMENDMENT:

Insert after section 27.28:

27.28.1. Section 118 of the Act is amended

(1) by replacing “joint call for public tenders for the purpose of awarding an insurance contract or a contract for the supply of equipment or materials or the providing” in the first paragraph by “joint public call for tenders for the purpose of awarding an insurance contract, supply contract or contract for the supply”;

(2) by replacing “contract for the supply of equipment” in the second paragraph by “supply contract”;

(3) by replacing “call for public tenders” in the third, fourth and sixth paragraphs by “public call for tenders”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.18

AMENDMENT:

Insert after section 28.17:

28.18. Section 111 of the Act is amended

(1) by replacing “joint call for public tenders for the purpose of awarding an insurance contract or a contract for the supply of equipment or materials or the providing” in the first paragraph by “joint public call for tenders for the purpose of awarding an insurance contract, supply contract or contract for the supply”;

(2) by replacing “contract for the supply of equipment” in the second paragraph by “supply contract”;

(3) by replacing “call for public tenders” in the third, fourth and sixth paragraphs by “public call for tenders”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.16

AMENDMENT:

Insert after section 49.15:

49.16. Section 108 of the Act is amended

(1) by replacing “or a contract for the supply of equipment or materials or the providing” in the first paragraph by “, supply contract or contract for the supply”;

(2) by replacing “contract for the supply of equipment” in the second paragraph by “supply contract”;

(3) by replacing “call for public tenders” in the third paragraph by “public call for tenders”.

Adopté 57

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 18.0.1

AMENDMENT:

Insert after section 18:

18.0.1. Section 29.5 of the Act is amended by replacing “equipment, materials” in subparagraph 1 of the first paragraph by “movable property”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 23.0.1

AMENDMENT:

Insert after section 23:

23.0.1. Section 14.3 of the Code is amended by replacing “equipment, materials” in subparagraph 1 of the first paragraph by “movable property”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 18.0.2

AMENDMENT:

Insert after section 18.0.1:

18.0.2. Section 29.9.1 of the Act is amended by replacing “equipment or materials” in the first paragraph by “movable property”.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 23.0.2

AMENDMENT:

Insert after section 23.0.1:

23.0.2. Section 14.7.1 of the Act is amended by replacing “equipment or materials” in the first paragraph by “movable property”.

Adopté S81

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.0.1

AMENDMENT:

Insert after section 22:

22.0.1. Section 573.3.0.0.1 of the Act, enacted by section 163 of chapter 27 of the statutes of 2017, is amended by replacing “equipment, materials” in the introductory clause by “goods”.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.0.1

AMENDMENT:

Insert after section 27:

27.0.1. Article 938.0.0.1 of the Code, enacted by section 169 of chapter 27 of the statutes of 2017, is again amended by replacing “equipment, materials” in the introductory clause by “goods”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.27

AMENDMENT:

Insert after section 27.26:

27.27. Section 112.5 of the Act, enacted by section 175 of chapter 27 of the statutes of 2017, is again amended by replacing “equipment, materials” by “goods”.

Adopté SH

Bill 155

**An Act respecting workforce
management and control within
government departments, public sector
bodies and networks and state-owned
enterprises**

Section 28.16

AMENDMENT:

Insert after section 28.15:

28.16. Section 105.5 of the Act, enacted by section 181 of chapter 27 of the statutes of 2017, is amended by replacing “equipment, materials” in the introductory clause by “goods”.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.13

AMENDMENT:

Insert after section 49.12:

49.13. Section 101.2 of the Act, enacted by section 214 of chapter 27 of the statutes of 2017, is amended by replacing “equipment, materials” in the introductory clause by “goods”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.0.4

AMENDMENT:

Insert after section 22.0.3:

22.0.4. Section 573.3.0.3 of the Act is amended by replacing “or a contract for the performance of work, the supply of equipment or materials or the providing” by “, a contract for the performance of work, a supply contract or a contract for the supply”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.0.4

AMENDMENT:

Insert after section 27.0.3:

27.0.4. Article 938.0.3 of the Code is amended by replacing “or a contract for the performance of work, the supply of equipment or materials or the providing” by “, a contract for the performance of work, a supply contract or a contract for the supply”.

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.25

AMENDMENT:

Insert after section 27.24:

27.25. Section 112.3 of the Act is amended by replacing “or a contract for the performance of work, the supply of equipment or materials or the providing” by “, a contract for the performance of work, a supply contract or a contract for the supply”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.14

AMENDMENT:

Insert after section 28.13:

28.14. Section 105.3 of the Act is amended by replacing “or a contract for the performance of work, the supply of equipment or materials or the providing” by “, a contract for the performance of work, a supply contract or a contract for the supply”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.14

AMENDMENT:

Insert after section 49.13:

49.14. Section 102 of the Act is amended by replacing “or a contract for the performance of work, the supply of equipment or materials or the providing” by “, a contract for the performance of work, a supply contract or a contract for the supply”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.3

AMENDMENT:

Insert after section 22.2:

22.3. Section 573.3.3.2 of the Act, amended by section 165 of chapter 27 of the statutes of 2017 is again amended by replacing “or the supply of insurance, equipment, materials or services” in the first paragraph by “, and any insurance contract, supply contract or contract for the supply of services”.

Adepté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.1.2

AMENDMENT:

Insert after section 27.1.1:

27.1.2. Article 938.3.2 of the Code, amended by section 171 of chapter 27 of the statutes of 2017, is again amended by replacing “or the supply of insurance, equipment, materials or services” in the first paragraph by “, and any insurance contract, supply contract or contract for the supply of services”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.30

AMENDMENT:

Insert after section 27.29:

27.30. Section 118.1.1 of the Act, amended by section 177 of chapter 27 of the statutes of 2017, is again amended by replacing “or the supply of insurance, equipment, materials or services” in the first paragraph by “, and any insurance contract, supply contract or contract for the supply of services”.

Adepte STI

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.20

AMENDMENT:

Insert after section 28.19:

28.20. Section 111.1.1 of the Act, amended by section 183 of chapter 27 of the statutes of 2017, is again amended by replacing “or the supply of insurance, equipment, materials or services” in the first paragraph by “, and any insurance contract, supply contract or contract for the supply of services”.

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.18

AMENDMENT:

Insert after section 49.17:

49.18. Section 108.1.1 of the Act, amended by section 216 of chapter 27 of the statutes of 2017, is again amended by replacing “or the supply of insurance, equipment, materials or services” in the first paragraph by “, and any insurance contract, supply contract or contract for the supply of services”.

Adepte SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.4

AMENDMENT:

Insert after section 22.3:

22.4. Section 573.3.3.3 of the Act, amended by section 166 of chapter 27 of the statutes of 2017, is again amended by replacing “pertains to the performance of work or the supply of insurance, equipment, materials or services” in the first paragraph by “that is a contract for the performance of work, insurance contract, supply contract or contract for the supply of services.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.1.3

AMENDMENT:

Insert after section 27.1.2:

27.1.3. Article 938.3.3 of the Code, amended by section 166 of chapter 27 of the statutes of 2017, is again amended by replacing “pertains to the performance of work or the supply of insurance, equipment, materials or services” in the first paragraph by “that is a contract for the performance of work, insurance contract, supply contract or contract for the supply of services.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.31

AMENDMENT:

Insert after section 27.30:

27.31. Section 118.1.2 of the Act, amended by section 178 of chapter 27 of the statutes of 2017, is again amended by replacing “pertains to the performance of work or the supply of insurance, equipment, materials or services” in the first paragraph by “that is a contract for the performance of work, insurance contract, supply contract or contract for the supply of services.”

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.21

AMENDMENT:

Insert after section 28.20:

28.21. Section 111.1.2 of the Act, amended by section 184 of chapter 27 of the statutes of 2017, is again amended by replacing “pertains to the performance of work or the supply of insurance, equipment, materials or services” in the first paragraph by “that is a contract for the performance of work, insurance contract, supply contract or contract for the supply of services.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.19

AMENDMENT:

Insert after section 49.18:

49.19. Section 108.1.2 of the Act, amended by section 217 of chapter 27 of the statutes of 2017, is again amended by replacing “pertains to the performance of work or the supply of insurance, equipment, materials or services” in the first paragraph by “that is a contract for the performance of work, insurance contract, supply contract or contract for the supply of services.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.0.1

AMENDMENT:

Insert after section 56:

**ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK
REGIONAL GOVERNMENT**

56.0.1. Section 204 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended

(1) by replacing “insurance contract and no contract for the execution of works or the supply of equipment or materials or for” in the first paragraph of subsection 1 by “insurance contract, supply contract or contract for the performance of work or”;

(2) by replacing the second paragraph of subsection 1 by the following paragraph:

“For the purposes of this section, “supply contract” includes, in particular, any contract for the purchase or lease of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”;

(3) by striking out subparagraph 2 of the fourth paragraph of subsection 1;

(4) by striking out the fifth paragraph of subsection 1;

(5) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.3

AMENDMENT:

Insert after section 56.2:

56.3. Section 358 of the Act is amended

(1) by replacing “insurance contract and no contract for the execution of works or the supply of equipment or materials or for” in the first paragraph of subsection 1 by “insurance contract, supply contract or contract for the performance of work or”;

(2) by replacing the second paragraph of subsection 1 by the following paragraph:

“For the purposes of this section, “supply contract” includes, in particular, any contract for the purchase or lease of movable property that may include the cost of installing, operating and maintaining the property, and any contract for the lease of equipment with an option to purchase.”;

(3) by striking out subparagraph 2 of the fourth paragraph of subsection 1;

(4) by striking out the fifth paragraph of subsection 1;

(5) by replacing all occurrences of “call for public tenders” by “public call for tenders”.

Adopté 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.0.2

AMENDMENT:

Insert after section 56.0.1:

56.0.2. Section 204.1 of the Act is amended

(1) by replacing “insurance contract or contract for the execution of municipal works or the supply of equipment or materials or for the supply of services other than professional services” in the first paragraph by “insurance contract, supply contract or contract for the performance of work or the supply of services other than professional services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, advocate or notary”;

(2) by replacing “contract for the supply of equipment includes any contract for the leasing of equipment with an option to purchase” in the third paragraph by “supply contract is defined in the second paragraph of section 204”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.4

AMENDMENT:

Insert after section 56.3:

56.4. Section 358.1 of the Act is amended

(1) by replacing “insurance contract or contract for the execution of municipal works or the supply of equipment or materials or for the supply of services other than professional services” in the first paragraph by “insurance contract, supply contract or contract for the performance of work or the supply of services other than professional services that, under an Act or regulation, may be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, advocate or notary”;

(2) by replacing “contract for the supply of equipment includes any contract for the leasing of equipment with an option to purchase” in the third paragraph by “supply contract is defined in the second paragraph of section 358”.

Adopté SH

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.0.3

AMENDMENT:

Insert after section 56.0.2:

56.0.3. Section 204.3 of the Act is amended:

- (1) by replacing “contract for the supply of equipment, materials or” in paragraph 1 by “supply contract or contract for the supply of”;
- (2) by replacing, in paragraph 2,
 - (a) “contract for the supply of insurance, equipment, materials or” by “supply contract, insurance contract or contract for the supply of”;
 - (b) “equipment, materials” by “goods”;
- (3) by replacing “equipment, materials” in paragraph 3 by “goods”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.5

AMENDMENT:

Insert after section 56.4:

56.5. Section 358.3 of the Act is amended

- (1) by replacing “contract for the supply of equipment, materials or” in paragraph 1 by “supply contract or a contract for the supply of”;
- (2) by replacing, in paragraph 2,
 - (a) “contract for the supply of insurance, equipment, materials or” by “supply contract, insurance contract or contract for the supply of”;
 - (b) “equipment, materials” by “goods”;
- (3) by replacing “equipment, materials” in paragraph 3 by “goods”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.0.4

AMENDMENT:

Insert after section 56.0.3:

56.0.4. Section 204.3.1 of the Act, enacted by section 220 of chapter 27 of the statutes of 2017, is amended by replacing “equipment, materials” by “goods”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.6

AMENDMENT:

Insert after section 56.5:

56.6. Section 358.3.1 of the Act, enacted by section 222 of chapter 27 of the statutes of 2017, is amended by replacing “equipment, materials” by “goods”.

Adopté S17

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 14.1

AMENDMENT:

Insert after section 14:

14.1. Section 41 of Schedule C to the Charter is amended by replacing “equipment or materials” in the first paragraph by “movable property”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 14.2

AMENDMENT:

Insert after section 14.1:

14.2. Section 43 of Schedule C to the Charter is amended by replacing “equipment or materials” in the first paragraph by “movable property”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.1

AMENDMENT:

Insert after section 49.0.2:

**ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE
MUNICIPAL SECTOR**

49.1. Section 41.1 of the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) is amended by replacing “equipment, materials” in the first paragraph by “movable property”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 56.7

AMENDMENT:

Insert after section 56.6:

**AN ACT TO FACILITATE OVERSIGHT OF PUBLIC BODIES' CONTRACTS
AND TO ESTABLISH THE AUTORITÉ DES MARCHÉS PUBLICS**

56.7. Section 20 of the Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics (2017, chapter 27) is amended by replacing "a contract for the performance of work or the supply of insurance, equipment, materials or" by "an insurance or supply contract or contract for the performance of work or the supply of"

- (1) in subparagraph *b* of subparagraph 1 of the first paragraph; and
- (2) in subparagraphs 2 and 3 of the second paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 57.1

AMENDMENT:

Insert after section 57:

57.1. All occurrences of “call for public tenders” in the following provisions are replaced by “public call for tenders”:

- (1) section 573.1.0.2 of the Cities and Towns Act (chapter C-19);
- (2) article 936.0.2 of the Municipal Code of Québec (chapter C-27.1);
- (3) sections 109 and 110 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- (4) sections 102 and 103 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- (5) sections 96 and 97 of the Act respecting public transit authorities (chapter S-30.01); and
- (6) sections 204.1.2, 204.1.4, 286.1, 358.1.2 and 358.1.4 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1).

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 21.6

AMENDMENT:

Insert after section 21.5:

21.6. Section 573.1.0.4 of the Act is replaced by the following section:

“573.1.0.4. Unless otherwise permitted under section 573 or under the regulations made under any of sections 573.3.0.1, 573.3.0.2 and 573.3.1.1, no public call for tenders or document to which it refers may discriminate on the basis of the province, territory or country of origin of the goods, services, insurers, suppliers or contractors.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 26.5

AMENDMENT:

Insert after section 26.4:

26.5. Article 936.0.4 of the Code is replaced by the following section:

“936.0.4. Unless otherwise permitted under article 935 or under the regulations made under any of articles 938.0.1, 938.0.2 and 938.1.1, no public call for tenders or document to which it refers may discriminate on the basis of the province, territory or country of origin of the goods, services, insurers, suppliers or contractors.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.21

AMENDMENT:

Insert after section 27.20:

27.21. Section 112 of the Act is replaced by the following section:

“112. Unless otherwise permitted under section 108 or under the regulations made under any of sections 112.1, 112.2 and 113.1, no public call for tenders or document to which it refers may discriminate on the basis of the province or country of origin of the goods, services, insurers, suppliers or contractors.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.10

AMENDMENT:

Insert after section 28.9:

28.10. Section 105 of the Act is replaced by the following section:

“**105.** Unless otherwise permitted under section 101 or under the regulations made under any of sections 105.1, 105.2 and 106.1, no public call for tenders or document to which it refers may discriminate on the basis of the province, territory or country of origin of the goods, services, insurers, suppliers or contractors.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.8

AMENDMENT:

Insert after section 49.7:

49.8. Section 99 of the Act is replaced by the following section:

“99. Unless otherwise permitted under section 95 or under the regulations made under any of sections 100, 101 and 103.1, no public call for tenders or document to which it refers may discriminate on the basis of the province, territory or country of origin of the goods, services, insurers, suppliers or contractors.”

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.0.3

AMENDMENT:

Insert after section 22.0.2:

22.0.3. Section 573.3.0.2 of the Act is replaced by the following section:

“573.3.0.2. The Government may, by regulation, allow a contract to be made for the supply of engineering, architectural or design services with the winner of a competition.

The regulation may prescribe all the rules for holding the competition and making and managing the contract. The regulation may also include rules for publishing the competition results.

The regulation may prescribe classes of contracts and services, and different rules according to those classes.

For the purposes of this section, “design” includes any professional discipline that aims to ensure the functional or aesthetic design of goods so as to improve the human environment.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.0.3

AMENDMENT:

Insert after section 27.0.2:

27.0.3. Article 938.0.2 of the Code is replaced by the following article:

“938.0.2. The Government may, by regulation, allow a contract to be made for the supply of engineering, architectural or design services with the winner of a competition.

The regulation may prescribe all the rules for holding the competition and making and managing the contract. The regulation may also include rules for publishing the competition results.

The regulation may prescribe classes of contracts and services, and different rules according to those classes.

For the purposes of this section, “design” includes any professional discipline that aims to ensure the functional or aesthetic design of goods so as to improve the human environment.”

Adepté 501

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.24

AMENDMENT:

Insert after section 27.23:

27.24. Section 112.2 of the Act is replaced by the following section:

“**112.2.** The Government may, by regulation, allow a contract to be made for the supply of engineering, architectural or design services with the winner of a competition.

The regulation may prescribe all the rules for holding the competition and making and managing the contract. The regulation may also include rules for publishing the competition results.

The regulation may prescribe classes of contracts and services, and different rules according to those classes.

For the purposes of this section, “design” includes any professional discipline that aims to ensure the functional or aesthetic design of goods so as to improve the human environment.”

Adepte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.13

AMENDMENT:

Insert after section 28.12:

28.13. Section 105.2 of the Act is replaced by the following section:

“105.2. The Government may, by regulation, allow a contract to be made for the supply of engineering, architectural or design services with the winner of a competition.

The regulation may prescribe all the rules for holding the competition and making and managing the contract. The regulation may also include rules for publishing the competition results.

The regulation may prescribe classes of contracts and services, and different rules according to those classes.

For the purposes of this section, “design” includes any professional discipline that aims to ensure the functional or aesthetic design of goods so as to improve the human environment.”

Adopté ST

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.11

AMENDMENT:

Insert after section 49.10:

49.11. Section 101 of the Act is replaced by the following section:

“101. The Government may, by regulation, allow a contract to be made for the supply of engineering, architectural or design services with the winner of a competition.

The regulation may prescribe all the rules for holding the competition and making and managing the contract. The regulation may also include rules for publishing the competition results.

The regulation may prescribe classes of contracts and services, and different rules according to those classes.

For the purposes of this section, “design” includes any professional discipline that aims to ensure the functional or aesthetic design of goods so as to improve the human environment.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.5

AMENDMENT:

Insert after section 22.4:

22.5. Section 573.3.4 of the Act is amended by inserting “, 573.3.0.2” after “573.3.0.1” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.1.4

AMENDMENT:

Insert after section 27.1.3:

27.1.4. Article 938.4 of the Code is amended by inserting “, 938.0.2” after “938.0.1” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.32

AMENDMENT:

Insert after section 27.31:

27.32. Section 118.2 of the Act is amended by inserting “, 112.2” after “112.1” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.22

AMENDMENT:

Insert after section 28.21:

28.22. Section 111.2 of the Act is amended by inserting “, 105.2” after “105.1” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.20

AMENDMENT:

Insert after section 49.19:

49.20. Section 108.2 of the Act is amended by inserting “, 101” after “100” in the first paragraph.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.6

AMENDMENT:

Insert after section 22.5:

22.6. Section 573.3.5 of the Act, enacted by section 75 of chapter 13 of the statutes of 2017, is amended by inserting “, 573.3.0.2” after “573.3.0.1” in the second paragraph.

Adopté S17

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22

AMENDMENT:

Replace by:

22. Section 573.3 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by:

“Sections 573 and 573.1 and any regulation made under section 573.3.0.1 or 573.3.0.2 do not apply to a contract”;

(2) by replacing subparagraphs 1, 2 and 2.1 of the first paragraph by the following subparagraphs:

“(1) that is a supply contract, or to a contract for the supply of services, for which a tariff is fixed or approved by the Government of Canada or the Gouvernement du Québec or any of its ministers or bodies;

“(2) that is an insurance or supply contract, or to a contract for the supply of services, that is entered into either with a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) or with a supplier who, after thorough and documented verification, is found to be the only supplier in all the territories covered by an intergovernmental agreement on the opening of public procurement that is applicable to municipalities;

“(2.1) that is entered into with a non-profit body and that is an insurance contract or a contract for the supply of services other than services listed in subparagraph 2.3 and other than services involving the collection, transport, transfer, recycling or recovery of residual materials;

“(2.2) whose object is the supply of services and that is entered into with a solidarity cooperative whose articles include a clause prohibiting the allotment of rebates or the payment of interest on any category of preferred shares unless

the rebate is allotted or the interest is paid to a municipality, the Union des municipalités du Québec or the Fédération québécoise des municipalités locales et régionales (FQM), and that is designated by the Minister under subparagraph 5 of the first paragraph of section 573.3.5;

“(2.3) that is a contract entered into with a non-profit body and involving an expenditure below the expenditure ceiling allowing the territory from which the tenders originate to be limited in the case of contracts for the supply of services under subsection 2.1 of section 573, and whose object is any of the following:

- (a) courier or mail services, including email;
- (b) fax services;
- (c) real estate services;
- (d) computer services, including consultation services for the purchase or installation of computer software or hardware, and data processing services;
- (e) maintenance or repair services for office equipment;
- (f) management consulting services, except arbitration, mediation or conciliation services with regard to human resources management;
- (g) architectural or engineering services, except those related to transportation infrastructure construction;
- (h) architectural landscaping services;
- (i) land use and planning services;
- (j) test, analysis or inspection services for quality control;
- (k) exterior and interior building cleaning services; and
- (l) machinery or equipment repair services.”;

“(2.4) that is a supply contract entered into with a non-profit body and involving an expenditure below the expenditure ceiling allowing the territory from which the tenders originate to be limited in the case of supply contracts under subsection 2.1 of section 573;”;

(3) by replacing “, subscriptions or computer software for educational purposes” in subparagraph 4 of the first paragraph by “or the supply of subscriptions”;

(4) by replacing “sections 573.1 and 573.3.0.2” in the introductory clause of the second paragraph by “section 573.1 and any regulation made under section 573.3.0.1”;

(5) by adding “or 573.3.0.2” at the end of subparagraph 1 of the third paragraph;

(6) by replacing “whose object is the supply of insurance, equipment, materials or” in subparagraph 2 of the third paragraph by “that is an insurance contract, supply contract or contract for the supply of”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27

AMENDMENT:

Replace by:

27. Article 938 of the Code is amended

(1) by replacing the introductory clause of the first paragraph by:

“Articles 935 and 936 and any regulation made under article 938.0.1 or 938.0.2 do not apply to a contract”;

(2) by replacing subparagraphs 1, 2 and 2.1 of the first paragraph by the following subparagraphs:

“(1) that is a supply contract, or to a contract for the supply of services, for which a tariff is fixed or approved by the Government of Canada or the Gouvernement du Québec or any of its ministers or bodies;

“(2) that is an insurance or supply contract, or to a contract for the supply of services, that is entered into either with a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) or with a supplier who, after thorough and documented verification, is found to be the only supplier in all the territories covered by an intergovernmental agreement on the opening of public procurement that is applicable to municipalities;

“(2.1) that is entered into with a non-profit body and that is an insurance or supply contract, or a contract for the supply of services other than services listed in subparagraph 2.3 and other than services involving the collection, transport, transfer, recycling or recovery of residual materials;”

“(2.2) whose object is the supply of services and that is entered into with a solidarity cooperative whose articles include a clause prohibiting the allotment of rebates or the payment of interest on any category of preferred shares unless

the rebate is allotted or the interest is paid to a municipality, the Union des municipalités du Québec or the Fédération québécoise des municipalités locales et régionales (FQM), and that is designated by the Minister under subparagraph 5 of the first paragraph of section 573.3.5 of the Cities and Towns Act (chapter C-19);

“(2.3) that is a contract entered into with a non-profit body and involving an expenditure below the expenditure ceiling allowing the territory from which the tenders originate to be limited in the case of contracts for the supply of services under subarticle 2.1 of article 935, and whose object is any of the following:

- (a) courier or mail services, including email;
- (b) fax services;
- (c) real estate services;
- (d) computer services, including consultation services for the purchase or installation of computer software or hardware, and data processing services;
- (e) maintenance or repair services for office equipment;
- (f) management consulting services, except arbitration, mediation or conciliation services with regard to human resources management;
- (g) architectural or engineering services, except those related to transportation infrastructure construction;
- (h) architectural landscaping services;
- (i) land use and planning services;
- (j) test, analysis or inspection services for quality control;
- (k) exterior and interior building cleaning services; and
- (l) machinery or equipment repair services.”;

“(2.4) that is a contract entered into with a non-profit body and involving an expenditure below the expenditure ceiling allowing the territory from which the tenders originate to be limited in the case of supply contracts under subarticle 2.1 of article 935;”;

(3) by replacing “, subscriptions or computer software for educational purposes” in subparagraph 4 of the first paragraph by “or the supply of subscriptions”;

(4) by replacing “articles 936 and 938.0.2” in the introductory clause of the second paragraph by “article 936 and any regulation made under article 938.0.1”;

(5) by adding “or 938.0.2” at the end of subparagraph 1 of the third paragraph;

(6) by replacing “whose object is the supply of insurance, equipment, materials or” in subparagraph 2 of the third paragraph by “that is an insurance contract, supply contract or contract for the supply of”.

Adopte SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 22.1

AMENDMENT:

Insert after section 22:

22.1. Section 573.3.1.2 of the Act, replaced by section 74 of chapter 13 of the statutes of 2017, is amended

(1) by replacing subparagraph 7 of the third paragraph by the following subparagraph:

“(7) measures to promote rotation among prospective contracting parties for contracts that may be made by agreement under the rules adopted under the fourth paragraph and that involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 573;”;

(2) by replacing “but less than \$100,000” in the fourth paragraph by “but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 573”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.1

AMENDMENT:

Insert after article 27:

27.1. Article 938.1.2 of the Code, replaced by section 100 of chapter 13 of the statutes of 2017, is amended

(1) by replacing subparagraph 7 of the third paragraph by the following paragraph:

“(7) measures to promote rotation among prospective contracting parties for contracts that may be made by agreement under the rules adopted under the fourth paragraph and that involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under article 935;”;

(2) by replacing “but less than \$100,000” in the fourth paragraph by “but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under article 935”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 27.28

AMENDMENT:

Insert after section 27.27:

27.28. Section 113.2 of the Act, replaced by section 121 of chapter 13 of the statutes of 2017, is amended

(1) by replacing subparagraph 7 of the third paragraph by the following subparagraph:

“(7) measures to promote rotation among prospective contracting parties for contracts that may be made by agreement under the rules adopted under the fourth paragraph and that involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 108;”;

(2) by replacing “but less than \$100,000” in the fourth paragraph by “but below the expenditure ceiling of a contract that may be awarded only after a public call for tenders under section 108”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 28.17

AMENDMENT:

Insert after section 28.16:

28.17. Section 106.2 of the Act, replaced by section 135 of chapter 13 of the statutes of 2017, is amended

(1) by replacing subparagraph 7 of the third paragraph by the following subparagraph:

“(7) measures to promote rotation among prospective contracting parties for contracts that may be made by agreement under the rules adopted under the fourth paragraph and that involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 101;”;

(2) by replacing “but less than \$100,000” in the fourth paragraph by “but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 101”.

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 49.15

AMENDMENT:

Insert after section 49.14:

49.15. Section 103.2 of the Act respecting public transit authorities (chapter S-30.01), replaced by section 206 of chapter 13 of the statutes of 2017, is amended:

(1) by replacing subparagraph 7 of the third paragraph by the following subparagraph:

“(7) measures to promote rotation among prospective contracting parties for contracts that may be made by agreement under the rules adopted under the fourth paragraph and that involve an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 95;”;

(2) by replacing “but less than \$100,000” in the fourth paragraph by “but below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 95”.

Adopté 57

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.1

AMENDMENT:

Insert after section 59:

59.1. Despite section 282 of the Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers (2017, chapter 13), subparagraph 7 of the third paragraph of section 573.3.1.2 of the Cities and Towns Act (chapter C-19), enacted by section 74 of that Act, subparagraph 7 of the third paragraph of article 938.1.2 of the Municipal Code of Québec (chapter C-27.1), enacted by section 100 of that Act, subparagraph 7 of the third paragraph of section 113.2 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), enacted by section 121 of that Act, subparagraph 7 of the third paragraph of section 106.2 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02), enacted by section 135 of that Act, and subparagraph 7 of the third paragraph of section 103.2 of the Act respecting public transit authorities (chapter S-30.01), enacted by section 206 of that Act, apply to municipalities, metropolitan communities and public transit authorities as of the earlier of the following dates:

- (1) 30 June 2018; and
- (2) the date of coming into force of the first rules governing the making of contracts involving an expenditure of at least \$25,000 but less than \$100,000 that a municipality, metropolitan community or public transit authority may specify in its contract management by-law.

The first paragraph has effect from 1 January 2018.

Adopté 87

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.3

AMENDMENT:

Insert after section 59.2:

59.3. Sections 22.1, 27.1, 27.28, 28.17, 49.15 and 59.1 have effect from 1 January 2018.

Adopté S87

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.3

AMENDMENT:

Insert after section 34.2:

CIVIL PROTECTION ACT

34.3. Section 108 of the Civil Protection Act (chapter S-2.3) is amended by replacing “subject to specified conditions, to a municipality, an organization or a person for the implementation period or for the period defined in the instrument of delegation.” in the second paragraph by “to the extent and subject to the conditions the latter determines, to a minister, a local or regional authority, an organization or any other person for the implementation period or for a period defined in the delegation instrument. The Minister may, in the delegation instrument, authorize the subdelegation of the functions the Minister specifies.”

Adopté S77

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.4

AMENDMENT:

Insert after section 34.3:

34.4. Section 111 of the Act is amended by adding the following paragraph at the end:

“In addition, the authority may release personal information to a local or regional authority, without the consent of the person concerned, if releasing the information is necessary for the authority to exercise its rights and powers.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 34.5

AMENDMENT:

Insert after section 34.4:

34.5. The Act is amended by inserting the following sections after section 111:

“111.1. Where a program established under this division is implemented, a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) may release personal information, without the consent of the person concerned, to another public body or to a person or body responsible for acting in response to the disaster, provided that releasing the information

(1) is necessary to reach or locate the person concerned; and

(2) is manifestly for the benefit of the person concerned, in particular to maintain or adapt the public services provided to the person.

Only information required for the intended purposes may be released.

“111.2. Any release of personal information under the second paragraph of section 111 or under section 111.1 must be recorded in a register in accordance with section 67.3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).”

Adepte 591

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 19.18

AMENDMENT:

Insert after section 19.17:

19.18. The Act is amended by inserting the following section after section 108.2:

“108.2.0.1. In addition to his mandate under section 108.2, the external auditor of a municipality having at least 10,000 but less than 100,000 inhabitants, or the designated auditor, as applicable, shall conduct, to the extent he considers appropriate, a value-for-money audit of the municipality and of any legal person or any body referred to in subparagraph 4 or 5 of the first paragraph of section 85 of the Act respecting the Commission municipale (chapter C-35) that is related to the municipality in the manner provided for in that subparagraph.

Such an audit must be completed once every two years.

The auditor shall report to the council on his audit.

If, under this section, section 107.7, article 966.2.1 of the Municipal Code of Québec (chapter C-27.1) or section 86 of Act respecting the Commission municipale, a mandate to audit certain aspects of the accounts and affairs of a body referred to in the first paragraph of section 573.3.5 is entrusted to more than one auditor, the audit of those aspects must be conducted exclusively by the following designated auditor:

- (1) the chief auditor of the municipality with the largest population;
- (2) if no chief auditor of a municipality is concerned, the Commission municipale du Québec; or
- (3) if neither a chief auditor of a municipality nor the Commission is concerned, the external auditor of the municipality with the largest population.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.4

AMENDMENT:

Insert after section 59.3:

59.4. Despite any inconsistent provision, all the assets and liabilities of the Régime complémentaire de retraite de l'Association des pompiers de LaSalle, registered under number 30506, and all those of the Régime de retraite des pompiers de Montréal, registered under number 22503, are amalgamated as of 31 December 2007.

None of the acts performed or decisions made since 31 December 2007 regarding the amalgamation, including Retraite Québec decisions 30506-014 and 22503-038 dated 24 February 2017, may be invalidated on the grounds that the amalgamation was not carried out in accordance with the law.

The first and second paragraphs apply despite any quasi-judicial or judicial decision invalidating the amalgamation.

Adopté S97

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 1.1

AMENDMENT:

Insert after section 1:

1.1. Section 145.41.5 of the Act is replaced by the following section:

“145.41.5. A municipality may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register at least 60 days previously, and on which the work required in the notice has not been carried out, provided

(1) the immovable has, at the time a notice of deterioration is served under section 40 of the Expropriation Act (chapter E-24), been vacant for the period set by the council by by-law, which period may not be less than one year; or

(2) the immovable's decrepit or dilapidated state entails a risk for the health or safety of persons.

Such an immovable may then be alienated to any person by onerous title or, by gratuitous title, to a person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19).”

Adopté S7

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 12.1

AMENDMENT:

Insert after section 12:

12.1. Section 50.6 of Schedule C to the Charter is replaced by the following section:

“**50.6.** The city may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register at least 60 days previously, and on which the work required in the notice has not been carried out, provided

(1) the immovable has, at the time a notice of deterioration is served under section 40 of the Expropriation Act (chapter E-24), been vacant for the period set by the council by by-law, which period may not be less than one year; or

(2) the immovable's decrepit or dilapidated state entails a risk for the health or safety of persons.

Such an immovable may then be alienated to any person by onerous title or, by gratuitous title, to a person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19).”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 17.1

AMENDMENT:

Insert after section 17:

17.1. Section 105.6 of Schedule C to the Charter is replaced by the following section:

“105.6. The city may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register at least 60 days previously, and on which the work required in the notice has not been carried out, provided

(1) the immovable has, at the time a notice of deterioration is served under section 40 of the Expropriation Act (chapter E-24), been vacant for the period set by the council by by-law, which period may not be less than one year; or

(2) the immovable's decrepit or dilapidated state entails a risk for the health or safety of persons.

Such an immovable may then be alienated to any person by onerous title or, by gratuitous title, to a person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19).”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 10.1

AMENDMENT:

Insert after section 10:

CHARTER OF VILLE DE GATINEAU

10.1. Section 12 of the Charter of Ville de Gatineau (chapter C-11.1) is amended

(1) by replacing “committee. The mayor” in the first paragraph by “committee and”;

(2) by adding the following sentence at the end of the first paragraph: “The mayor may also appoint a member of the executive committee to act as chair.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.6

AMENDMENT:

Insert after section 59.5:

59.6. Divisions I and II of Chapter III of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1), as they read on 29 November 2018, continue to apply to requests that are the subject of a preliminary examination or an inquiry by the Commission municipale du Québec on that date.

Adepté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 59.7

AMENDMENT:

Insert after section 59.6:

59.7. Despite section 286 of the Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics (2017, chapter 27), sections 191 and 192 of that Act come into force on (*insert the date that is six months after the date of assent to this Act*), and sections 193, 194, 210 and 211 of that Act come into force on (*insert the date of assent to this Act*).

Adopté S91

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 35

AMENDMENT:

Add the following sentence at the end of the second proposed paragraph: "In the case of Ville de Québec, the Minister may also allow it to use the assistance not only in its territory, but in all the territory of the Capitale-Nationale region."

Adopté S91

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 36

AMENDMENT:

In the first paragraph of proposed section 3.41.5.1:

1. Replace “of a part” by “of all or part”.
2. Add the following sentence after the first sentence: “The delegatee shall administer the sums entrusted to it under, and has all the powers necessary to carry out, the agreement.”

Adopté SM

Bill 155

**An Act to amend various legislative
provisions concerning municipal affairs
and the Société d'habitation du Québec**

Section 60

AMENDMENT:

Replace by:

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

(1) the following provisions, which come into force on 1 January 2019: sections 4 to 10, 18.2, 18.3, 19.7, 19.10 to 19.11, 19.13, 19.14, 19.17, 19.19, 19.20, 19.21 to 19.23 and 27.2.1, section 27.3 to the extent that it concerns article 966.2.2 of the Municipal Code of Québec (chapter C-27.1), sections 27.4, 27.5, 28.2, 29.2 and 40 to 46, paragraph 2 of section 56.1 and section 56.2;

(2) sections 32.1 to 32.6 and 34.2.1 to 34.2.3, which come into force on 30 November 2018, subject to paragraphs 3 and 4 of this section;

(3) the following provisions, which come into force on (*insert the date that is six months after the date of assent to this Act*): section 29.4, section 29.5 to the extent that it concerns subparagraphs 2 and 3 of the second paragraph of section 5 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1), sections 29.6 and 29.7, section 29.8 to the extent that it concerns subparagraphs 4.2 and 4.3 of the second paragraph of section 12 of the Act to facilitate the disclosure of wrongdoings relating to public bodies, sections 29.9 and 29.10, section 29.11 to the extent that it concerns the communication of information to the inspector general of Ville de Montréal or to the Commission municipale du Québec under the second paragraph of section 14 of the Act to facilitate the disclosure of wrongdoings relating to public bodies, sections 29.12 to 29.17, section 32, section 32.6 to the extent that it concerns subparagraph 2 of the first paragraph of section 36.5 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1), and sections 34.1 to 34.2.0.1;

(4) the following provisions, which come into force on the date that is ten months after the date on which the first president and chief executive officer of the Autorité des marchés publics appointed under section 4 of the Act to facilitate oversight of public bodies' contracts and to establish the Autorité des

marchés publics (2017, chapter 27) takes office: sections 22.0.1, 27.0.1, 27.27 and 28.16, section 29.5 to the extent that it concerns subparagraph 1 of the second paragraph of section 5 of the Act to facilitate the disclosure of wrongdoings relating to public bodies, section 29.8 to the extent that it concerns subparagraph 4.1 of the second paragraph of section 12 of the Act to facilitate the disclosure of wrongdoings relating to public bodies, section 29.11 to the extent that it concerns the communication of information to the Autorité des marchés publics under the second paragraph of section 14 of the Act to facilitate the disclosure of wrongdoings relating to public bodies, section 32.6 to the extent that it concerns subparagraph 3 of the first paragraph of section 36.5 of the Municipal Ethics and Good Conduct Act, and sections 49.13, 56.0.4 and 56.6;

(5) section 56.7.1, which comes into force on the date on which the first president and chief executive officer of the Autorité des marchés publics appointed under section 4 of the Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics takes office;

(6) the following provisions, which come into force on the date on which the vice-president assigned to matters relating to audits of municipalities and municipal bodies is designated under section 3 of the Act respecting the Commission municipale (chapter C-35): sections 27.8 to 27.10 and 27.12, section 27.13 to the extent that it concerns the first paragraph of section 85, sections 86 to 86.5, the third and fourth paragraphs of section 86.6 and sections 86.7 to 86.10 of the Act respecting the Commission municipale, and section 27.14;

(7) section 27.11, and section 27.13 to the extent that it concerns the second paragraph of section 85 of the Act respecting the Commission municipale, which come into force on 1 April 2019;

(8) section 19.18, and section 27.3 to the extent that it concerns article 966.2.1 of the Municipal Code of Québec, which come into force on 1 January 2020; and

(9) section 27.13, to the extent that it concerns the first and second paragraphs of section 85 of the Act respecting the Commission municipale, which comes into force on 1 April 2020.

Adopté SM