

AM 1  
s. 1 (2)

Bill 21

**An Act mainly to end petroleum  
exploration and production and the  
public financing of those activities**

Section 1

**AMENDMENT:**

Insert "extracted from the subsoil" after "means natural gas" in the definition of "gas" in proposed section 2.

*adopted*

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Section 1

**AMENDMENT:**

Replace the second paragraph of proposed section 13 by:

The Minister must carry out a hydrogeological study aimed in particular at characterizing the groundwater for the sites of wells drilled before 14 August 2014. The results of the study must be sent to the Minister of Sustainable Development, Environment and Parks and to the holder of the revoked licence within 18 months after the coming into force of section 10.

*Adopté*

AM 3  
s. 1 (16)

Bill 21

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Section 1

**AMENDMENT:**

Withdraw proposed section 16.

*Adopted*

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Section 1

**AMENDMENT:**

In proposed section 18:

1. Insert after paragraph 1:

(1.1) the holder has informed in writing the owner or lessee, the local municipality and the regional county municipality, as applicable, at least 30 days before the work begins if the site concerned is located in whole or in part on private land or land leased by the State or in the territory of a local municipality;

2. Insert "in writing" after "informed the Minister" in paragraph 2.

*Adopted*

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Section 1

**AMENDMENT:**

Insert "of up to 12 months" after "extension" in the second paragraph of proposed section 20.

*Adopted*

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Section 1

**AMENDMENT:**

Replace “in the Minister’s opinion,” in subparagraph 1 of proposed section 26 by “the Minister is of the opinion, following an inspection carried out under Chapter VIII, that”.

*Adopte-alls*

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Section 1

**AMENDMENT:**

Add at the end of the second paragraph of proposed section 27: "The holder must also, within the same time, send a copy to the owner or lessee, to the local municipality and to the regional county municipality, as applicable, if the site of the well is located in whole or in part on private land or land leased by the State or in the territory of a local municipality."

*Adopted*

AM 8  
s. 1 (38)

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Section 1

**AMENDMENT:**

Insert "or for the purposes of the Taxation Act (chapter I-3)" at the end of the second paragraph of proposed section 38.

*Adopted*



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Section 1

**AMENDMENT:**

Replace proposed section 39 by:

“39. The compensation may be paid, in full or in part, according to a schedule determined in the program, in particular on the basis of the permanent well closure and site restoration stages.

The program may provide that payment of compensation, in full or in part, is conditional on the communication of documents or information, the payment of a debt owed to the Government or compliance with a provision of this Act or of an Act or regulation of Québec

The final payment of compensation is conditional on the filing, by eligible persons or, if applicable, by a member of a partnership that constitutes an eligible person for the purposes of this chapter, of the returns and reports required under a fiscal law, within the meaning of section 1 of the Tax Administration Act (chapter A-6.002), and on there being no overdue amount payable under such laws, in particular the special tax relating to the tax credit relating to mining, petroleum, gas or other resources, that must be paid following the previous payments, if applicable.

*Adopté*

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Section 1

**AMENDMENT:**

Insert after proposed section 36:

“**36.1.** The compensation provided for in sections 34 and 35 is reduced by the amount of any debt owed to the Government or a public body and of any subsidy paid by them to an eligible person or, if applicable, to a member of a partnership that constitutes an eligible person for the purposes of this chapter, between 19 October 2015 and 19 October 2021, with respect to the revoked licence, except a tax debt or tax assistance.

The reduction mentioned in the first paragraph is made in the manner provided for in the program.

*Adopté*

AM 11  
s. 1 (41)

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Section 1

**AMENDMENT:**

Replace proposed section 41 by:

**“41.** Despite any provision to the contrary, the revocation of the licences and authorizations mentioned in section 7 entails no compensation or reparation, including for damages, other than that provided for in the compensation program.

*Adopté*

AM 12  
s. 1 (43)

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Section 1

**AMENDMENT:**

Amendment 12 has been withdrawn and renamed amendment q.

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Section 1

**AMENDMENT:**

Replace proposed section 46 by:

“46. Every person authorized by the Minister to act as an inspector for the purposes of this Act and the regulations may, at any reasonable time, enter land, including private land, a building or a vehicle, to examine the premises and conduct an inspection. Inspectors may, in such cases, by any reasonable, appropriate means:

- (1) record the state of a place or property situated there;
- (2) collect samples, conduct tests and perform analyses;
- (3) carry out any necessary excavation or drilling to assess the state of the premises;
- (4) install any measuring apparatus necessary for taking measurements on the premises and subsequently remove the apparatus;
- (5) take measurements, including continuous measurements, using an apparatus they install or that is already on the premises, for any reasonable period of time they determine;
- (6) access a facility, including a secure facility, found on the premises;
- (7) set in action or use an apparatus or equipment to ensure that the inspection is properly conducted or require the apparatus or equipment to be set in action or used within the time and according to the conditions they specify;
- (8) require the provision of any information relating to the application of this Act or the regulations and the communication of any relevant documents for examination, recording and reproduction;

(9) use any computer, equipment or other thing that is on the premises to access data relating to the application of this Act or the regulations that is contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data; and

(10) be accompanied by any person whose presence is considered necessary for the purposes of the inspection, who may then exercise the powers set out in subparagraphs 1 to 9.

An inspector may also immediately seize any thing if they have reasonable grounds to believe that it constitutes proof of an offence under this Act.

The rules established by the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things seized by the inspector under the second paragraph, except in respect of section 129 for the custody of the thing seized. In such a case, the inspector has custody of the thing seized even when it is submitted in evidence and until a judge declares it forfeited or orders it returned to its owner, unless the judge decides otherwise. However, the Minister may authorize an inspector to entrust the offender with the custody of the thing seized, and the offender must accept custody of it until a judge declares it forfeited or orders it returned to its owner.

The owner, lessee or custodian of land, a building or a vehicle being inspected and any person found there must lend assistance to an inspector in performing their duties.

The obligation set out in the fourth paragraph also applies to persons accompanying an inspector.

*Adopted*

AM 14  
s. 1 (50)

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Section 1

**AMENDMENT:**

Replace "affecting a licence or authorization holder's rights" in proposed section 50 by "affecting the rights of the holder of a revoked licence or authorization".

*Adopted*

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Section 1

**AMENDMENT:**

Replace "10 or 45" in proposed section 56 by "6 or fails to perform the permanent well closure and site restoration provided for in section 10 or in the order authorizing a pilot project".

*Adopted*



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Section 1

**AMENDMENT:**

Insert after proposed section 56:

“56.1. If a legal person or an agent, mandatary or employee of a legal person or of a partnership or association without legal personality commits an offence under this Act, the director or officer of the legal person, partnership or association is presumed to have committed the offence, unless it is established that they exercised due diligence and took all necessary precautions to prevent the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

*Adopted*

AM 17  
s. 1 (61)

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Section 1

**AMENDMENT:**

Insert after the second paragraph of proposed section 61:

The holder of a revoked licence referred to in the first paragraph must send to the Minister, within the time and in the form determined by the Minister, the items provided for in section 11.

*Adopted*

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Section 1

**AMENDMENT:**

Insert after proposed section 62:

“62.1. The permanent closure and restoration of a site of a well carried out in accordance with the Petroleum Resources Act, as it read on (*insert the date that precedes the date of assent to this Act*), during the period between 19 October 2021 and the date of coming into force of section 10, are deemed to have been carried out in accordance with this Act to the extent that the permanent closure and restoration comply with this Act’s provisions, in particular the carrying out of the hydrogeological study required under the second paragraph of section 13.

From the coming into force of section 10 of this Act, the permanent closure and restoration of the sites of those wells must be carried out in accordance with this Act, with the necessary modifications.

All wells in respect of which the Minister did not declare being satisfied under section 114 of the Petroleum Resources Act, as it read on (*insert the date that precedes the date of assent to this Act*), before 19 October 2021 must be the subject of the hydrogeological study required under the second paragraph of section 13.

The expenses related to a permanent well closure and site restoration authorized by the Minister before 19 October 2021 under section 93 of the Petroleum Resources Act, as it read on (*insert the date that precedes the date of assent to this Act*), are excluded from the computation of the general compensation provided for in section 35.

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Section 1

**AMENDMENT:**

In proposed section 63:

1. Replace “information sent to” by “information held by”.
2. Add the following paragraph at the end:

The Minister publishes, on the department’s website, an evolving progress report of the permanent well closure and site restoration work and of the inspections carried out under Chapter VIII in respect of the revoked licences for which compensation has been paid under Chapter VI. The progress report is updated every three months following the first compensation payment.

*Adopté*

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Section 1

**AMENDMENT:**

Insert after proposed section 63:

**“63.1.** For the purposes of section 10,

(1) the well covered by drilling authorization 2005FC130 is deemed to have been drilled under licence 2005RS120;

(2) the wells covered by drilling authorizations 1971FA158, 1980FA196, 1981FA198, 2003FA239, 2003FA241, 2003FA242 and 2004FA247 are deemed to have been drilled under licence 2006RS184;

(3) the well covered by drilling authorization 2000FB303 is deemed to have been drilled under licence 2006RS185;

(4) the well covered by drilling authorization 2007FC133 is deemed to have been drilled under licence 2007RS213;

(5) the well covered by drilling authorization 1983FC100 is deemed to have been drilled under licence 2008PG989;

(6) the well covered by drilling authorization 2008FA257 is deemed to have been drilled under licence 2008RS224;

(7) the well covered by drilling authorization 2005FC129 is deemed to have been drilled under licence 2009PG505;

(8) the wells covered by drilling authorizations 2008FA269 and 2009FA270 are deemed to have been drilled under licence 2009PG551;

(9) the stratigraphic survey bearing number CZ017 is deemed to have been drilled under licence 2009PG556;

(10) the well covered by drilling authorization 1985FA202 is deemed to have been drilled under licence 2009RS277;

(11) the well covered by drilling authorization 1956FA003 is deemed to have been drilled under licence 2010RS284; and

(12) the wells covered by drilling authorizations 2006FA251 and 2007FA255 are deemed to have been drilled under licence 2010RS285.

*Adopted*

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Section 1

**AMENDMENT:**

Insert after paragraph 1 of proposed section 67:

(1.1) Division II of Chapter II, comprising sections 24 and 25;

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Section 1

**AMENDMENT:**

Insert after the first paragraph of proposed section 69:

Despite any provision to the contrary, the provisions of the regulations mentioned in the first paragraph which limit or prohibit, directly or indirectly, exploration for petroleum and underground reservoirs and production of petroleum and brine provided for in the Petroleum Resources Act and the regulations, entail no compensation or reparation, including for damages.

*Adopted*



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Section 1

**AMENDMENT:**

Insert after proposed section 69:

“69.1. Any decision rendered before (*insert the date of assent to this Act*) by the Government, the Minister or one of their employees or mandataries, which limits or prohibits, directly or indirectly, exploration for petroleum and underground reservoirs and production of petroleum and brine provided for in the Petroleum Resources Act and the regulations, is validated.

*Adopté*

AM 24  
s. 75 (150)

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Section 75

**AMENDMENT:**

Insert "85," at the end.

*Adopted*

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Section 75.1

**AMENDMENT:**

Insert after section 75:

**75.1.** Section 153 of the Act is replaced by the following section:

**“153.** Every person authorized by the Minister to act as an inspector for the purposes of the Act and the regulations may, at any reasonable time, enter land, including private land, a building or a vehicle, to examine the premises and conduct an inspection. Inspectors may, in such cases, by any reasonable, appropriate means:

- (1) record the state of a place or property situated there;
- (2) collect samples, conduct tests and perform analyses;
- (3) carry out any necessary excavation or drilling to assess the state of the premises;
- (4) install any measuring apparatus necessary for taking measurements on the premises and subsequently remove the apparatus;
- (5) take measurements, including continuous measurements, using an apparatus they install or that is already on the premises, for any reasonable period of time they determine;
- (6) access a facility, including a secure facility, found on the premises;
- (7) set in action or use an apparatus or equipment to ensure the inspection is properly conducted or require the apparatus or equipment to be set in action within the time and according to the conditions they specify;
- (8) require the provision of any information relating to the application of this Act or the regulations and the communication of any relevant documents for examination, recording and reproduction;

(9) use any computer, equipment or other thing that is on the premises to access data relating to the application of this Act or the regulations that is contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data; and

(10) be accompanied by any person whose presence is considered necessary for the purposes of the inspection, who may then exercise the powers set out in subparagraphs 1 to 9.

An inspector may also immediately seize any thing if they have reasonable grounds to believe that it constitutes proof of an offence under this Act.

The rules established by the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things seized by the inspector under the second paragraph, except in respect of section 129 for the custody of the thing seized. In such a case, the inspector has custody of the thing seized even when it is submitted in evidence and until a judge declares it forfeited or orders it returned to its owner, unless the judge decides otherwise. However, the Minister may authorize an inspector to entrust the offender with the custody of the thing seized, and the offender must accept custody of it until a judge declares it forfeited or orders it returned to its owner.

The owner, lessee or custodian of land, a building or a vehicle being inspected and any person found there must lend assistance to an inspector in performing their duties.

The obligation set out in the fourth paragraph also applies to persons accompanying an inspector.”

*Adopted*

AM 26  
s. 85 (4)

Bill 21

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Section 85

**AMENDMENT:**

Withdraw.

*Adopted*

AM 27  
s. 86 (7)

Bill 21

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Section 86

**AMENDMENT:**

Withdraw.

*Adopted*

Bill 21

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Section 125

**AMENDMENT:**

Replace by:

**125.** The provisions of this Act come into force on the date or dates to be set by the Government, except sections 69 to 70 of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine*) enacted by section 1, which come into force on (*insert the date of assent to this Act*).

*Adopted*

Bill 21

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Section 1

**AMENDMENT:**

1. Replace the introductory clause of proposed section 43 by

43. The Minister may, after consulting with the Minister of Sustainable Development, Environment and Parks, authorize by order published in the *Gazette officielle du Québec* the implementation of a pilot project that involves the use of a well subject to the obligation provided for in section 10.

In a case where an authorization is required under the Environment Quality Act (chapter Q-2), the pilot project may not be authorized before that authorization is issued.

A pilot project must allow the acquiring of geoscientific knowledge related to

2. Strike out “deep” in subparagraph 3 of the first paragraph.

3. Insert “, carbon neutrality” after “energy transition” in subparagraph 5 of the first paragraph.

4. Insert “in particular to ensure the safety of persons and property and the protection of the environment, and to foster the involvement of local communities,” after “a pilot project,” in the second paragraph.

*Adopté*



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Section 1

**AMENDMENT:**

Insert after proposed section 43:

“43.1. The persons authorized by the Minister have the right to access the site of the pilot project.

If the site concerned is located in whole or in part in the territory of a local municipality, the persons authorized by the Minister must, at least 30 days before accessing the site, inform the local municipality and the regional county municipality in writing.

If the site concerned is located in whole or in part on private land or land leased by the State, the persons authorized by the Minister must also obtain written authorization from the owner or lessee at least 30 days before accessing the site or may acquire, by agreement, any real right or property necessary to access the site and perform the work there. Failing that, the authorized persons may not access the site.

*Adopted*

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Section 1

**AMENDMENT:**

Insert after proposed section 44:

“**44.1.** The Minister publishes the results of the pilot project on the department’s website, not later than two years after the end of the pilot project.

*Adopted*

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Section 1

**AMENDMENT:**

Strike out paragraph 9 of proposed section 55.

*Adopted*

Bill 21

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Section 1

**AMENDMENT:**

Insert after the title of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine proposed by section 1:

“AS, in the face of the climate emergency, Québec is committed to the energy transition;

“AS Québec declared itself bound, in 2016, by the Paris Agreement of the United Nations Framework Convention on Climate Change and as it joined the Beyond Oil and Gas Alliance in 2021;

“AS Québec aims to achieve carbon neutrality by 2050;

“AS, to achieve carbon neutrality, States must cease making any new investments in petroleum exploration and production;

“AS Québec wishes to maintain an investment climate that fosters energy innovation;

“AS the vast collective endeavour that is the energy transition has the potential to be a source of pride and of economic development, as well as the wellspring of the future, for all the regions of Québec;

*Adopté*