



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 44

**An Act to amend various provisions
for the purpose of reducing
regulatory and administrative burden**

Introduction

**Introduced by
Madam Lucie Lecours
Minister for the Economy**

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EXPLANATORY NOTES

This bill contains various provisions whose main purpose is to reduce the regulatory and administrative burden on businesses.

The bill amends the Act respecting hours and days of admission to commercial establishments so that the periods of admission are now completely determined by government regulation and enacts such regulation. It also enables local municipalities to provide for different periods of admission for the establishments located in their territory.

The bill simplifies a number of rules relating to alcoholic beverages, in particular by eliminating the delivery permit, by allowing public transportation carriers to store and transport alcoholic beverages and by authorizing restaurant permit holders to sell or serve alcohol- or spirits-based alcoholic beverages defined by regulation. It reduces the frequency of reporting by small-scale production permit holders and allows those permit holders to use another producer's raw materials in cases of superior force. It also introduces greater flexibility with respect to alcoholic beverages tasting and container identification.

In addition, the bill abolishes all specific standards for publicity contests, including the standard imposing the payment of fees to the Régie des alcools, des courses et des jeux for the holding of such contests.

The bill also facilitates the harmonization of the construction and safety standards applicable to buildings in Québec. To that end, it amends the Building Act, in particular to prevent municipalities from adopting less-stringent standards in those matters and to standardize the application of certain provisions regarding public safety. It grants the Régie du bâtiment du Québec the power to determine, by regulation, the powers that municipalities may exercise to verify the application in their territory of standards prescribed in the Construction Code and the Safety Code and which municipalities must verify the application of such standards in certain cases.

The bill makes several amendments with respect to the publication of rights, in particular to reduce the publication period for setting up certain rights against third persons.

The bill eliminates certain formalities relating to various licences, mainly by removing the renewal requirement for personnel placement agency licences, temporary foreign worker recruitment agency licences and labour-referral service licences in the construction industry. It ends the obligation for certain employers to produce an annual declaration of eligible training expenditures and amends certain requirements relating to business names.

The bill also amends Acts concerning municipal affairs, in particular with regard to budgets, the three-year capital expenditure program, the auditing of financial statements and contracts to improve the energy efficiency of equipment and infrastructure.

The bill also amends the Sustainable Forest Development Act to grant the minister responsible for that Act the power to suspend the right granted by a supply guarantee to a holder whose plant has discontinued its operations for more than six months and to empower the Bureau de mise en marché des bois to assess the value of eligible protection and development expenses. It also amends the Mining Act to allow the extension of non-exclusive leases for the mining of surface mineral substances.

Lastly, the bill makes consequential amendments and contains transitional provisions.

LEGISLATION AMENDED BY THIS BILL:

- Civil Code of Québec;
- Sustainable Forest Development Act (chapter A-18.1);
- Act respecting land use planning and development (chapter A-19.1);
- Building Act (chapter B-1.1);
- Cities and Towns Act (chapter C-19);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);

- Companies Act (chapter C-38);
- Municipal Powers Act (chapter C-47.1);
- Act respecting elections and referendums in municipalities (chapter E-2.2);
- Act respecting municipal taxation (chapter F-2.1);
- Act respecting hours and days of admission to commercial establishments (chapter H-2.1);
- Act respecting offences relating to alcoholic beverages (chapter I-8.1);
- Act respecting lotteries, publicity contests and amusement machines (chapter L-6);
- Mining Act (chapter M-13.1);
- Act respecting labour standards (chapter N-1.1);
- Act respecting liquor permits (chapter P-9.1);
- Act respecting the legal publicity of enterprises (chapter P-44.1);
- Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1);
- Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);
- Act respecting the Société des alcools du Québec (chapter S-13);
- Act respecting public transit authorities (chapter S-30.01);
- Business Corporations Act (chapter S-31.1);
- Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20).

REGULATION ENACTED BY THIS BILL:

- Regulation respecting hours and days of admission to commercial establishments (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Regulation respecting hours and days of admission to commercial establishments*).

REGULATIONS AMENDED BY THIS BILL:

- Regulation respecting road vehicle registration (chapter C-24.2, r. 29);
- Regulation respecting eligible training expenditures (chapter D-8.3, r. 3);
- Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- Regulation respecting personnel placement agencies and recruitment agencies for temporary foreign workers (chapter N-1.1, r. 0.1);
- Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3);
- Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages (chapter P-9.1, r. 6);
- Regulation respecting the legal regime applicable to liquor permits (chapter P-9.1, r. 7);
- Rules of procedure of the Régie des alcools, des courses et des jeux (chapter R-6.1, r. 2);
- Regulation respecting the labour-referral service licence in the construction industry (chapter R-20, r. 8.1);
- Regulation respecting alcoholic beverages made and bottled by holders of a distiller's permit (chapter S-13, r. 3);
- Regulation respecting the Québec sales tax (chapter T-0.1, r. 2).

REGULATION REPEALED BY THIS BILL:

- Rules respecting publicity contests (chapter L-6, r. 6).

REGULATION REPLACED BY THIS BILL:

- Regulation respecting periods of admission to commercial establishments (chapter H-2.1, r. 1).

Bill 44

AN ACT TO AMEND VARIOUS PROVISIONS FOR THE PURPOSE OF REDUCING REGULATORY AND ADMINISTRATIVE BURDEN

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PROVISIONS CONCERNING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

ACT RESPECTING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

- 1.** The Act respecting hours and days of admission to commercial establishments (chapter H-2.1) is amended by inserting “DETERMINATION OF” before “HOURS” in the heading of Division II.
- 2.** Sections 2 to 3.1 of the Act are repealed.
- 3.** Sections 4.1 and 4.2 of the Act are replaced by the following sections:

“**4.1.** The Government may, by regulation, determine the hours and days of admission of the public to commercial establishments, which may vary according to the criteria established by regulation or the establishments covered by such regulation.

“**4.2.** A local municipality may, by by-law and for any commercial establishment situated in its territory, prescribe hours and days of admission that are different from those determined by a regulation under section 4.1. Such hours and days may vary according to the time of year, the establishments covered by the by-law or the part of the territory of the municipality concerned.

Despite the first paragraph, on the occasion of a special event, the municipality may, by resolution, for any commercial establishment situated in its territory and for the period the municipality determines, prescribe hours and days of admission that are different from those determined by a by-law under the first paragraph or by a regulation under section 4.1.

The local municipality must give notice of the adoption of a by-law or resolution to the Minister in accordance with this section at the time of the publication or communication of the by-law or resolution.”

- 4.** Sections 5 to 10 and 12 to 14 of the Act are repealed.
- 5.** Section 14.1 of the Act is amended by replacing “also be admitted, outside the legal periods of admission” in the first paragraph by “be admitted, outside the periods of admission determined in accordance with section 4.1 or 4.2”.
- 6.** Section 15 of the Act is repealed.
- 7.** Section 23 of the Act is amended by striking out “within the meaning of section 3.1” in the first paragraph.

REGULATION RESPECTING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

- 8.** The Regulation respecting hours and days of admission to commercial establishments, the text of which appears in this section, is enacted.

“REGULATION RESPECTING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

“DIVISION I

“APPLICATION

- 1.** This Regulation applies to any commercial establishment within the meaning of section 1 of the Act respecting hours and days of admission to commercial establishments (chapter H-2.1), subject to any contrary provision of a by-law or resolution adopted by a local municipality under section 4.2 of that Act.

“DIVISION II

“GENERAL PROVISIONS

- 2.** The provisions of this division apply to any commercial establishment unless a provision of Divisions III and IV is applicable to the establishment.
- 3.** The public may be admitted to a commercial establishment from 8 a.m. until 5 p.m. on Saturdays and Sundays and until 9 p.m. on other days of the week.
- 4.** On 24 and 31 December, the public may not be admitted to a commercial establishment after 5 p.m. Likewise, on 26 December, the public may not be admitted to a commercial establishment before 10 a.m.
- 5.** The public may not be admitted to a commercial establishment on a holiday.

For the purposes of this Regulation, the following are holidays:

- (1) 1 January;
- (2) Easter Sunday;
- (3) 24 June;
- (4) 1 July;
- (5) the first Monday in September; and
- (6) 25 December.

“DIVISION III

“PROVISIONS APPLICABLE TO GROCERY STORES

“6. In this division,

(1) “grocery store” means a grocery store that principally offers for sale, at all times, only foodstuffs or alcoholic beverages to be consumed elsewhere than on the premises of the establishment;

(2) “small-surface grocery store” means a grocery store with a sales area of 375 m² or less; and

(3) “large-surface grocery store” means a grocery store with a sales area of more than 375 m².

The sales area of a grocery store corresponds to the total area reserved for sale, services related to sales and for the public to have access to products and services, including circulation areas, food preparation areas where a person assigned to that area is also responsible for serving clients, and spaces where payment is made.

“7. The public may be admitted to a grocery store until 8 p.m. on Saturdays and Sundays.

“8. The public may be admitted to a small-surface grocery store on a holiday and to a large-surface grocery store on 1 July.

“9. The public may be admitted to a grocery store before or after the hours of admission prescribed in sections 3, 4 and 7 provided that not more than four persons attend to the operation of the store.

“DIVISION IV

“PROVISIONS APPLICABLE TO CERTAIN COMMERCIAL ESTABLISHMENTS OTHER THAN GROCERY STORES

“10. The public may be admitted to an establishment that principally offers for sale, at all times, pharmaceutical, hygienic or sanitary products, newspapers, periodicals, books, tobacco or articles required for the use of tobacco before or after the hours of admission prescribed in sections 3 and 4 or on a holiday provided that not more than four persons, excluding professionals governed by the Pharmacy Act (chapter P-10) and persons assigned exclusively to the preparation of medicaments, attend to the operation of the store.

Despite the first paragraph, the limit on the number of persons does not apply on 1 July, during the hours prescribed in section 3, to an establishment that principally offers for sale, at all times, pharmaceutical, hygienic or sanitary products.

“11. The public may be admitted, without limitation as to the hours or days, to a commercial establishment that principally offers for sale, at all times, the following products or some of the following products:

(1) motor oil, fuel, newspapers, periodicals, books, tobacco or articles required for the use of tobacco;

(2) meals, foodstuffs or alcoholic beverages to be consumed on the premises or prepared meals or dishes to be consumed elsewhere than on the premises of the establishment;

(3) foodstuffs or other products as accessories to services rendered for the performance of a leasing contract for goods or services;

(4) works of art or handicrafts;

(5) flowers or inedible horticultural products; and

(6) antiques.

“12. The public may be admitted to a commercial establishment until 11 p.m., without limitation as to the days, provided that the establishment principally offers for sale, at all times, only audio recordings.

“13. The public may be admitted, without limitation as to the hours or days, to a commercial establishment situated in one of the following places:

(1) a place where sports activities are held or a cultural centre, provided that the principal products offered for sale at all times are products connected with the activity being carried out;

(2) a facility maintained by an institution operating a hospital centre or a residential and long-term care centre within the meaning of the Act respecting health services and social services (chapter S-4.2);

(3) a hospital centre within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5); and

(4) an air terminal.

“DIVISION V

“FINAL PROVISION

“14. This Regulation replaces the Regulation respecting periods of admission to commercial establishments (chapter H-2.1, r. 1).”

CHAPTER II

PROVISIONS CONCERNING ALCOHOLIC BEVERAGES AND PUBLICITY CONTESTS

DIVISION I

PROVISIONS WITH REGARD TO ALCOHOLIC BEVERAGES

ACT RESPECTING LIQUOR PERMITS

9. Section 25 of the Act respecting liquor permits (chapter P-9.1) is amended by striking out “delivery permit,” in the first paragraph.

10. Section 27 of the Act is amended by replacing the third paragraph by the following paragraph:

“Lastly, the restaurant permit authorizes the sale, for take out or delivery in a sealed container, of alcoholic beverages other than alcohol and spirits if such beverages are sold with food prepared by the permit holder. The sale, for take out or delivery, of alcohol- or spirits-based alcoholic beverages as defined by a regulation made under section 37 of the Act respecting the Société des alcools du Québec (chapter S-13) is authorized on the same conditions.”

11. Section 32 of the Act is repealed.

12. Section 34.1 of the Act is amended by replacing “alcohol, spirits or home-made beverages” in the fourth paragraph by “home-made beverages, alcohol or spirits, other than alcohol- or spirits-based alcoholic beverages as defined by a regulation made under section 37 of the Act respecting the Société des alcools du Québec (chapter S-13)”.

13. Section 50 of the Act is amended by striking out “a delivery permit. Nor do they apply in the case of” in the third paragraph.

14. Section 72.1 of the Act is amended by inserting “of a brewer’s permit,” before “of a small-scale production” in subparagraph 3 of the second paragraph.

15. Section 97 of the Act is amended by striking out “delivery permit,” in paragraph 1.

16. Section 111 of the Act is amended

(1) by replacing “during the business hours of an establishment” in the first paragraph by “at any reasonable time”;

(2) by inserting “or on the permit holder’s behalf” after “by the holder of a permit” in the second paragraph;

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

“For the purposes of the first paragraph, the place used to store alcoholic beverages by the holder of an accessory permit used in a means of transportation or by the holder of a restaurant permit with a “caterer” option who exercises that option exclusively is considered to be the permit holder’s establishment.”

17. Section 114 of the Act, amended by section 56 of chapter 20 of the statutes of 2018, is again amended by striking out paragraphs 2.3 and 14.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

18. Section 2 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended

(1) by replacing “, served or transported” in paragraph 18 by “or served”;

(2) by inserting the following paragraph after paragraph 29:

“(29.1) “public transportation carrier”: an enterprise providing interurban passenger transportation by airplane, by boat or by train, except an enterprise providing passenger transportation for recreational or entertainment purposes;”.

19. Section 84 of the Act is amended by replacing the second paragraph by the following paragraph:

“The first paragraph does not apply

(1) to the holder of an event permit, unless he is also the holder of another permit entitling him to sell or serve alcoholic beverages for consumption on the premises;

(2) to the holder of a grocery permit;

(3) to the holder of a small-scale production permit for the alcoholic beverages, other than alcohol and spirits, he makes or to the holder of a brewer's permit for the alcoholic beverages he makes, when the permit holder also holds another permit authorizing alcoholic beverages to be sold for consumption on the premises which is used at the place where the beverages are produced."

20. Section 91 of the Act is amended by striking out "or transportation" in paragraph *b*.

21. Section 92 of the Act is amended by striking out "or delivery" in paragraph *h*.

22. Section 93 of the Act is amended by striking out "or delivery" in subparagraph *g* of the first paragraph.

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

"DIVISION X.2

"POSSESSION AND TRANSPORTATION OF ALCOHOLIC BEVERAGES BY A PUBLIC TRANSPORTATION CARRIER

"95.2. No provision of this Act shall prohibit the custody, possession, storage and transportation, by a public transportation carrier or on its behalf, of alcoholic beverages in anticipation of the beverages being loaded on a vehicle used for passenger transportation, or prohibit alcoholic beverages from being sold or served for consumption on board the vehicle used for passenger transportation while it is in movement.

"95.3. A person who transports alcoholic beverages in anticipation of the beverages being loaded on a vehicle used for passenger transportation shall exhibit, on request, a bill of lading or way-bill stating the name and address of the shipper and the name and address of the consignee.

"95.4. A person who stores alcoholic beverages in anticipation of the beverages being loaded on a vehicle used for passenger transportation shall exhibit, on request and as the case may be, the agreement entered into with the public transportation carrier or any document used to establish the origin and destination of the alcoholic beverages."

24. Section 108 of the Act, amended by section 89 of chapter 20 of the statutes of 2018, is again amended, in the first paragraph,

(1) by replacing "other than a grocery permit" in subparagraph 2 by "other than a permit holder referred to in the second paragraph of section 84";

(2) by striking out "or transport" in subparagraph 5.

25. Section 112 of the Act is amended

- (1) by striking out “or transport” in paragraph 3;
- (2) by striking out “or transports” in paragraph 7.

26. Section 117 of the Act is amended by inserting “, 125.2” after “125.1”.

27. Section 125.1 of the Act is amended by replacing “or in section 95” in the first paragraph by “, in section 95 or in section 95.3”.

28. The Act is amended by inserting the following section after section 125.1:

“125.2. Every peace officer who has reasonable cause to believe that the premises are being used by or on behalf of a public transportation carrier to store alcoholic beverages may enter the premises and inspect them at any reasonable time.

During the inspection, the peace officer may examine the alcoholic beverages found there, require any document used to establish the origin and destination of the alcoholic beverages, and require any person on the premises to provide reasonable assistance. The peace officer may also require the person storing the alcoholic beverages to prove that the person is authorized to do so, for example by exhibiting the agreement entered into with the public transportation carrier. The person responsible for the premises must comply with such requirements without delay.

The peace officer may proceed immediately with the seizure of any alcoholic beverages possessed in contravention of this Act and their containers.

The provisions of the Code of Penal Procedure (chapter C-25.1) that concern things seized, adapted as required, apply to the alcoholic beverages and their containers once they are seized, subject to the provisions of this Act.”

29. Section 132.1 of the Act is amended by replacing “, served or transported” by “or served”.

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

30. Section 1 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting ““public transportation carrier”,” after ““spirits”,” in subparagraph 1 of the first paragraph.

31. Section 24.1 of the Act, amended by section 105 of chapter 20 of the statutes of 2018, is again amended by inserting “and, except for alcohol and spirits, to a public transportation carrier” after “Société” in the introductory clause of the third paragraph.

32. Section 25 of the Act is amended

(1) by inserting “, a public transportation carrier” after “Société” in subparagraph 1 of the second paragraph;

(2) by adding the following sentence at the end of the third paragraph: “The holder may also sell alcoholic beverages he makes in a room or on a terrace where a permit issued under the Act respecting liquor permits (chapter P-9.1) authorizes him to sell alcoholic beverages for consumption on the premises.”

33. Section 25.1 of the Act is amended by inserting “, a public transportation carrier” after “under the Act respecting liquor permits (chapter P-9.1)” in the second paragraph.

34. Section 28 of the Act is amended by inserting “, a public transportation carrier” after “section 17” in the second paragraph.

35. The Act is amended by inserting the following section after section 29:

“29.0.1. Where a permit holder is authorized under the provisions of this Act, including a regulation made under it, to have an operation carried on on his behalf, the obligations of the holder under the provisions of this Act or of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) remain unchanged by the mere fact that the holder entrusts a third person to carry on any part of an activity referred to in those provisions.

The permit holder is liable for failures to comply with those provisions by a third person who performs an obligation of the permit holder on the permit holder’s behalf, as if those failures to comply were the permit holder’s own.”

36. Section 30 of the Act is amended, in the first paragraph,

(1) by striking out “, if, in the case of the issue or transfer of a permit other than a warehouse permit, it has obtained, in respect of the application, a notice from the Minister of Economy and Innovation” in the introductory clause;

(2) by striking out “in that notice or” in subparagraph 1.

37. Section 33.1 of the Act is amended, in the first paragraph,

(1) by replacing “monthly” by “quarterly”;

(2) by striking out “, as they stand on the fifteenth day of the month”;

(3) by adding the following sentence at the end: “That information must be provided not later than the fifteenth day of the months of January, April, July and October.”

38. The Act is amended by inserting the following section after section 35.3:

“35.3.1. Despite any other provision of this Act or of a regulation made under it, the board may, on application and on the conditions it determines, authorize a small-scale production permit holder to use, in making his alcoholic beverages, raw materials produced by another farm producer where the holder may not use his own raw materials by reason of superior force.”

39. Section 61 of the Act is amended by replacing “35 to 35.3” by “34.2 to 35.3.1”.

ACT TO MODERNIZE THE LEGAL REGIME APPLICABLE TO
LIQUOR PERMITS AND TO AMEND VARIOUS OTHER LEGISLATIVE
PROVISIONS WITH REGARD TO ALCOHOLIC BEVERAGES

40. Section 134 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20) is repealed.

41. Section 144 of the Act, amended by section 243 of chapter 5 and by section 59 of chapter 31 of the statutes of 2020, is again amended by adding the following paragraph at the end:

“(4) paragraph 2 of section 105 and paragraph 2 of section 113, which come into force on *(insert the date of assent to this Act)*.”

REGULATION RESPECTING DUTIES AND COSTS PAYABLE UNDER
THE ACT RESPECTING LIQUOR PERMITS

42. Section 0.1 of the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3) is amended by striking out “, or in section 2 for a permit for an air carrier,” in the first paragraph.

43. Section 2 of the Regulation is repealed.

44. Section 9 of the Regulation is amended by replacing “2” in the first paragraph by “3”.

REGULATION RESPECTING PROMOTION, ADVERTISING AND
EDUCATIONAL PROGRAMS RELATING TO ALCOHOLIC
BEVERAGES

45. Section 12 of the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages (chapter P-9.1, r. 6) is amended by striking out subparagraph 4 of the first paragraph.

REGULATION RESPECTING THE LEGAL REGIME APPLICABLE TO LIQUOR PERMITS

46. The Regulation respecting the legal regime applicable to liquor permits (chapter P-9.1, r. 7) is amended by inserting the following section after section 26:

“26.1. The holder of an accessory permit used in a means of transportation may store alcoholic beverages purchased in accordance with the permit in anticipation of the beverages being loaded on the vehicle, provided that the permit holder indicates to the board the place where the permit holder stores those beverages.”

47. Section 33 of the Regulation is amended

(1) in the third paragraph,

(a) by replacing “beer, cider and wine” by “alcoholic beverages” and by replacing “ramener” in the French text by “rapporter”;

(b) by inserting “partially consumed” after “However, all”;

(2) by replacing “referred to in section 51” in the fourth paragraph by “for which an event permit to serve is not required under section 51, except if alcohol or spirits, other than alcohol- or spirits-based alcoholic beverages as defined by a regulation made under section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), are offered to clients”.

48. Subdivision 2 of Division V of the Regulation, comprising section 58, is repealed.

REGULATION RESPECTING ALCOHOLIC BEVERAGES MADE AND BOTTLED BY HOLDERS OF A DISTILLER’S PERMIT

49. The title of the Regulation respecting alcoholic beverages made and bottled by holders of a distiller’s permit (chapter S-13, r. 3) is replaced by the following title:

“REGULATION RESPECTING ALCOHOL- OR SPIRITS-BASED ALCOHOLIC BEVERAGES”.

50. Section 1 of the Regulation is amended by replacing “is authorized to make, from an alcohol of spirits base to which fruit juice or other flavourings are added, alcoholic beverages” by “and the holder of a small-scale production permit who makes alcohol or spirits are authorized to make alcohol- or spirits-based alcoholic beverages to which fruit juice or other flavourings are added”.

51. Section 3 of the Regulation is amended

(1) by replacing “must enter on the main label of the containers of alcohol” in the introductory clause by “and the holder of a small-scale production permit who makes alcohol or spirits must enter on the main label of the containers of alcohol-”;

(2) by replacing both occurrences of “his” in paragraph 1 by “their”.

REGULATION RESPECTING THE QUÉBEC SALES TAX

52. Section 489.1R4 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is amended by inserting “or where, by reason of superior force, the production cannot come primarily from such land, the person is authorized by the Régie des alcools, des courses et des jeux to use, in the process of making alcoholic beverages, a raw material produced by another person who is a farm producer” at the end of the second paragraph.

53. Section 677R3 of the Regulation, amended by section 66 of chapter 31 of the statutes of 2020, is again amended

(1) by inserting “, unless it is made in the establishment, is used and consumed in the establishment and is not alcohol or spirits” at the end of the first paragraph;

(2) by striking out “, other than alcohol and spirits,” in the second paragraph;

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

“The second paragraph does not apply to alcoholic beverages that are made in the establishment and are not alcohol or spirits.”

54. Section 677R6 of the Regulation, amended by section 67 of chapter 31 of the statutes of 2020, is again amended by replacing “other than alcohol and spirits, conserved in an identified container,” in the second paragraph by “conserved in an identified container”.

55. Section 677R7 of the Regulation is amended by inserting “, unless it is made in the establishment and is not alcohol or spirits” at the end.

56. Section 677R9.1 of the Regulation is amended by adding the following paragraph at the end:

“The first paragraph does not apply to beer that is made in the establishment for use or consumption in that establishment.”

57. Section 677R9.1.1 of the Regulation, amended by section 68 of chapter 31 of the statutes of 2020, is again amended by adding the following paragraph at the end:

“The first paragraph does not apply to beer that is made in that establishment.”

DIVISION II

PROVISIONS RELATING TO PUBLICITY CONTESTS

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

58. The title of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6) is amended by striking out “, PUBLICITY CONTESTS”.

59. Section 1 of the Act is amended by striking out subparagraph *b* of the first paragraph.

60. Section 20 of the Act is amended

- (1) by striking out subparagraph *i.1* of the first paragraph;
- (2) by striking out “publicity contests and” in the second paragraph.

61. Chapter IV of the Act, comprising sections 57.1 to 63, is repealed.

62. Section 67 of the Act is amended by striking out “or for whom a publicity contest is carried on”.

63. Section 69 of the Act is amended

- (1) by striking out “or a publicity contest” in the introductory clause;
- (2) by striking out “or publicity contest” in paragraph *a*;
- (3) by striking out “or contest” in paragraph *c*;
- (4) by replacing paragraph *e* by the following paragraph:

“(e) out of the amounts of money seized and the amount of security paid or confiscated, after deducting the expenses incurred by the board to carry out the preceding measures, award to each winner who was not able to receive a prize mentioned in the preceding paragraph a prize in money equivalent in value to the prize that should have been awarded to him or, if the funds are insufficient, proportionate to the value of that prize and, if any funds remain, pay the expenses incurred to organize and conduct the lottery scheme, up to the percentage of the amounts collected from the public permitted by the rules,

and, if there is any remainder, remit it to the individual or agency to whom the licence for that scheme was issued or, at the discretion of the board, to a charitable or religious body.”

64. Section 70 of the Act is amended by striking out “or from a person for whom a publicity contest is carried on” in the first paragraph.

65. Section 121 of the Act is amended by striking out “publicity contests,” in the first paragraph.

66. Section 121.0.3 of the Act is amended by striking out “or a publicity contest” in the second paragraph.

67. Section 135 of the Act is repealed.

ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

68. Section 11 of the Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1) is amended by striking out “publicity contest,” in the first paragraph.

69. Section 23 of the Act is amended by striking out “publicity contests,” in paragraph 4.

70. Section 25 of the Act is amended by striking out “between a person participating in a publicity contest and the person or body for whose benefit the contest is being held,” and “, the organization and conduct of a publicity contest” in subparagraph 2 of the first paragraph.

71. Section 25.1 of the Act is repealed.

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

72. Section 90.10 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended by striking out “publicity”.

RULES RESPECTING PUBLICITY CONTESTS

73. The Rules respecting publicity contests (chapter L-6, r. 6) are repealed.

RULES OF PROCEDURE OF THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

74. Division II of the Rules of procedure of the Régie des alcools, des courses et des jeux (chapter R-6.1, r. 2), comprising sections 5 and 6, is repealed.

DIVISION III

SPECIAL TRANSITIONAL PROVISIONS

75. The holder of a permit used in a means of public transportation before (*insert the date of assent to this Act*) who carries passengers for recreational or entertainment purposes is considered to be the holder of an accessory permit on that date.

However, except the duties that must be paid on the anniversary date of the permit used in a means of public transportation, the holder is not required to comply with the obligations of an accessory permit holder before (*insert the date that is one year after the date of assent to this Act*). Until that date, subdivision 2 of Division V of the Regulation respecting the legal regime applicable to liquor permits (chapter P-9.1, r. 7), as it read before (*insert the date of assent to this Act*), applies to the permit holder.

The permit used in a means of public transportation serves, until the anniversary date of that permit, as an accessory permit.

76. A permit used in a means of public transportation that is used before (*insert the date of assent to this Act*) by a public transportation carrier within the meaning of paragraph 29.1 of section 2 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1), enacted by section 18 of this Act, is cancelled by operation of law from the anniversary date of the permit following the coming into force of that section.

77. Unless the context indicates otherwise, in any Act, regulation or other document, a reference to the Act respecting lotteries, publicity contests and amusement machines (chapter L-6) becomes a reference to the Act respecting lotteries and amusement machines.

78. The contests received by the Régie des alcools, des courses et des jeux before (*insert the date of assent to this Act*) remain governed by the provisions of the Act respecting lotteries, publicity contests and amusement machines and those of the Rules respecting publicity contests (chapter L-6, r. 6), as they read before that date.

CHAPTER III

PROVISIONS CONCERNING THE CONSTRUCTION INDUSTRY

BUILDING ACT

79. Section 11.1 of the Building Act (chapter B-1.1) is amended by replacing “29, 41 and 42 and the regulations adopted under paragraphs 1 to 5 of section 182” by “41 and 42 and the regulations made under paragraphs 2 and 3 of section 182, and paragraphs 0.1 to 0.3 of section 185”.

80. Section 29 of the Act is repealed.

- 81.** Section 36 of the Act is amended by striking out the second paragraph.
- 82.** Section 111 of the Act is amended
- (1) by striking out paragraph 4;
 - (2) by replacing “identical to a standard of the” in paragraph 4.1 by “provided for in the Construction Code (chapter B-1.1, r. 2) or in the”.
- 83.** Section 130 of the Act is amended
- (1) by striking out “132,” in the first paragraph;
 - (2) by striking out “132,” in subparagraph 1 of the third paragraph.
- 84.** Sections 132 to 139 of the Act are repealed.
- 85.** Section 143.1 of the Act is amended by replacing “, a manager referred to in section 81 or the person referred to in section 135,” by “or a manager referred to in section 81”.
- 86.** Section 143.2 of the Act is amended by replacing “, the manager referred to in section 81 or the person referred to in section 135” in the first paragraph by “or the manager referred to in section 81”.
- 87.** Section 145 of the Act is amended
- (1) by replacing “, a staff member or any person delegated under section 132” in the first paragraph by “or a staff member”;
 - (2) by striking out the second paragraph.
- 88.** Section 160 of the Act is amended by replacing “municipality referred to in section 132” in the introductory clause by “local municipality”.
- 89.** Section 164.1 of the Act is amended by replacing “municipality referred to in section 132” in subparagraph 2 of the first paragraph by “local municipality”.
- 90.** Section 182 of the Act is amended by striking out subparagraph 6 of the first paragraph.
- 91.** Section 185 of the Act is amended by inserting the following paragraphs after paragraph 0.4:
- “(0.5) determine the cases in which and the conditions on which municipalities or categories of municipalities must ensure that the construction and safety standards provided for in certain divisions of the Construction Code (chapter B-1.1, r. 2) or Safety Code (chapter B-1.1, r. 3) are applied;

“(0.6) determine which powers of the Board may be exercised by a municipality that ensures, under section 139.1 or 139.2, that the standards provided for in the Construction Code or Safety Code are applied and observed;

“(0.7) set specific construction and safety standards for certain municipalities;”.

92. Section 193 of the Act is replaced by the following:

“CHAPTER VIII.1

“ADOPTION AND APPLICATION OF STANDARDS BY MUNICIPALITIES

“**193.** No construction or safety standard may be adopted by a local municipality or a regional county municipality, except a standard more stringent than that of the Construction Code (chapter B-1.1, r. 2) or Safety Code (chapter B-1.1, r. 3) or a standard respecting matters other than those provided for in those Codes.

Any standard that does not comply with the first paragraph is deemed unwritten.

“**193.1.** A local municipality must verify whether the standards provided for in the Construction Code (chapter B-1.1, r. 2) and Safety Code (chapter B-1.1, r. 3) are applied in its territory, in the cases and on the conditions prescribed by regulation of the Board.

“**193.2.** A local municipality may decide to verify whether standards provided for in the Construction Code (chapter B-1.1, r. 2) or Safety Code (chapter B-1.1, r. 3) are applied in its territory with respect to any category of buildings it determines. In that case, it must send a copy of the resolution adopted to that effect to the Board and take the appropriate measures to inform the public as soon as possible.

The first paragraph applies, with the necessary modifications, to the rescinding of such a resolution by the municipality.

“**193.3.** When a local municipality verifies the application in its territory of standards provided for in the Construction Code (chapter B-1.1, r. 2) or Safety Code (chapter B-1.1, r. 3) under section 193.1 or 193.2, it may exercise any power of the Board prescribed by regulation of the Board.

The municipality and its staff members benefit from the immunity provided for in section 145 in the exercise of those powers and duties. The same applies to an intermunicipal board and to its staff members.”

93. Section 209 of the Act is amended by replacing “if an agreement has been entered into under section 132” by “in the case of an offence under a provision of the Construction Code (chapter B-1.1, r. 2) or Safety Code (chapter B-1.1, r. 3) the application of which is verified by the municipality”.

94. Section 297.5 of the Act is repealed.

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

95. Section 6 of the Act respecting land use planning and development (chapter A-19.1) is amended by inserting “the building by-law,” after “its territory,” in subparagraph 1 of the third paragraph.

96. Section 76 of the Act is amended by replacing “, a subdivision by-law and a building by-law applicable” in the first paragraph by “and a subdivision by-law applicable”.

97. Section 102 of the Act is amended by replacing “, a subdivision by-law, a building by-law and, where the complementary document so requires,” in the first paragraph by “and a subdivision by-law and, where the complementary document so requires, a building by-law and”.

98. Section 120 of the Act is amended, in the first paragraph,

(1) by replacing “with the zoning and building by-laws and, where such is the case,” in subparagraph 1 by “with the zoning by-law and, where such is the case, with the building by-law,”;

(2) by inserting the following subparagraph after subparagraph 1.1:

“(1.2) the applicant has provided, in the cases and on the terms and conditions provided for in the Building Act (chapter B-1.1) and the regulations, a statement, produced by the person or body that prepared the plans and specifications in accordance with the regulation provided for in section 17.4 of the Building Act, stating that the plans and specifications comply with the Construction Code (chapter B-1.1, r. 2);”.

SPECIAL MISCELLANEOUS AND TRANSITIONAL PROVISIONS

99. A municipality must, not later than the date set by the Government, amend its by-laws in order to remove any standard that is not consistent with the provisions of the first paragraph of section 139.1 of the Building Act (chapter B-1.1), enacted by section 92 of this Act.

100. As of the date of coming into force of section 92 of this Act, any written agreement entered into between the Régie du bâtiment du Québec and a local municipality under section 132 of the Building Act, repealed by section 84 of this Act, and in force on that date is rescinded.

CHAPTER IV

PROVISIONS CONCERNING THE PUBLICATION OF RIGHTS

CIVIL CODE OF QUÉBEC

101. Article 1745 of the Civil Code of Québec is amended by replacing “15 days” in the second paragraph by “seven days”.

102. Article 1750 of the Code is amended by replacing “15 days” in the second paragraph by “seven days”.

103. Article 1847 of the Code is amended by replacing “15 days” in the first paragraph by “seven days”.

104. Article 1852 of the Code is amended by replacing “15 days” in the second paragraph by “seven days”.

105. Article 3015 of the Code is amended

(1) by striking out “certified” in the first paragraph;

(2) by inserting “and the copy of the document evidencing the change shall be certified” at the end of the second paragraph.

CHAPTER V

PROVISIONS CONCERNING WORK, EMPLOYMENT AND ENTREPRISES

DIVISION I

PROVISIONS CONCERNING LICENCES FOR PERSONNEL PLACEMENT AGENCIES AND RECRUITMENT AGENCIES FOR TEMPORARY FOREIGN WORKERS

ACT RESPECTING LABOUR STANDARDS

106. Section 92.7 of the Act respecting labour standards (chapter N-1.1) is amended by replacing paragraph 3 by the following paragraph:

“(3) specify any condition of validity of a licence and any restriction or prohibition relating to its issue or maintenance;”.

107. Section 92.7.1 of the Act is amended by replacing “, maintain or renew” in the first paragraph by “or maintain”.

108. Section 92.8 of the Act is amended by replacing “, revoked or not renewed” by “or revoked”.

REGULATION RESPECTING PERSONNEL PLACEMENT AGENCIES
AND RECRUITMENT AGENCIES FOR TEMPORARY FOREIGN
WORKERS

109. Section 4 of the Regulation respecting personnel placement agencies and recruitment agencies for temporary foreign workers (chapter N-1.1, r. 0.1) is amended by striking out “, renewal”.

110. The heading of Division II of Chapter II of the Regulation is amended by replacing “RENEWAL” by “MAINTENANCE”.

111. Section 11 of the Regulation is amended by replacing “revoked or not renewed” in paragraphs 3, 10 and 11 by “denied or revoked”.

112. Section 12 of the Regulation is amended by striking out “or the renewal of its licence”.

113. Section 14 of the Regulation is amended by replacing the last sentence by the following sentence: “It is issued without any term and may not be transferred.”

114. Subdivision 2 of Division II of Chapter II of the Regulation, comprising sections 15 to 18, is repealed.

115. Section 19 of the Regulation is replaced by the following section:

“**19.** The fees for the issue and maintenance of a licence are \$925 payable on the issue of the licence and, thereafter, annually, on the anniversary date of the coming into force of the licence.”

116. Section 21 of the Regulation is amended, in paragraph 1,

(1) by inserting “or documents” after “information”;

(2) by replacing “renewal” by “for the maintenance”.

117. Section 26 of the Regulation is amended by replacing “Where the end of the activities occurs during the term of the licence and its renewal, the Commission” in the first paragraph by “The Commission”.

118. Section 39 of the Regulation is amended by striking out “or non-renewal” in the first paragraph.

119. Section 40 of the Regulation is amended by inserting “or one of its officers” after “holder” in paragraphs 1 and 2.

120. Section 41 of the Regulation is amended by inserting the following paragraph after the second paragraph:

“In the case of a decision concerning the suspension of a licence, the Commission must also specify the time period granted to the licence holder to remedy the failure that resulted in the suspension or to raise, before the Commission, any new facts likely to warrant a different decision, failing which, at the expiry of the time period, the Commission will revoke the licence.”

121. Section 42 of the Regulation is replaced by the following section:

“**42.** A licence holder whose licence is suspended may obtain the lifting of the suspension if, within the time period specified by the Commission, the licence holder remedies the failure or raises new facts enabling the Commission to lift the suspension. Otherwise, at the expiry of that period, the Commission revokes the licence in accordance with the provisions of this chapter.”

122. Section 43 of the Regulation is amended by replacing “, revocation or non-renewal” by “or revocation”.

123. Section 44 of the Regulation is amended by replacing “, revoked or not renewed” by “or revoked”.

124. Section 45 of the Regulation is amended by replacing “, revocation or non-renewal” by “or revocation”.

DIVISION II

PROVISIONS CONCERNING LABOUR-REFERRAL SERVICE LICENCES IN THE CONSTRUCTION INDUSTRY

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

125. Section 123 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing “renewal” in subparagraph 8.7 of the first paragraph by “maintenance”.

REGULATION RESPECTING THE LABOUR-REFERRAL SERVICE LICENCE IN THE CONSTRUCTION INDUSTRY

126. Section 4 of the Regulation respecting the labour-referral service licence in the construction industry (chapter R-20, r. 8.1) is amended by replacing the second sentence by the following sentence: “It remains valid until its revocation by the Bureau, on the Bureau’s own initiative or following an application of the association.”

127. Section 5 of the Regulation is amended

(1) in the first paragraph,

(a) by replacing subparagraph 2 by the following subparagraph:

“(2) the date on which it comes into force;”;

(b) by striking out subparagraph 4;

(2) by inserting “, the Deputy Minister of Labour or a person designated by either one of them” at the end of the second paragraph.

128. The heading of Division II of the Regulation is amended by replacing “RENEWAL” by “MAINTENANCE”.

129. Section 20 of the Regulation is amended by striking out “, and, for 2 years, any refusal to renew” in the second paragraph.

130. Section 24 of the Regulation is amended by striking out “valid for 3 years” in the first paragraph.

131. Subdivision 6 of Division II of the Regulation, comprising sections 29 to 36, is repealed.

132. Section 40 of the Regulation is replaced by the following section:

“**40.** An association must inform the Bureau without delay of any change in the information or documents required under this Regulation and of any change in the association’s situation that could affect the validity of the licence.

The association must provide the Bureau without delay with an affidavit from the association’s chair or its respondent stating the existence or absence of criminal or penal convictions during the 5 years preceding the entry into office concerning any new officer or representative and, in case of a conviction, the documents evidencing the conviction.”

133. Section 45 of the Regulation is amended by striking out the second sentence of the second paragraph.

134. Section 46 of the Regulation is amended, in the first paragraph,

(1) in subparagraph 3,

(a) by inserting “or attempted to obtain” after “has obtained”;

(b) by replacing “, amendment or renewal” by “or amendment”;

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

“(5) the association or one of its officers or representatives, in any capacity whatsoever, has been found guilty, in the performance of his or her duties or, in the case of an officer or representative referred to in the second paragraph of section 40, during the 5 years preceding his or her entry into office, of a criminal or penal offence which, in the opinion of the Bureau, is related to labour referral or union placement.”

135. Section 52 of the Regulation is amended by striking out the second paragraph.

136. Section 55 of the Regulation is amended by striking out “or its renewal” and “or 35” in the second paragraph.

DIVISION III

PROVISIONS CONCERNING PENALTIES AND COMPUTATION OF INTEREST

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

137. Section 81 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended

(1) by inserting “or the provisions of a regulation made under subparagraph *b* of the first paragraph of section 82” after “value” in subparagraph *c* of the first paragraph;

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

“Notwithstanding subparagraph *c* of the first paragraph, the Commission may recover, from an employer who fails to remit, within the specified period, an amount the employer was required to remit under a collective agreement or under this Act, an amount equal to

(1) 7% of the amount, if the delay does not exceed 7 days;

(2) 11% of the amount, if the delay does not exceed 14 days; or

(3) 20% of the amount in other cases.”

138. Section 82.2 of the Act is amended

(1) in the first paragraph,

- (a) by replacing “shall bear interest” by “shall bear interest, computed daily”;
- (b) by inserting “, until full payment is received” at the end;
- (2) by striking out the second paragraph.

DIVISION IV

PROVISIONS CONCERNING ELIGIBLE TRAINING EXPENDITURES

REGULATION RESPECTING ELIGIBLE TRAINING EXPENDITURES

139. Section 3 of the Regulation respecting eligible training expenditures (chapter D-8.3, r. 3) is repealed.

DIVISION V

PROVISIONS CONCERNING BUSINESS NAMES

COMPANIES ACT

140. Section 7 of the Companies Act (chapter C-38) is amended by striking out the third paragraph.

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

“However, if the application provides for a name reserved for the company in accordance with section 9.2, paragraph 8 of section 9.1 is not taken into account in respect of the name for the issuance of the letters patent.”

142. Section 9.1 of the Act is amended by inserting “reserved or” before “used” in paragraphs 8 and 9.

143. Section 9.2 of the Act is amended by replacing the second paragraph by the following paragraphs:

“However, the enterprise registrar shall refuse to reserve a name that is not in conformity with any of paragraphs 1 to 6 or 8 of section 9.1.

An entry that a name has been reserved is recorded in the register.”

144. Section 10.1 of the Act is repealed.

145. Section 123.14 of the Act is amended by striking out subparagraph 2.1 of the first paragraph.

146. Section 123.160 of the Act is amended

- (1) by striking out paragraph 5;
- (2) by adding the following paragraph at the end:

“However, if the article or document provides for a name reserved for the company in accordance with section 9.2, paragraph 8 of section 9.1 is not taken into account in respect of the name for the issuance of the certificate.”

147. Section 219 of the Act is amended by striking out subsection 3.

148. Section 227.4 of the Act is amended by striking out “and a research report on the names of persons, partnerships or groups used and entered in the register” in the second paragraph.

ACT RESPECTING THE LEGAL PUBLICITY OF ENTERPRISES

149. Section 63 of the Act respecting the legal publicity of enterprises (chapter P-44.1) is amended

- (1) by inserting “section 20 or” after “under” in the first paragraph;
- (2) by adding the following paragraph at the end:

“If the registration was cancelled under section 20, the registrant must also declare a new name in conformity with the provisions of subparagraphs 1 to 6 of the first paragraph of section 17 or of the second paragraph of that section.”

150. Schedule II to the Act is amended by striking out the following:

“Preparation of research report with regard to name or version, including reservation of name

- legal person with or without share capital \$20”.

BUSINESS CORPORATIONS ACT

151. Section 474 of the Business Corporations Act (chapter S-31.1) is amended by adding the following paragraph at the end:

“However, if the articles provide for a name reserved for the corporation in accordance with section 17, paragraph 8 of section 16 is not taken into account in respect of the name for the drawing up of a certificate.”

DIVISION VI

SPECIAL TRANSITIONAL PROVISIONS

152. A licence issued before the coming into force of this section by the Commission des normes, de l'équité, de la santé et de la sécurité du travail under the Regulation respecting personnel placement agencies and recruitment agencies for temporary foreign workers (chapter N-1.1, r. 0.1) or by the Bureau des permis de service de référence de main-d'œuvre under the Regulation respecting the labour-referral service licence in the construction industry (chapter R-20, r. 8.1) is considered to not have an expiry date until the licence is replaced.

CHAPTER VI

PROVISIONS CONCERNING THE MUNICIPAL DOMAIN

DIVISION I

PROVISIONS REGARDING THE BUDGET OF REGIONAL COUNTY MUNICIPALITIES

MUNICIPAL CODE OF QUÉBEC

153. Article 148.0.2 of the Municipal Code of Québec (chapter C-27.1) is amended

(1) by adding the following sentence at the end of the first paragraph: "However, during a year in which a general election is held, the council may adopt the budget after the regular sitting in November, at a sitting to be held not later than one month after the regular sitting.";

(2) by inserting ", during the later sitting referred to in the first paragraph" after "November" in the third paragraph.

DIVISION II

PROVISIONS REGARDING THE THREE-YEAR PROGRAM OF CAPITAL EXPENDITURES

CITIES AND TOWNS ACT

154. Section 473 of the Cities and Towns Act (chapter C-19) is amended

(1) by adding the following sentence at the end of subsection 1: "However, during a year in which a general election is held in the municipality, that time limit is extended until 31 January of the following year.";

(2) by striking out the second paragraph of subsection 5.

MUNICIPAL CODE OF QUÉBEC

155. Article 953.1 of the Municipal Code of Québec (chapter C-27.1) is amended by adding the following sentence at the end of the first paragraph: “However, during a year in which a general election is held in the municipality, that time limit is extended until 31 January of the following year.”

DIVISION III

PROVISIONS CONCERNING TREASURERS OF MUNICIPALITIES

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

156. Section 392 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by striking out “the treasurer and” in the first paragraph.

157. Section 393 of the Act is amended

- (1) by striking out “the treasurer and” in the first paragraph;
- (2) by replacing “to the treasurer and chief electoral officer, respectively,” in the second paragraph by “to the chief electoral officer”;
- (3) by striking out the third paragraph.

158. Section 483 of the Act is amended by replacing “treasurer” in the second paragraph by “chief electoral officer”.

159. Section 606 of the Act is amended by replacing “treasurer” by “chief electoral officer”.

DIVISION IV

PROVISIONS CONCERNING EXTERNAL AUDITORS FOR MUNICIPALITIES

CITIES AND TOWNS ACT

160. Section 108.2 of the Cities and Towns Act (chapter C-19) is amended by inserting “, except the financial statements of such a legal person that is otherwise required to have its financial statements audited by an external auditor who is a member of the Ordre des comptables professionnels agréés du Québec” at the end of paragraph 1.

161. Section 108.2.1 of the Act is amended by inserting “, except the financial statements of such a legal person that is otherwise required to have its financial statements audited by an external auditor who is a member of the Ordre des comptables professionnels agréés du Québec” at the end of paragraph 2.

MUNICIPAL CODE OF QUÉBEC

162. Article 966.2 of the Municipal Code of Québec (chapter C-27.1) is amended by inserting “, except the financial statements of such a legal person that is otherwise required to have its financial statements audited by an external auditor who is a member of the Ordre des comptables professionnels agréés du Québec” at the end of paragraph 1.

DIVISION V

PROVISIONS CONCERNING THE DETERMINATION OF THE MEDIAN PROPORTION OF PROPERTY ASSESSMENT ROLES

ACT RESPECTING MUNICIPAL TAXATION

163. Section 263 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “prescribe that the operations for computing the median proportion, including, as the case may be, the amendments to the list of sales, must be entered on a form furnished by the Minister, which must be returned to him once it is completed within the time limit he fixes” in subparagraph 5 of the first paragraph by “prescribe the rules relating to the transmission, to the Minister, of the information required for the purposes of determining the median proportion”.

DIVISION VI

PROVISIONS CONCERNING CONTRACTS RELATING TO THE IMPROVEMENT OF ENERGY EFFICIENCY

CITIES AND TOWNS ACT

164. Section 29.9.1 of the Cities and Towns Act (chapter C-19) is amended by inserting the following paragraph after the first paragraph:

“Where the object of such an agreement is the improvement of the energy efficiency of equipment or infrastructure, it may include the financing, by the contractor, the supplier or a third person, of the required goods, work or services, provided that the total amount that the municipality agrees to pay for the improvement does not exceed the amount of savings that the municipality achieves through the improvement.”

165. Section 573.1.0.1 of the Act is amended by adding the following sentence at the end of the first paragraph: “If the object of the contract is the improvement of the energy efficiency of equipment or infrastructure, a criterion related to the projected energy savings may replace the price criterion.”

MUNICIPAL CODE OF QUÉBEC

166. Article 14.7.1 of the Municipal Code of Québec (chapter C-27.1) is amended by inserting the following paragraph after the first paragraph:

“Where the object of such an agreement is the improvement of the energy efficiency of equipment or infrastructure, it may include the financing, by the contractor, the supplier or a third person, of the required goods, work or services, provided that the total amount that the municipality agrees to pay for the improvement does not exceed the amount of savings that the municipality achieves through the improvement.”

167. Article 936.0.1 of the Code is amended by adding the following sentence at the end of the first paragraph: “If the object of the contract is the improvement of the energy efficiency of equipment or infrastructure, a criterion related to the projected energy savings may replace the price criterion.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

168. Section 109 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by adding the following sentence at the end of the first paragraph: “If the object of the contract is the improvement of the energy efficiency of equipment or infrastructure, a criterion related to the projected energy savings may replace the price criterion.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

169. Section 102 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by adding the following sentence at the end of the first paragraph: “If the object of the contract is the improvement of the energy efficiency of equipment or infrastructure, a criterion related to the projected energy savings may replace the price criterion.”

MUNICIPAL POWERS ACT

170. The Municipal Powers Act (chapter C-47.1) is amended by inserting the following section after section 16.1:

“**16.2.** If a local municipality entrusts a person with the responsibility for improving the energy efficiency of its equipment or infrastructure, it may also entrust that person or a third person with the responsibility for the financing

of the required goods, work or services, provided that the total amount that the municipality agrees to pay for the improvement of the energy efficiency does not exceed the amount of savings that the municipality achieves through the improvement.

The Municipal Works Act (chapter T-14) does not apply to work carried out under a contract entered into in accordance with the first paragraph.”

171. Section 101 of the Act is amended by inserting “16.2,” after “11,” in the first paragraph.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

172. Section 96 of the Act respecting public transit authorities (chapter S-30.01) is amended by adding the following sentence at the end of the first paragraph: “If the object of the contract is the improvement of the energy efficiency of equipment or infrastructure, a criterion related to the projected energy savings may replace the price criterion.”

CHAPTER VII

PROVISIONS CONCERNING FORESTS AND MINES

SUSTAINABLE FOREST DEVELOPMENT ACT

173. Section 110 of the Sustainable Forest Development Act (chapter A-18.1) is amended by replacing “and 2” in subparagraph 1 of the first paragraph by “to 3”.

174. Section 120 of the Act is amended by striking out “the cost” after “activities and” in subparagraph 11 of the first paragraph.

175. The Act is amended by inserting the following section after section 130:

“**130.1.** The Minister may communicate the information provided in a forest development plan to any forest protection organization certified in accordance with this Act for the purpose of developing and implementing programs or projects.”

176. Section 131 of the Act, amended by section 1 of chapter 3 of the statutes of 2022, is again amended by adding the following paragraph at the end:

“For the purposes of subparagraph 3 of the first paragraph, the timber marketing board assesses the value of the eligible protection or development expenses defined by the Government in accordance with paragraph 5 of section 173.”

MINING ACT

177. Section 147 of the Mining Act (chapter M-13.1) is replaced by the following section:

“147. A non-exclusive lease is effective from the date of issue of the certificate of registration. It ends, as the applicant determines, on 31 March of the first, second or third year after the date of issue of the certificate of registration of the lease.

The lease is renewed for one-, two- or three-year periods, as the lessee determines, for a maximum total period of 10 years from 31 March of the year following the year of issue of the certificate of registration of the lease, provided that the lessee

- (1) applies therefor before the date of expiry of the lease;
- (2) has paid the rental prescribed by regulation;
- (3) has complied with this Act and the regulations throughout the previous term of his lease and, particularly, has made the reports required under section 155;
- (4) has met any other renewal requirement prescribed by regulation.

However, the lease may not be renewed if, during the preceding term of the lease, the land concerned was subject to a mining lease held by a third person.

The Minister may extend the term of a lease following the last renewal, for one-year periods.”

178. Section 306 of the Act, amended by section 70 of chapter 35 of the statutes of 2021 and by section 46 of chapter 8 of the statutes of 2022, is again amended by inserting “or extending” after “renewing” in paragraph 3.

REGULATION RESPECTING MINERAL SUBSTANCES OTHER THAN PETROLEUM, NATURAL GAS AND BRINE

179. Section 49 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2) is amended by replacing “payment of a rental of \$299 for the term of the lease” by “payment of a rental for the entire term of the lease, which corresponds to an amount of \$299 for the period ending on 31 March following the year of issue of the certificate of registration, to which, where applicable, an amount of \$299 is added for each subsequent year of the lease”.

180. Section 50 of the Regulation is amended

- (1) by inserting “or extension” after “renewal” in the introductory clause;
- (2) by replacing the second paragraph by the following paragraphs:

“The application for the renewal of the lease shall include the payment of a rental for the entire term of the lease, which corresponds to an amount of \$299 for each year of the lease.

The application for the extension of the lease shall include the payment of a rental of \$299.”

181. Section 115 of the Regulation is amended by inserting the following subparagraph after subparagraph 1 of the first paragraph:

“(1.1) a bank transfer;”.

CHAPTER VIII

FINAL PROVISION

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

(1) paragraph 2 of section 17 and section 48, which come into force on *(insert the date that is one year after the date of assent to this Act)*;

(2) section 139, which comes into force on 1 January *(insert the year that is after the date of assent to this Act)*;

(3) sections 79 to 100, 106 to 138, 152, 174 and 176, which come into force on the date or dates to be determined by the Government.

