



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 17

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

Introduction

**Introduced by
Mr. Christopher Skeete
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 enterprises.

The bill simplifies a number of provisions 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, for take out or delivery, alcohol- or spirits-based alcoholic beverages defined by regulation. It reduces the frequency of reporting by small-scale production permit holders, simplifies the provisions relating to the stickers that such permit holders must affix, and allows them to use another producer's raw materials in cases of superior force. It also introduces greater flexibility with respect to the tasting of alcoholic beverages and the identification of their containers.

The bill prescribes the payment of an increase determined by the Société des alcools du Québec for the sale of wine produced by holders of a small-scale production permit to holders of a grocery permit. It limits the quantity of alcohol and spirits made from cereal grains, potatoes or whey that small-scale producers may sell annually. It amends various provisions relating to inspections and investigations and broadens the system of monetary administrative penalties provided for by the Act respecting the Société des alcools du Québec.

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

The bill 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 ensure that only more stringent standards may be adopted by municipalities 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 the municipalities that must verify the application of such standards in certain cases.

The bill amends certain requirements relating to names of enterprises and ends the obligation for certain employers to produce an annual declaration of eligible training activities.

The bill amends the Sustainable Forest Development Act to grant the minister responsible for the administration of 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.

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 makes certain amendments with respect to the publication of rights, in particular to reduce the publication period for allowing certain rights to be set up 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.

The bill amends the Act respecting contracting by public bodies with respect to the declaration of integrity.

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 contracting by public bodies (chapter C-65.1);
- Act respecting elections and referendums in municipalities (chapter E-2.2);
- Act respecting municipal taxation (chapter F-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 the small-scale production of alcohol and spirits made from certain raw materials (*insert the year and chapter number of this Act and the number of the section in the Act that enacts the Regulation respecting the small-scale production of alcohol and spirits made from certain raw materials*).

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).

Bill 17

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

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

**PROVISIONS CONCERNING ALCOHOLIC BEVERAGES AND
PUBLICITY CONTESTS**

DIVISION I

PROVISIONS WITH REGARD TO ALCOHOLIC BEVERAGES

ACT RESPECTING LIQUOR PERMITS

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

2. 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 as an accompaniment to 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.”

3. Section 32 of the Act is repealed.

4. Section 34.1 of the Act is amended by replacing “alcohol, spirits or home-made beverages” in the fourth paragraph by “home-made beverages or 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)”.

5. 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.

6. Section 72.1 of the Act is amended by inserting “of a brewer’s permit,” after “also the holder” in subparagraph 3 of the second paragraph.

7. Section 86 of the Act is amended, in the first paragraph,

(1) by replacing subparagraph 8.1 by the following subparagraph:

“(8.1) the permit holder is guilty of a failure to comply referred to in a regulation made under this Act, unless a monetary administrative penalty was imposed on the permit holder under section 85.1 for that failure;”;

(2) by replacing “except in the case of a failure to comply for which a monetary administrative penalty is prescribed by regulation” in subparagraph 11 by “unless a monetary administrative penalty was imposed on the permit holder under section 85.1 for that failure to comply”;

(3) by inserting “, or if, in the three years after the date on which a monetary administrative penalty was imposed for a failure to comply provided for in paragraph 2 of section 85.1, the permit holder is guilty of the same failure to comply” at the end of subparagraph 12;

(4) by striking out subparagraph 13.

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

9. Section 111 of the Act is amended

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

“A member of the personnel of the board authorized by the chair to act as an inspector to ascertain compliance with this Act and the regulations or, at the request of the board, a member of a police force authorized for that purpose by the Minister of Public Security or a member of the Sûreté du Québec may, for the purposes of an inspection,

(1) enter, at any reasonable time, the establishment or another place where an activity related to the use of a permit is carried on;

(2) examine the products and anything else related to the use of a permit that are found there;

(3) open containers or packaging, collect samples or have them collected, conduct tests and perform analyses;

(4) take photographs or make recordings of the premises and equipment, property or products found there;

(5) require the production of the books and other documents relating to the purchase and sale of alcoholic beverages or of raw materials and equipment for the domestic manufacture of beer or wine or, in the case of a grocery, of any product;

(6) require any other information or document useful for the application of this Act and the regulations;

(7) require any person present on the premises to provide reasonable assistance; and

(8) 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 7.”;

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

10. The Act is amended by inserting the following section after section 111:

“**111.1.** The chair of the board may designate any person to investigate any matter relating to the application of this Act and the regulations.”

11. Section 112 of the Act is amended

(1) by replacing “in section 111” by “in sections 111 and 111.1”;

(2) by inserting “an inspection or” after “relating to”.

12. Section 113 of the Act is replaced by the following section:

“**113.** Inspectors and investigators must, on request, identify themselves and produce a certificate attesting their capacity.”

13. 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

14. 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;”;

(3) by replacing subparagraph *g* of paragraph 32 by the following subparagraph:

“(g) to keep, possess or transport them in contravention of sections 91, 91.0.1 and 92 to 95.4;”.

15. Section 83.2 of the Act is amended by replacing “of the said Act or to which he has affixed such a sticker but without following the numerical order of the stickers” by “of that Act”.

16. 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 authorizing alcoholic beverages to be sold or served for consumption on the premises;

(2) to the holder of a grocery permit; or

(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, where those holders also hold a permit authorizing alcoholic beverages to be sold for consumption on the premises which is used at the place where the beverages are produced.”

17. Section 91 of the Act is amended by striking out “or transportation” in paragraph *b*.

18. Section 92 of the Act is amended by striking out “or delivery” in paragraph *h*.

19. Section 93 of the Act is amended by striking out “or delivery” in subparagraph *g* of the first paragraph.

20. 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 making it possible to establish the origin and destination of the alcoholic beverages.”

21. 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.

22. Section 111 of the Act is amended

(1) by replacing “or section 91.0.1 or 95.1” in paragraph *a* by “or of sections 91.0.1, 95.1, 95.2 and 95.4”;

(2) by replacing “95.1” in paragraph *b* by “95.3”.

23. Section 112 of the Act is amended

(1) by replacing “or transport alcoholic beverages” in paragraph 3 by “alcoholic beverages”;

(2) by striking out “or transports” in paragraph 7.

24. Section 117 of the Act is amended

(1) by replacing “section 125.1 or” by “any of sections 125.1, 125.2 and”;

(2) by inserting “or 111.1” after “111”.

25. 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”.

26. 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 premises, other than a dwelling-house, 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.

The peace officer may examine the alcoholic beverages found there, require any document making it possible to establish their origin and destination, and require any person present 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, in particular 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 of their containers.

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

27. Section 127 of the Act is amended by replacing “section 125.1 or” in the first paragraph by “any of sections 125.1, 125.2 and”.

28. Section 127.1 of the Act is amended by replacing “pursuant to section 125.1 or” in the first paragraph by “under any of sections 125.1, 125.2 and”.

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

(1) by striking out “, in numerical order,” in subparagraph 2 of the second paragraph;

(2) by inserting “and, except for alcohol and spirits, to a public transportation carrier” after “Société” in the introductory clause of the third paragraph.

32. The Act is amended by inserting the following section after section 24.1:

“24.1.0.1. The holder of a small-scale wine production permit must, on a quarterly basis, declare to the Société, on the form it determines after consulting with the Minister of Economy and Innovation and the board, the alcoholic beverages he sells to a holder of a grocery permit issued under the Act respecting liquor permits (chapter P-9.1) and pay the markup determined by the Société for each of those sales.

The declaration must, in particular, include the holder’s permit number, the brand, format, quantity and price of the product sold, as well as the name of the holder of a grocery permit to whom it was sold.

The holder must, on request, forward these declarations to the board. In addition, he must keep the vouchers of those sales and, if so required, transmit them to the board.”

33. 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.”

34. 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.

35. Section 26 of the Act is amended by replacing “alcohol and spirits” in the fifth paragraph by “products”.

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

37. 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 those of a regulation made under it, to have an activity carried on on his behalf, the obligations of the holder under such provisions or the provisions 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 one of his obligations on his behalf, as if those failures to comply were his own.”

38. Section 29.1 of the Act is amended

(1) by replacing “and indicating the year in which they may be affixed to containers of alcoholic beverages” in the first paragraph by “to be affixed to the containers of alcoholic beverages in accordance with subparagraph 2 of the second paragraph of section 24.1”;

(2) by striking out the second paragraph.

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

(1) in the introductory clause,

(a) 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,”;

(b) by replacing “of authorization” by “or authorization”;

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

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

(1) by replacing “monthly” and “and his inventory of alcoholic beverages in bulk and in containers, as they stand on the fifteenth day of the month” by “quarterly” and “, his inventory of alcoholic beverages in bulk and in containers as well as his sales”, respectively;

(2) by adding the following sentence at the end: “That information must be provided not later than the fifteenth day of each quarter determined by the board.”

41. Section 34 of the Act is amended, in the first paragraph,

(1) in the introductory clause,

(a) by striking out “At the request of the president of the Régie des alcools, des courses et des jeux,”;

(b) by replacing “may carry out an inspection during which he may” by “authorized by the president of the Régie des alcools, des courses et des jeux to act as an inspector may, for the purposes of an inspection,”;

(2) by replacing “requiring a small-scale production permit, an artisan producers cooperative permit, a small-scale beer producer’s permit, an industrial permit or a warehouse permit” in subparagraph 1 by “related to the use of a permit referred to in this Division”;

(3) by replacing “connected with an activity requiring” in subparagraph 2 by “related to the use of”;

(4) by replacing subparagraph 3 by the following subparagraphs:

“(3) open containers or packaging, collect samples or have them collected, conduct tests and perform analyses;

“(3.1) take photographs or make recordings of the place inspected and of the facilities, property and products found there;”;

(5) by replacing “an activity requiring” in subparagraph 4 by “the activities related to the use of”;

(6) by replacing “relating to an activity requiring” in subparagraph 5 by “related to the use of”;

(7) by adding the following subparagraph after subparagraph 6:

“(7) 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 6.”

42. The Act is amended by inserting the following sections after section 34:

“34.0.1. An inspector may require any person, by any means that allows proof of receipt at a specific time, to communicate to the inspector any information or document concerning activities related to the use of a permit referred to in this division, within the time and according to the conditions the inspector specifies.

“34.0.2. The president of the Régie des alcools, des courses et des jeux may authorize any person to investigate any activity related to the use of a permit referred to in this division.

Investigators must, on request, identify themselves and produce a certificate of their capacity.”

43. Section 34.1 of the Act is amended

(1) by replacing “and the Régie des alcools, des courses et des jeux” and “33, 33.1 and 34” by “, the Régie des alcools, des courses et des jeux and the Société” and “24.1.0.1, 33, 33.1, 34 and 34.0.1”, respectively;

(2) by inserting “, declaration” after “register”.

44. Section 34.2 of the Act is amended by replacing “in an amount prescribed by regulation if the permit holder is guilty of a failure to comply referred to in the” by “if the permit holder is guilty of a failure to comply referred to in a regulation made under subparagraph 9.3 of the first paragraph of section 37 or by a”.

45. Section 35 of the Act is amended, in the first paragraph,

(1) by inserting “, unless a monetary administrative penalty was imposed on the permit holder under section 34.2 for that failure to comply” at the end of subparagraph 4;

(2) by replacing “other than one for which a monetary administrative penalty is prescribed by that regulation” in subparagraph 7 by “, unless a monetary administrative penalty was imposed on the permit holder under section 34.2 for that failure to comply”.

46. Section 35.0.1 of the Act is amended by replacing “or suspending a permit for a failure to comply referred to in subparagraph 7 of the first paragraph of” by “a permit or instead of or in addition to suspending it for a failure to comply referred to in”.

47. Section 35.1.1 of the Act is amended by inserting “or instead of or in addition to imposing a monetary administrative penalty” after “section 25”.

48. Section 35.2 of the Act is amended by replacing “or suspending a permit for a reason set out in” by “a permit or instead of or in addition to suspending it or instead of or in addition to imposing a monetary administrative penalty for a failure to comply referred to in”.

49. 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.”

50. Section 37 of the Act is amended by inserting the following subparagraph after subparagraph 9.2 of the first paragraph:

“(9.3) determining the failures to comply with Division III of this Act and the regulations made under it for which a monetary administrative penalty may be imposed and the amount for each of those failures;”.

51. The Act is amended by inserting the following section after section 37:

“37.1. In addition to the other conditions or modalities of sale of alcoholic beverages it may determine, the Government sets, by regulation, a limit on the quantity of alcohol or spirits made from cereal grains, potatoes or whey that may be sold annually at the place where they are produced, for consumption elsewhere, by the holder of a small-scale production permit authorized to make alcohol or spirits.”

52. Section 39 of the Act is amended by inserting “34.0.2,” after “section 34,”.

53. Section 61 of the Act is amended by replacing “34, 35 to 35.3” by “34.0.2, 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

54. 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.

55. 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 THE SMALL-SCALE PRODUCTION
OF ALCOHOL AND SPIRITS MADE FROM CERTAIN RAW
MATERIALS

56. The Regulation respecting the small-scale production of alcohol and spirits made from certain raw materials, the text of which appears in this section, is enacted.

“REGULATION RESPECTING THE SMALL-SCALE PRODUCTION OF ALCOHOL AND SPIRITS MADE FROM CERTAIN RAW MATERIALS

“DIVISION I

“SCOPE

“**1.** This Regulation applies to the holders of a small-scale alcoholic beverages production permit who make alcohol or spirits from cereal grains, potatoes or whey.

“DIVISION II

“RAW MATERIALS, PROCESSING AND MANUFACTURING

“**2.** Permit holders who make alcohol or spirits from cereal grains or potatoes must grow the raw material at their establishment.

“**3.** The dairy cattle of permit holders who make alcohol or spirits from whey must be located at their establishment.

The whey used to make alcohol or spirits must be derived from the cheese making process and the permit holders’ cheese factory must be situated at their establishment.

“**4.** Permit holders must carry out all the operations for the processing of the raw material, including the malting of cereal grains, where applicable, and all the operations for the making and bottling of alcoholic beverages at their establishment.

“DIVISION III

“SALE

“**5.** The quantity of alcohol and spirits made from cereal grains, potatoes or whey that may be sold annually at the place where they are produced, for consumption elsewhere, is limited to 400 hectolitres.”

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

57. 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.

58. Section 2 of the Regulation is repealed.

59. 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

60. 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

61. 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.”

62. 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 “rapporteur”;

(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”.

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

64. Section 76 of the Regulation is amended by striking out paragraph 14.

65. Section 77 of the Regulation is amended by replacing “with” in paragraph 1 by “as an accompaniment to”.

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

66. 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”.

67. Section 1 of the Regulation is amended

(1) by replacing “is authorized” by “and the holder of a small-scale alcohol or spirits production permit are authorized”;

(2) by replacing “, from an alcohol of spirits base to which fruit juice or other flavourings are added, alcoholic beverages” by “alcohol- or spirits-based alcoholic beverages to which fruit juice or other flavourings are added”.

68. Section 3 of the Regulation is amended

(1) in the introductory clause,

(a) by replacing “must” by “and the holder of a small-scale alcohol and spirits production permit must”;

(b) by replacing “of alcohol” by “of alcohol-”;

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

REGULATION RESPECTING THE QUÉBEC SALES TAX

69. 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.

70. 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) in the second paragraph,
- (a) by striking out “, other than alcohol and spirits, which are”;
- (b) by replacing “with” by “as an accompaniment to”;
- (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.”

71. 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”.

72. 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.

73. 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.”

74. 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 the establishment.”

DIVISION II

PROVISIONS RELATING TO PUBLICITY CONTESTS

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

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

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

77. 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.

- 78.** Chapter IV of the Act, comprising sections 57.1 to 63, is repealed.
- 79.** Section 67 of the Act is amended by striking out “or for whom a publicity contest is carried on”.
- 80.** 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 body to whom the licence for that scheme was issued or, at the discretion of the board, to a charitable or religious organization.”
- 81.** 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.
- 82.** Section 121 of the Act is amended by striking out “publicity contests,” in the first paragraph.
- 83.** Section 121.0.3 of the Act is amended by striking out “or a publicity contest” in the second paragraph.
- 84.** Section 135 of the Act is repealed.

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

- 85.** 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.

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

87. 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.

88. Section 25.1 of the Act is repealed.

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

89. 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

90. 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

91. 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

92. Holders of a permit used in a means of public transportation before (*insert the date of assent to this Act*) who carry passengers for recreational or entertainment purposes are considered to be holders of an accessory permit as of that date.

However, except for the duties that must be paid on the anniversary date of the permit used in a means of public transportation, holders are not required to comply with their obligations as accessory permit holders 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 on (*insert the date preceding the date of assent to this Act*), applies to those permit holders.

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

93. 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 14 of this Act, is revoked by operation of law from the anniversary date of the permit following the coming into force of that section.

94. 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.

95. 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, as they read before that date.

CHAPTER II

PROVISIONS CONCERNING THE CONSTRUCTION INDUSTRY

BUILDING ACT

96. 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, 0.2 and 0.3 of section 185”.

97. Section 29 of the Act is repealed.

98. Section 36 of the Act is amended by striking out the second paragraph.

99. 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”.

100. 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.

101. Sections 132 to 139 of the Act are repealed.

102. Section 143.1 of the Act is amended by replacing “, a manager referred to in section 81 or a person referred to in section 135,” by “or to a manager referred to in section 81”.

103. 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”.

104. 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.

105. Section 160 of the Act is amended by replacing “municipality referred to in section 132” in the introductory clause by “local municipality”.

106. 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”.

107. Section 182 of the Act is amended by striking out subparagraph 6 of the first paragraph.

108. 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 local municipalities or categories of local municipalities must verify whether certain construction and safety standards provided for in the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3) are applied;

“(0.6) determine which powers of the Board may be exercised by a local municipality that verifies whether the standards provided for in the Construction Code or the Safety Code are applied and observed;

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

109. Section 193 of the Act is replaced by the following chapter:

“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 the Safety Code (chapter B-1.1, r. 3) or a standard respecting matters other than those covered in either of 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 the 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, by resolution, decide to verify whether standards provided for in the Construction Code (chapter B-1.1, r. 2) or the 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 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 whether standards provided for in the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3) are applied in its territory under section 193.1 or 193.2, it may exercise any power of the Board determined by regulation of the Board.

In such a case, the municipality and its staff members benefit from the immunity provided for in section 145. The same applies to an intermunicipal board and its staff members.”

II0. 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 the Safety Code (chapter B-1.1, r. 3) the application of which is verified by the municipality”.

III. Section 297.5 of the Act is repealed.

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

II2. 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.

II3. 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”.

II4. 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”.

115. 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 according to 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, to the effect that the plans and specifications comply with the Construction Code (chapter B-1.1, r. 2);”.

SPECIAL MISCELLANEOUS AND TRANSITIONAL PROVISIONS

116. 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 193 of the Building Act (chapter B-1.1), enacted by section 109 of this Act.

117. As of the date of coming into force of section 109 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 101 of this Act, and in force on that date is rescinded.

CHAPTER III

PROVISIONS CONCERNING ENTREPRISES AND EMPLOYMENT

DIVISION I

PROVISIONS CONCERNING NAMES OF ENTERPRISES

COMPANIES ACT

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

119. 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 that name for the issuance of the letters patent.”

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

121. 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 indicating that a name has been reserved is made in the register.”

122. Section 10.1 of the Act is repealed.

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

124. 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 that name for the purpose of issuing the certificate.”

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

126. 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

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

(1) by inserting “20 or” after “under section” 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 that is in conformity with subparagraphs 1 to 6 of the first paragraph of section 17 or with the second paragraph of that section.”

128. 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

129. 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 that name for the purpose of issuing the certificate.”

DIVISION II

PROVISIONS CONCERNING ELIGIBLE TRAINING EXPENDITURES

REGULATION RESPECTING ELIGIBLE TRAINING EXPENDITURES

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

CHAPTER IV

PROVISIONS CONCERNING FORESTS AND MINES

SUSTAINABLE FOREST DEVELOPMENT ACT

131. The Sustainable Forest Development Act (chapter A-18.1) is amended by inserting the following section after section 83:

“**83.1.** The Minister may, in the cases and on the conditions determined by regulation of the Minister, modify a permit to allow the transfer of a part of the area of the territory covered by the permit.”

132. Section 87 of the Act is amended by inserting the following paragraph after paragraph 2:

“(2.0.1) determine the cases in which and the conditions under which a sugar bush management permit for acericultural purposes may be modified to allow the transfer of a part of the area of the territory covered by a permit;”.

133. Section 109 of the Act is amended by inserting the following subparagraph at the end of the first paragraph:

“(4) if the guarantee holder has failed to submit a business plan for resuming operations in accordance with the third paragraph of section 110 although the right granted by his guarantee is suspended, or if 30 days have elapsed since the plan was submitted.”

134. Section 110 of the Act is amended

- (1) by replacing “and 2” in subparagraph 1 of the first paragraph by “to 3”;
- (2) by adding the following paragraph at the end:

“In the case of a plant that has ceased operations for at least six months, the guarantee holder has a period of at least six months, specified in the Minister’s decision, to submit a business plan for resuming operations. Despite the first paragraph, the prior notice need not mention the requirement to submit such a plan.”

135. Section 120 of the Act is amended by replacing “and the cost of forest protection activities” in subparagraph 11 of the first paragraph by “and forest protection activities”.

136. Section 173 of the Act is amended by replacing “and authorize carry-forwards of those expenses” in paragraph 6 by “including authorizing carry-forwards of those expenses and prescribing the use of values assessed by the timber marketing board”.

MINING ACT

137. 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 the registrar issues a certificate of registration of the lease. It ends on 31 March of the year that is one, two or three years after the year in which the lease began, at the applicant’s choice.

The lease is renewed for one-, two- or three-year periods, at the lessee’s choice, for a total term not exceeding 10 years from 31 March of the year following the year in which the certificate of registration of the lease is issued, provided that the lessee

- (1) applies for renewal 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 term that is ending and, in particular, 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 term of the preceding lease, the land concerned was subject to a mining lease in favour of a third person.

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

138. Section 306 of the Act, amended 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

139. Section 49 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2) is replaced by the following section:

“**49.** An application for a non-exclusive lease to mine surface mineral substances shall also include the payment of the rental for the entire term of the lease, which corresponds to an amount of \$327 for the period ending on 31 March following the year in which the certificate of registration is issued, to which an amount of \$327 is added, where applicable, for each subsequent year of the lease.”

140. Section 50 of the Regulation is amended

(1) by inserting “or extension” after “renewal” in the introductory clause of the first paragraph;

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

“The application for the renewal of the lease shall include the payment of the rental for the entire period of renewal of the lease, which corresponds to an amount of \$327 for each year.

The application for the extension of the lease shall include the payment of the rental of \$327.”

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

“(1.1) a sum of money sent by bank transfer to the Minister of Finance of Québec;”.

CHAPTER V

PROVISIONS CONCERNING MUNICIPAL AFFAIRS

DIVISION I

PROVISIONS REGARDING THE BUDGET OF REGIONAL COUNTY MUNICIPALITIES

MUNICIPAL CODE OF QUÉBEC

142. 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 that regular sitting.”;

(2) by inserting “, at 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

143. 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

144. 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

145. 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.

146. 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.

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

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

DIVISION IV

PROVISIONS CONCERNING EXTERNAL AUDITORS OF MUNICIPALITIES

CITIES AND TOWNS ACT

149. 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 them audited by an external auditor who is a member of the Ordre des comptables professionnels agréés du Québec” at the end of paragraph 1.

150. 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 them 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

151. 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 them 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

152. 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

153. 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 undertakes to pay for the improvement does not exceed the amount of savings that the municipality achieves through the improvement.”

154. 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

155. 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 undertakes to pay for the improvement does not exceed the amount of savings that the municipality achieves through the improvement.”

156. 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

157. 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

158. 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

159. 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 undertakes 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.”

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

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

161. 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 VI

PROVISIONS CONCERNING THE PUBLICATION OF RIGHTS

CIVIL CODE OF QUÉBEC

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

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

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

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

166. 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 VII
PROVISIONS CONCERNING WORK

DIVISION I
PROVISIONS CONCERNING PENALTIES AND COMPUTATION
OF INTEREST

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

167. 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 any other case.”

168. 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 II

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

ACT RESPECTING LABOUR STANDARDS

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

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

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

171. 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

172. 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”.

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

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

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

176. 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.”

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

178. 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.”

179. 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”.

180. 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”.

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

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

183. 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.”

184. 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.”

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

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

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

DIVISION III

PROVISIONS CONCERNING LABOUR-REFERRAL SERVICE LICENCES IN THE CONSTRUCTION INDUSTRY

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

188. 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

189. 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 it is revoked by the Bureau des permis, on the Bureau’s own initiative or following an application of the association.”

190. 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.

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

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

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

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

195. 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 its 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.”

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

197. 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.”

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

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

DIVISION IV

SPECIAL TRANSITIONAL PROVISIONS

200. A licence issued before the date of 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 not to have an expiry date until the licence is replaced.

CHAPTER VIII

PROVISIONS CONCERNING THE DECLARATION OF INTEGRITY WHEN ENTERING INTO A PUBLIC CONTRACT

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

201. Section 21.2 of the Act respecting contracting by public bodies (chapter C-65.1), enacted by section 10 of chapter 18 of the statutes of 2022, is replaced by the following section:

“21.2. Any enterprise that responds to a call for tenders for a public contract must, at the time it submits its bid, file a written declaration, in the form determined by government regulation, in which it recognizes that it is aware of the standards of integrity and undertakes to take all measures necessary to meet those standards throughout the duration of the contract.

Likewise, any enterprise that enters into a public contract by mutual agreement evidenced in writing before its execution must, at the time the contract is evidenced, file such a declaration.

This section does not apply to an enterprise that holds an authorization to contract under Division III. The second paragraph does not apply where the conditions of the contract are not subject to any discussion between the public body and the enterprise, in particular where the contract is formed by the body's pure and simple acceptance of an offer to contract that is made in the ordinary course of business of the enterprise and that is not specifically intended for that body.”

CHAPTER IX
FINAL PROVISION

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

(1) section 13, to the extent that it relates to the striking out of paragraph 14 of section 114 of the Act respecting liquor permits (chapter P-9.1), and section 63, which come into force on *(insert the date that is one year after the date of assent to this Act)*;

(2) section 32, which comes into force on 1 December 2023;

(3) section 130, which comes into force on 1 January *(insert the year that follows the date of assent to this Act)*;

(4) sections 96 to 117 and 167 to 200, which come into force on the date or dates to be determined by the Government.

