



---

# NATIONAL ASSEMBLY OF QUÉBEC

---

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 50

**An Act to enact the Act respecting  
civil protection to promote disaster  
resilience and to amend various  
provisions relating in particular to  
emergency communication centres  
and to forest fire protection**

---

**Introduction**

**Introduced by  
Mr. François Bonnardel  
Minister of Public Security**

---

**Québec Official Publisher  
2024**

## **EXPLANATORY NOTES**

*This bill proposes mainly a new civil protection regime whose purpose is the protection of persons and property through effective disaster risk management and an optimal response to disasters with a view to promoting society's disaster resilience.*

*The bill establishes the principle that every person must contribute to civil protection and that local municipalities are the primary authorities responsible for the protection of persons and property in their territory.*

*The bill provides that a regional municipality is to carry out a disaster risk management process in collaboration with the local municipalities in its territory in order to plan and put in place measures to assess disaster risks and to prevent disasters and prepare the response to them. It therefore provides that regional municipalities and local municipalities must respectively adopt a regional disaster resilience plan and an emergency preparedness plan. It authorizes the Government to determine, by regulation, the municipal authorities' obligations and powers relating to the carrying out of the disaster risk management process and of the above plans, and the procedure and other conditions applicable to their carrying out as well as the content of the plans.*

*The bill provides that persons whose property or activities may cause a disaster that the Government determines by regulation must collaborate with the municipal authorities by filing a risk report. It authorizes the Government to impose other obligations on those persons. Local municipalities will be authorized to, among other things, impose those obligations on persons whose property is situated in its territory or whose activities are carried on there. The bill also provides that every local municipality is responsible for seeing to the application of the government regulation and grants them the required inspection powers.*

*The bill makes it mandatory for local municipalities to deploy emergency response or recovery measures to respond to a disaster. It sets out various rules relating to the deployment of those measures and provides for mutual assistance between local municipalities. It allows a local municipality to declare a state of emergency for its territory, for a maximum period of 10 days, when a disaster occurs or is imminent there and the local municipality considers that it must*

*resort to the extraordinary powers provided for by this bill to protect human life, health or integrity. The bill determines the other rules governing a state of emergency, including those relating to its renewal and its end, as well as to the report to be produced after it ends.*

*At the government level, the bill formalizes the administrative structure for government coordination of civil protection in Québec, which structure is composed of the government civil protection coordinator, the Comité de sécurité civile et de résilience aux sinistres du Québec and the Organisation de la sécurité civile du Québec. It entrusts to the Minister of Public Safety the role of coordinating civil protection and sets out the Minister's functions and powers, including the coordination of a government disaster risk management process to develop awareness of disaster risks of national interest and to plan and put in place measures to prevent disasters and prepare the response to them. The Minister is also entrusted with responsibility for establishing a national disaster resilience plan and a government disaster response plan.*

*The bill specifies the warning and mobilization procedures applicable in the event of a disaster or its imminence, and makes it mandatory for the government authorities concerned to deploy emergency response or recovery measures to respond to it. It also allows the Government to declare a national state of emergency in all or part of its territory, for a maximum period of 10 days, when a disaster or another event that interferes with the functioning of the community to the point of compromising human safety occurs or is imminent and the Government considers that it must resort to the extraordinary powers provided for in this bill in order to take the immediate actions required to protect human life, health and integrity. The bill determines the other rules governing a national state of emergency, including those relating to its renewal and its end, as well as to the report to be produced after it ends.*

*The bill sets out the circumstances with regard to which general or specific financial assistance or compensation programs may be established by the Government, including for measures that must be taken because of the imminence of a disaster or for financial assistance to facilitate recovery after a disaster. It specifies, in particular, the terms for implementing the program as well as certain rules relating to eligibility requirements and to the conditions for applying for financial assistance or compensation. The bill establishes that certain information is public and determines the cases in which personal information may be communicated without the consent of the person concerned.*

*In addition, the bill amends the Act respecting land use planning and development to require the council of a municipality to suspend, for a period not exceeding 12 months, the issue of a permit or certificate if there are serious reasons to believe that the planned uses, activities, structures or works must be governed or prohibited by a regulation for certain reasons of public safety, and prescribes the applicable terms.*

*The bill amends the Civil Protection Act so that it contains only the provisions relating to emergency communication centres and, consequently, replaces the title of that Act to take those amendments into account. The bill amends certain provisions of that Act, in particular to extend the period of validity of a 9-1-1 call centre's certificate of compliance, to allow the Minister to inspect such a centre that does not hold a certificate of compliance and to order the centre to take corrective measures. The bill introduces a prohibition against communicating with the 9-1-1 emergency service for frivolous or vexatious purposes or under false pretenses, and against automatically connecting an alarm system to the 9-1-1 emergency service.*

*Furthermore, the bill transfers the power to designate a forest fire protection organization to the Minister of Public Safety and expands the responsibilities of that organization to include the protection of communities and strategic infrastructures. It also gives the Minister the power to order any measure to ensure public safety when a forest fire or the risk of such a fire so requires, such as restricting or prohibiting travel in or access to a forest and prohibiting the making of fires in the territory the Minister determines.*

*Lastly, the Act contains technical, consequential and transitional provisions.*

#### **LEGISLATION ENACTED BY THIS BILL:**

– Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting civil protection to promote disaster resilience*).

**LEGISLATION AMENDED BY THIS BILL:**

- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Sustainable Forest Development Act (chapter A-18.1);
- Act respecting land use planning and development (chapter A-19.1);
- Charter of Ville de Lévis (chapter C-11.2);
- Charter of Ville de Longueuil (chapter C-11.3);
- Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);
- Charter of Ville de Québec, national capital of Québec (chapter C-11.5);
- Highway Safety Code (chapter C-24.2);
- Labour Code (chapter C-27);
- Coroners Act (chapter C-68.01);
- Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001);
- Act respecting municipal taxation (chapter F-2.1);
- Education Act (chapter I-13.3);
- Act respecting administrative justice (chapter J-3);
- Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2);
- Act respecting labour standards (chapter N-1.1);
- Civil Protection Act (chapter S-2.3);
- Fire Safety Act (chapter S-3.4);
- Act respecting pre-hospital emergency services (chapter S-6.2);
- Act respecting the remuneration of elected municipal officers (chapter T-11.001);

– Act to establish the Administrative Labour Tribunal (chapter T-15.1).

**REGULATIONS AMENDED BY THIS BILL:**

– Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1);

– Forest Protection Regulation (chapter A-18, r. 10.1);

– Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3, r. 1);

– Dam Safety Regulation (chapter S-3.1.01, r. 1).

## **Bill 50**

### **AN ACT TO ENACT THE ACT RESPECTING CIVIL PROTECTION TO PROMOTE DISASTER RESILIENCE AND TO AMEND VARIOUS PROVISIONS RELATING IN PARTICULAR TO EMERGENCY COMMUNICATION CENTRES AND TO FOREST FIRE PROTECTION**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **CHAPTER I**

##### **ENACTMENT OF THE ACT RESPECTING CIVIL PROTECTION TO PROMOTE DISASTER RESILIENCE**

**I.** The Act respecting civil protection to promote disaster resilience, the text of which appears in this chapter, is enacted.

##### **“ACT RESPECTING CIVIL PROTECTION TO PROMOTE DISASTER RESILIENCE**

“AS Québec is facing an increase in the frequency and magnitude of disasters, in particular because of climate change;

“AS disasters cause harm to persons, including loss of human life, damage to property and the environment, and social and economic disruptions that are very costly for Québec society;

“AS civil protection means all measures planned and put in place to assess disaster risks and to prevent disasters and prepare the response to them, and all emergency response and recovery measures deployed to respond to disasters in order to limit their consequences;

“AS civil protection is inseparably and interdependently connected to the other areas that contribute to civil protection, such as sustainable land use planning and development for the territory, the environment, the fight against climate change, health and the economy;

“AS civil protection constitutes a responsibility that is shared by various society stakeholders and that must be assumed through a comprehensive and integrated approach in order to promote concerted action between them and coherence in their decisions;

## “CHAPTER I

### “PURPOSE AND INTERPRETATION

**“1.** The purpose of this Act is the protection of persons and property as regards civil protection through effective disaster risk management and an optimal response to disasters with a view to promoting society’s disaster resilience.

To that end, the Act is intended to ensure that municipal and government authorities develop disaster risk awareness and plan and put in place coordinated, complementary and coherent measures to prevent disasters and prepare the response to them, and deploy emergency response and recovery measures to respond to disasters.

**“2.** For the purposes of this Act,

“disaster” means an event resulting from the occurrence of a hazard or a combination of hazards that causes harm to persons or substantial damage to property, that interferes with the normal functioning of all or part of a community and that requires the deployment of exceptional measures to limit the consequences of the event;

“disaster risk” means a risk that, according to the combination of a hazard’s probability of occurring and the potential resulting consequences for vulnerable elements of an area, could cause a disaster;

“government authority” means a government department or government body a majority of whose members are appointed by the Government or a minister, whose personnel is by law appointed in accordance with the Public Service Act (chapter F-3.1.1) or whose capital forms part of the domain of the State;

“hazard” means a natural or anthropogenic phenomenon or activity, such as a flood, an earthquake, a landslide, an accident involving dangerous substances, the collapse of an infrastructure, a forest fire or a pandemic;

“municipal authority” means a local municipality or a regional municipality;

“regional municipality” means

(a) a regional county municipality, a local municipality to which a regional county municipality has delegated all or part of its jurisdiction in accordance with subparagraph 2 of the third paragraph of section 8, or an authority that has affirmed in accordance with the law that it has jurisdiction with respect to a field of jurisdiction that this Act confers on a regional county municipality;

(b) the Kativik Regional Government;

(c) Ville de Montréal, Ville de Québec, Ville de Longueuil, Ville de La Tuque and Municipalité des Îles-de-la-Madeleine for the territory of the urban agglomeration for which they are the central municipality;

(d) Ville de Gatineau, Ville de Laval, Ville de Lévis, Ville de Mirabel, Ville de Rouyn-Noranda, Ville de Saguenay, Ville de Shawinigan, Ville de Sherbrooke and Ville de Trois-Rivières; and

(e) any other local municipality whose territory is not included in that of a regional municipality within the meaning of subparagraphs *a* to *d*, except if an authority referred to in subparagraph *a* has affirmed in accordance with the law that it has jurisdiction as regards the local municipality with respect to a field of jurisdiction that this Act confers on a regional county municipality or if the authority has entered into an agreement in accordance with subparagraph 1 of the third paragraph of section 8, unless, in the latter case, the authority acts as a regional municipality.

“**3.** This Act applies in complementarity with the other Acts and does not restrict the application of provisions of those Acts that are related to civil protection.

“**4.** This Act is binding on the State.

## “CHAPTER II

### “CIVIL PROTECTION AT THE LOCAL AND REGIONAL LEVELS

#### “DIVISION I

##### “GENERAL PRINCIPLES

###### “§1.—*Persons*

“**5.** Every person must contribute to civil protection and is therefore responsible for ensuring their own safety and the safety of their property and activities.

To that end, every person must exercise prudence and foresight with regard to the disaster risks present in their environment. They must also follow the instructions of the responsible authorities in the event of a disaster or its imminence and, depending on the situation and as far as they are able to, be in a position to ensure their autonomy in the event of a disaster and contribute to limiting the consequences of the disaster.

###### “§2.—*Municipal authorities*

“**6.** Local municipalities are the primary authorities responsible for the protection of persons and property in their territory as regards civil protection.

To that end, a regional municipality and the local municipalities in its territory must act in concert and collaborate in order to plan and put in place, in their territory, measures to assess disaster risks and to prevent disasters and prepare the response to them, with a view to promoting their community's disaster resilience. They must promote the participation of their citizens in civil protection, in particular by consulting them and informing them of those measures and of the measures the citizens can take to reduce disaster risks and limit the consequences of disasters.

## **“DIVISION II**

### **“DISASTER RISK MANAGEMENT**

#### **“§1.—*Planning***

**“7.** Each local municipality must put in place a civil protection coordination structure responsible for managing disaster risks and coordinating the response to disasters in its territory, under the authority of a municipal civil protection coordinator designated by the local municipality.

Each local municipality must also adopt an emergency preparedness plan containing, in particular, general preparation measures to respond to a disaster or its imminence, including procedures for warning the municipality's population and mobilizing resources.

**“8.** Each regional municipality must, in complementarity and coherence with its other fields of jurisdiction that contribute to civil protection and taking into account climate change, carry out a disaster risk management process, according to a continuous improvement approach, that includes the following steps:

- (1) establishment of the context applicable to the carrying out of the process;
- (2) risk assessment, that is, identification, analysis and evaluation of the risks present in its territory in order to identify those that constitute disaster risks and to establish, among the latter, those that must be given priority; and
- (3) processing of disaster risks in order to plan and put in place, according to established priorities and with a view to promoting their community's disaster resilience, measures to prevent disasters and prepare the response to them.

Every local municipality whose territory is included in the regional municipality's territory must closely collaborate in the carrying out of the disaster risk management process, in particular by contributing its knowledge and resources and by sending the necessary information and documents to the regional municipality.

For the purposes of the first paragraph,

(1) a local municipality referred to in paragraph *e* of the definition of “regional municipality” may reach an agreement with a regional municipality whereby the local municipality’s territory is taken into account by the regional municipality or reach an agreement with other local municipalities referred to in the same paragraph so that one of them acts as the regional municipality, except if an authority referred to in subparagraph *a* of that definition has affirmed in accordance with the law that it has jurisdiction as regards the local municipality with respect to a field of jurisdiction that this Act confers on a regional county municipality; and

(2) a regional county municipality may, by resolution, delegate all or part of its jurisdiction to a local municipality in its territory.

**“9.** Each regional municipality must adopt a regional disaster resilience plan containing the measures planned during the disaster risk management process and put in place the measures under its responsibility, where applicable.

In addition to the measures provided for in the second paragraph of section 7, each local municipality must include in its emergency preparedness plan the measures of the regional plan that are under its responsibility and put them in place.

Despite the first paragraph, a local municipality that acts as a regional municipality within the meaning of paragraph *d* or *e* of the definition of “regional municipality” may, in its emergency preparedness plan, include the measures planned during the process in order to prevent disasters and prepare the response to them.

**“10.** The Government may, by regulation, determine

(1) the municipal authorities’ obligations and powers relating to the carrying out of the disaster risk management process, the regional disaster resilience plan and the emergency preparedness plan, and the procedure and other conditions applicable to their carrying out as well as the content of the plans;

(2) the training, evaluation and communication activities and the exercises and other measures to be carried out by municipal authorities to reinforce their capacity to respond to disasters, and the registers that must be kept for recording them; and

(3) the information and documents, in particular the reports and summaries, to be produced by the municipal authorities, and the information and documents to be communicated, broadcast or sent.

“§2.—*Persons whose property or activities may cause a disaster*

**“11.** The persons whose property or activities may cause a disaster that the Government determines by regulation must collaborate with the municipal authorities in whose territory the property is situated or the activities are carried out by filing a risk report.

The Government also determines the form and content of the risk report, the other authorities to whom the report must be sent, the conditions governing its sending and any other applicable terms.

The Government may determine the disaster response preparation measures that the persons referred to in the first paragraph must put in place and the emergency response or recovery measures that they must deploy to respond to a disaster, prescribe the terms applicable to the putting in place of such measures or to their deployment, and determine other obligations to collaborate with the municipal authorities or with any other authority that the Government designates.

**“12.** A local municipality may, by by-law, make a person whose property situated in its territory or whose activities carried on there may cause a disaster subject to the obligation provided for in the first paragraph of section 11. The by-law may determine the provisions of the regulation made under that section that apply to the person.

A local municipality may also impose, on a person referred to in the first paragraph or a person referred to in the first paragraph of section 11 whose property situated in the municipality’s territory or whose activities carried on there may cause a disaster, the obligation to put in place or deploy measures in addition to those determined by the regulation made under section 11.

A provision of a municipal by-law adopted under this section that is inconsistent with a provision of an Act or a regulation of the Government or a minister is inoperative.

**“13.** Every local municipality is responsible for seeing to the application, in its territory, of any regulation made under section 11. For the purpose of verifying the application of such a regulation and of a by-law made under section 12, such a municipality may designate any person to act as an inspector.

Inspectors may, in the exercise of inspection functions,

(1) enter, at any reasonable time, and inspect any premises where the inspector has reasonable cause to believe that a property is located or an activity is carried on under the responsibility of a person referred to in a regulation made under section 11 or a by-law made under section 12;

(2) take photographs of the person’s property or activities;

(3) require a person who is on the premises to provide reasonable assistance; and

(4) require, within the time the inspector specifies, any information relating to the application of this subdivision and the communication of any relevant document.

Inspectors must, on request, identify themselves and produce a document attesting their capacity.

### “DIVISION III

#### “DISASTER RESPONSE

##### “§1. — *Deployment of measures*

“**14.** A local municipality must, to respond to a disaster that occurs or is imminent in its territory, deploy the emergency response or recovery measures in its emergency preparedness plan, adapting them if necessary, or any other measure it considers appropriate in the circumstances.

The municipality must notify the Minister if a disaster occurs or is imminent in its territory.

“**15.** Where human life, health or integrity is threatened because of a disaster that occurs or is imminent in a local municipality’s territory, any person designated for that purpose by the local municipality may require scientific, technical or other information from any expert or any person whose property or activities are threatened or affected by the disaster or may aggravate the consequences of the disaster, and may have access to any premises in order to assess and understand the situation and its potential consequences.

The designated person may communicate the information thus obtained to any person who needs the information to protect persons whose life, health or integrity is threatened.

“**16.** A local municipality that, where the situation exceeds its emergency response capabilities or those of the resources secured by the municipality by way of an agreement, requests the assistance of another municipal authority to respond to a disaster that occurs or is imminent in its territory must assume the cost of that assistance. Despite any municipal by-law and subject to the fee set by the Minister, the cost of the assistance is set in a manner that is reasonable in the circumstances by the assisting authority, unless the municipal authorities concerned decide otherwise.

**“17.** A local municipality must, within six months after the deployment of emergency response measures to respond to a disaster that occurred or was imminent in its territory, communicate to the regional municipality and to the Minister, according to the terms that the latter determines, the hazard concerned, the date, time, place, territory, probable causes and circumstances of the disaster and its consequences, in particular for persons and property, and a description of the measures deployed.

**“18.** Where a local municipality is unable to or fails to act when a disaster occurs or is imminent in its territory, the Minister may order the deployment of the emergency response and recovery measures in the municipality’s emergency preparedness plan to respond to the disaster, adapting them if necessary, or of any other measure the Minister considers appropriate in the circumstances and designate the person responsible.

The Minister’s order takes effect as soon as it is declared and must specify the nature of the disaster, the territory concerned, and the circumstances warranting and the effective period of the order.

The Minister orders the end of the deployment of the measures as soon as the Minister considers that they are no longer necessary.

Notice of an order made under this section must be given promptly to the local municipality and to the regional municipality, and must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

*“§2. — Local state of emergency*

**“19.** A local municipality may declare a state of emergency in its territory, for a maximum period of 10 days, when a disaster occurs or is imminent there, if the normal operating rules do not make it possible to take the immediate actions required to protect human life, health or integrity and if, for that purpose, the local municipality considers that it must resort to the extraordinary powers provided for in section 23.

Before the state of emergency ends, the municipality may renew it for other maximum periods of 10 days, as long as the conditions set out in the first paragraph are met.

**“20.** If a municipal council is unable to meet in a timely manner, the mayor may declare a state of emergency for a maximum period of 48 hours.

**“21.** A state of emergency comes into force on being declared and is maintained so long as it is renewed.

The declaration of the state of emergency must specify the nature of the disaster, the territory concerned and the duration of the state of emergency. It must also specify the extraordinary powers required to respond to the situation and the reasons that justify their use. It may authorize persons to exercise one or more of those powers. Any renewal of the state of emergency must specify the same information.

Notice of the declaration and of any renewal of the state of emergency must be given promptly to the Minister and to the regional municipality and must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

**“22.** For the purpose of declaring a state of emergency or while the state of emergency is in effect, the municipal council may meet at any place, even outside the municipality’s territory, or by using any technological means.

The municipal council may depart from the usual rules that apply to its meetings, except those pertaining to their public nature, the question period, the quorum or voting.

The notice of meeting for a council meeting is notified, using the most efficient means, to the council members at least 12 hours before the meeting is held.

**“23.** Subject to compliance with the measures taken under section 57 of this Act or section 123 of the Public Health Act (chapter S-2.2) and despite any provision to the contrary, the local municipality or any person authorized to act under the state of emergency may, without delay and without formality, to protect human life, health or integrity,

(1) control access to roads or to the territory concerned or make them subject to special rules;

(2) order, where there is no alternative means of protection, the evacuation of persons or their sheltering, including their confinement;

(3) require the services of any person capable of assisting the personnel deployed;

(4) requisition, in the municipality’s territory, the necessary rescue services and private shelter facilities;

(5) grant, for the time the municipality or the person authorized considers necessary for the rapid and efficient conduct of emergency response measures, authorizations or exemptions in fields under the municipality’s jurisdiction; and

(6) make the expenditures and enter into the contracts the municipality or the person authorized considers necessary.

While the state of emergency is in effect, and in exceptional circumstances, the Minister may, to protect human life, health or integrity, exercise a power provided for in subparagraphs 1 to 4 of the first paragraph or ensure that an order given under those subparagraphs is maintained.

**“24.** The local municipality must lift the state of emergency as soon as the conditions set out in the first paragraph of section 19 are no longer met. If the municipality fails to do so, the Minister may lift the state of emergency. To that end, the Minister may require a municipality to send the Minister any document or information the Minister considers necessary.

Notice of the end of the state of emergency must be given promptly to the Minister or to the local municipality, as applicable, and to the regional municipality, and must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

**“25.** Every person authorized to act under a state of emergency to exercise extraordinary powers must submit, not later than at the first municipal council meeting held at least 60 days after the end of the state of emergency, a substantiated report to the council.

**“26.** A local municipality having declared a state of emergency must produce a report within six months after the end of the state of emergency. The report must specify the date and time of the declaration of the state of emergency, the duration of the state of emergency, the nature of the disaster that led to the state of emergency and the extraordinary powers exercised under the first paragraph of section 23. The report must also explain how its normal operating rules were inadequate to protect human life, health or integrity.

The municipality publishes its report on its website, after extracting any information that could compromise the safety of facilities, infrastructures, equipment or any other type of property.

**“27.** A local municipality grants, within three months after an application made to it by a person whose services were required or property was requisitioned under subparagraph 3 or 4 of the first paragraph of section 23, a compensation determined on the basis of the current price for the service or, as applicable, of the price for the rental or sale of the property, as it stood immediately before the disaster.

In addition, the municipality compensates the person for damage caused in the exercise of the power provided for in subparagraph 4 of the first paragraph of section 23, except damage that clearly would have resulted from the disaster in any case, such damage being considered, for the purposes of financial assistance or compensation programs established under section 62, to have been caused by the disaster.

Entitlement to such compensation is prescribed one year after the end of the state of emergency.

**“28.** The Minister may, in the place and stead of a local municipality that is unable to act in a situation described in section 19, declare or renew a state of emergency. The Minister promptly notifies the municipality.

Sections 19, 21 and 23 to 27 apply with the necessary modifications and subject to the following:

(1) the Minister must give the notice provided for in the third paragraph of section 21 to the local municipality; and

(2) the expenditures made under subparagraph 6 of the first paragraph of section 23 and the compensation provided for under section 27 are, in accordance with the terms determined by the Minister, reimbursed to the Minister or paid by the municipality.

### **“CHAPTER III**

#### **“CIVIL PROTECTION AT THE GOVERNMENT LEVEL**

#### **“DIVISION I**

#### **“MINISTER**

**“29.** The Minister coordinates civil protection. For that purpose, the Minister’s functions include

(1) proposing general policy directions and national objectives to the Government with respect to civil protection; those objectives may in particular set targets that municipal and government authorities must achieve, and government measures to increase society’s disaster resilience;

(2) promoting good civil protection practices;

(3) facilitating concerted action between all civil protection stakeholders; and

(4) monitoring disasters on an ongoing basis.

**“30.** The Minister advises and supports municipal and government authorities with respect to civil protection, in particular in the carrying out of their disaster risk management process. The Minister ensures that those authorities fulfil their responsibilities under this Act.

For those purposes, the Minister may transmit guidelines to them concerning any matter relating to this Act.

In addition, the Minister may require municipal and government authorities to communicate to the Minister any information necessary for the carrying out of this Act. The Minister may communicate such information to another of those authorities if the information is necessary for the exercise of its responsibilities under this Act.

**“31.** The Minister may, according to the framework the Minister establishes, provide financial, technical or informational support

(1) for the carrying out of projects relating to disaster risk management, in particular to develop disaster risk awareness, prevent disasters and prepare the response to them;

(2) to a municipal authority, for the carrying out of the regional disaster risk management process, for the authority’s collaboration in that process or for the development of a plan provided for by this Act; and

(3) to organizations designated under subparagraph 6 of section 33 and to associations working in the field of civil protection, in particular to recruit volunteers, or to promote the creation of such associations.

**“32.** The Minister may, in carrying out the Minister’s functions and in accordance with the law, enter into an agreement with a government in Canada or abroad, a department or body of such a government, an international organization or a body of such an organization.

**“33.** The Minister may also

(1) conduct or commission research on any matter related to civil protection;

(2) document the civil protection situation at the local and regional levels and at the government level, require any person who has information in that regard to communicate it to the Minister, and make public all or part of the above information;

(3) organize civil protection training activities intended for the personnel of municipal and government authorities, or participate in the organization of such activities;

(4) establish an accreditation mechanism with respect to the civil protection training activities offered by bodies or by enterprises and, in the case of professional development activities, by educational institutions;

(5) promote, encourage or recognize civil protection initiatives and projects, in particular by granting awards in recognition of actions carried out by persons, enterprises, municipal or government authorities, or other bodies; and

(6) designate organizations to be responsible for putting in place measures to reinforce and increase the operational capabilities of municipal or government authorities to respond to a disaster or its imminence, and prescribe the terms for deploying such measures.

**“34.** The Minister or any person the Minister designates as an inspector may, to ensure compliance with the provisions of this Act or to assess the effectiveness of the measures provided for by a plan adopted under this Act,

(1) require any municipal authority to communicate to the Minister or any such person, within the time the Minister specifies, for examination or reproduction, any document or information;

(2) enter, at any reasonable time, the office of a municipal authority or any premises where regulatory standards adopted under paragraph 1 of section 82 apply, inspect the office or premises, and examine and make copies of any document or take photographs there; and

(3) require any person who is on the premises to provide reasonable assistance.

Inspectors must, on request, identify themselves and produce a document attesting their capacity.

**“35.** In the event of non-compliance with the provisions of this Act by a municipal authority or a deficiency in the measures provided for by a plan adopted under this Act, the Minister may, after conducting an overall assessment of the situation and after giving the authority an opportunity to submit observations, recommend corrective measures to the authority or, if the Minister is of the opinion that public safety so requires, order the authority to take the measures the Minister considers necessary for the protection of human life or property against disasters.

**“36.** The Minister or a person designated by the Minister for that purpose may investigate any matter related to the application of this Act. To that end, the Minister or the person the Minister designates has the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

The Minister may transmit the conclusions of the investigation to the persons or authorities concerned.

Where those conclusions propose corrective measures, the Minister may require the persons or authorities concerned to communicate to the Minister, within the time determined by the Minister, their intentions in that regard. Where the conclusions propose measures to a municipal authority that the Minister considers to be imperative to ensure public safety, the Minister may order their implementation and the sending of a compliance report within the time determined by the Minister.

## “DIVISION II

### “GOVERNMENT COORDINATION STRUCTURE

“§1. — *Government civil protection coordinator*

“**37.** The associate deputy minister responsible for civil protection within the Ministère de la Sécurité publique acts as government civil protection coordinator.

The coordinator exercises the functions conferred by this Act or by the Minister. In the exercise of those functions, the coordinator must promote the coordination of civil protection actions undertaken by government authorities and ensure their coherence and complementarity.

“§2. — *Comité de sécurité civile et de résilience aux sinistres du Québec*

“**38.** The Government forms a civil protection and disaster resilience committee for Québec under the name “Comité de sécurité civile et de résilience aux sinistres du Québec” (the Committee) and determines its framework of operation.

The government civil protection coordinator acts as strategic adviser on the Committee and ensures liaison between the Committee and the Organisation de la sécurité civile du Québec.

“**39.** The Committee’s functions are

(1) to assist the Minister in the exercise of the responsibilities conferred on the Minister by this Act;

(2) to advise government authorities with respect to civil protection;

(3) to contribute to government civil protection planning by advising the Government on measures to be taken to efficiently manage disaster risks and optimally respond to disasters, in coherence and complementarity with the other areas that contribute to civil protection and taking climate change into account;

(4) to supervise the deployment of emergency response and recovery measures by government authorities to respond to a disaster; and

(5) to carry out any other mandate entrusted to the Committee by the Government.

“§3.—*Organisation de la sécurité civile du Québec and regional organizations*

“**40.** The Government forms a civil protection organization for Québec under the name “Organisation de la sécurité civile du Québec” (the Organization), composed of government authorities and chaired by the government civil protection coordinator, and determines its framework of operation.

Each government authority designates an assistant deputy minister or associate deputy minister or a senior officer, as applicable, to represent it within the Organization. Each representative acts as a civil protection coordinator within their department or body and oversees the implementation of the Organization’s decisions, those of the Comité de sécurité civile et de résilience aux sinistres du Québec and those of the Minister and the Government.

“**41.** The Organization is responsible for planning civil protection at the government level and for coordinating the deployment of measures to respond to disasters. It contributes to mobilizing government authorities and to ensuring concerted action between them in order to maintain the coherence and complementarity of actions undertaken by them in those matters. The Organization also promotes concerted action between the various civil protection stakeholders.

“**42.** Regional organizations made up of the regional representatives of the government authorities composing the Organization are formed in the administrative regions.

The regional director responsible for civil protection at the Ministère de la Sécurité publique coordinates the organization formed in the regional director’s region and ensures liaison with the government civil protection coordinator.

The regional organizations carry out government civil protection planning in their region and coordinate the deployment of measures in support of the local municipalities in order to respond to a disaster or its imminence.

### “**DIVISION III**

#### “**DISASTER RISK MANAGEMENT**

“§1.—*Planning*

“**43.** The Minister coordinates the carrying out of a government disaster risk management process, according to a continuous improvement approach, to develop awareness of disaster risks of national interest and to plan and put in place measures to prevent disasters and prepare the response to them, with a view to promoting society’s disaster resilience.

The government authorities composing the Organisation de la sécurité civile du Québec as well as the other government authorities solicited by the Minister must work in close collaboration to carry out the government disaster risk management process, in particular by contributing their knowledge and resources and by providing the Minister with all necessary information and documents.

The disaster risk management process is to be carried out so as to ensure the coherence and complementarity of the measures promoting disaster resilience that are put in place at the government level in the areas that contribute to civil protection, and taking climate change into account.

**“44.** The Minister establishes a national disaster resilience plan containing the disaster prevention measures planned during the disaster management process in order to increase disaster risk awareness and prevent disasters.

The plan must be submitted to the Government for approval.

Once the plan is approved, government authorities must put in place the measures under their responsibility.

**“45.** The Minister also establishes a government disaster response plan that determines

(1) the training, evaluation and communication activities and the exercises and other measures to be carried out by the government authorities to reinforce their capacity to respond to disasters whose foreseeable consequences are of national interest;

(2) the emergency response and recovery measures that must be deployed by government authorities in support of municipal and government authorities in order to respond to a disaster whose magnitude would exceed their capacity for action or to the imminence of such a disaster; and

(3) the terms governing the concerted action between government authorities when the response to a disaster requires the deployment of their emergency response and recovery measures.

**“46.** The national disaster resilience plan and the government disaster response plan are published on the website of the Ministère de la Sécurité publique after the extraction of any information that could compromise the safety of facilities, infrastructures, equipment or any other type of property.

**“47.** The government civil protection coordinator sees that the government authorities put in place the measures of the national disaster resilience plan and those of the government disaster response plan that are under their responsibility.

“§2. — *Protection of essential goods and services*

“**48.** Government authorities that provide essential goods and services must put in place measures to reduce the severity of hazards that may affect their goods and services and the vulnerability of those goods and services to such hazards, taking climate change, among other things, into account.

“§3. — *Cooperative measures*

“**49.** The Minister may take part, with the government authorities whose resources are called on for the purposes of the government disaster response plan, in the putting in place, with an authority outside Québec, of cooperative civil protection measures that may be deployed in response to a disaster or its imminence in Québec or elsewhere.

#### “DIVISION IV

#### “DISASTER RESPONSE

“§1. — *Deployment of measures*

“**50.** When a disaster or its imminence so requires, the government civil protection coordinator warns and mobilizes the government authorities concerned. Under the coordinator’s coordination, the government authorities concerned must deploy the emergency response or recovery measures in the government disaster response plan under their responsibility, adapting them if necessary, or any other measure the government authorities consider appropriate in the circumstances.

“**51.** Where human life, health or integrity is threatened because of a disaster or its imminence, the Minister or any person designated for that purpose by the Minister may require scientific, technical or other information from any expert or from any person whose property or activities are threatened or affected by the disaster or may aggravate the consequences of the disaster, and may have access to any premises in order to assess and understand the situation and its potential consequences.

The minister or the designated person may communicate the information thus obtained to any person who needs the information to protect persons whose life, health or integrity is threatened.

“**52.** The Government may grant authorizations or exemptions provided for by law for the carrying on of an activity or the performance of an act that is required for the rapid and efficient deployment, by Québec authorities or by authorities outside Québec, of cooperative civil protection measures to respond to a disaster or its imminence, in Québec or elsewhere.

“§2. — *National state of emergency*

“**53.** The Government may declare a national state of emergency in all or part of the territory of Québec, for a maximum period of 10 days, when a disaster or another event that interferes with the functioning of the community to the point of compromising human safety occurs or is imminent and if the Government considers that it must resort to the extraordinary powers provided for in section 57 in order to take the immediate actions required to protect human life, health and integrity.

Before the state of emergency ends, the Government may renew it for other maximum periods of 10 days or, with the consent of the National Assembly, for maximum periods of 30 days, as long as the conditions set out in the first paragraph are met.

“**54.** If the Government is unable to meet in a timely manner, the Minister may declare a state of emergency for a maximum period of 48 hours.

“**55.** A state of emergency comes into force on being declared and is maintained so long as it is renewed.

The declaration of the state of emergency must specify the nature of the disaster, the territory concerned and the duration of the state of emergency. It must also specify the extraordinary powers required to respond to the situation and the reasons that justify their use. It may authorize ministers to exercise one or more of those powers. Any renewal of the state of emergency must specify the same information.

The declaration and any renewal of the state of emergency are published in the *Gazette officielle du Québec*, and the Minister must use the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

“**56.** The National Assembly may, in accordance with its rules of procedure, vote to disallow a declaration or any renewal of a state of emergency.

The disallowance takes effect on the day the motion is passed.

The Secretary General of the National Assembly must promptly publish and disseminate a notice of the disallowance by the most efficient means available to ensure that the authorities and population of the territory concerned are rapidly informed, and must also publish it in the *Gazette officielle du Québec*.

**“57.** While the state of emergency is in effect, despite any provision to the contrary, the Government or any minister authorized to act under the state of emergency may, without delay and without formality, to protect human life, health or integrity,

(1) order the deployment of measures of the emergency preparedness plan of a local municipality or of the government disaster response plan and, where necessary, designate the person in charge;

(2) order the closure of establishments;

(3) control access to roads or to the territory concerned or make them subject to special rules;

(4) order, where there is no alternative means of protection, the construction or demolition of any works or the displacement or removal of any thing;

(5) grant, for the time the Government or the minister considers necessary for the rapid and efficient conduct of emergency response measures, the authorizations and exemptions provided for by law for the carrying on of an activity or the performance of an act that is required in the circumstances;

(6) order, where there is no alternative means of protection, the evacuation of persons or their sheltering, including their confinement;

(7) order that power or water mains be shut off;

(8) require the services of any person capable of assisting the personnel deployed;

(9) requisition the necessary rescue services and private or public shelter facilities;

(10) requisition essentials and see to their distribution;

(11) ration essential goods and services, set their prices and establish supply priorities;

(12) have access to any premises necessary for the carrying out of an order under this section, to the site that is threatened or affected by the event or to the premises of an activity or property that may aggravate the event, in order to assess and understand the situation and its potential consequences;

(13) make the expenditures or enter into the contracts the Government or minister considers necessary;

(14) implement a general financial assistance or compensation program established under the first paragraph of section 62; and

(15) order any other necessary measure.

**“58.** [[The sums required by the Government or the minister authorized to act under a state of emergency, in the exercise of the powers conferred on them under this subdivision, are taken out of the Consolidated Revenue Fund.]]

**“59.** The Government must lift the national state of emergency as soon as the conditions set out in the first paragraph of section 53 are no longer met.

The decision is published in the *Gazette officielle du Québec*. A notice must be published and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

**“60.** The Minister must table a report before the National Assembly within six months after the end of the national state of emergency or, if the Assembly is not sitting, within 15 days of resumption. The report must specify the date, time, site, nature, probable causes and circumstances of the event, the date and time of the declaration of the state of emergency, the duration of the state of emergency and the measures deployed and powers exercised under section 57.

**“61.** The Government grants, within three months after an application made to it by a person whose services were required or property was requisitioned under subparagraph 8, 9 or 10 of section 57, a compensation determined on the basis of the current price for the service or, as applicable, of the price for the rental or sale of the property, as it stood immediately before the event.

In addition, the Government compensates the person for damage caused in the exercise of any of the powers provided for in subparagraphs 4 and 9 of section 57, except damage that clearly would have resulted from the event in any case, such damage being considered, for the purposes of financial assistance or compensation programs established under section 62, to have been caused by the event.

Entitlement to compensation under this section is prescribed one year after the end of the state of emergency.

**“§3.**—*Financial assistance and compensation*

**“62.** The Government may establish general financial assistance or compensation programs

(1) with regard to disasters or their imminence or other events that compromise human safety;

(2) designed for the implementation, with regard to a disaster risk, of measures that are required immediately for the protection of persons by municipal authorities, by persons required to file a risk report or by persons threatened by the hazard; and

(3) designed to compensate the extra costs resulting from the exercise, during a state of emergency, of the powers provided for in section 23 or 57 and incurred by local municipalities, community organizations or civil protection associations.

The Government may also establish financial assistance or compensation programs specific to a disaster, to another event that compromises human safety, or to the imminence or probability of any of those events, in order to meet the particular needs of a situation.

**“63.** Each financial assistance and compensation program sets the eligibility requirements, determines the beneficiaries and situations concerned, and determines the scales of and other criteria for determining the amounts to be paid, the conditions of payment of those amounts, and the various mechanics of the program.

Such a program may take into consideration programs established under other Acts, programs of the federal government, public bodies, community organizations or non-profit associations, as well as the damage insurance available on the Québec market and generally carried in the territory concerned and all other amounts that a beneficiary could be entitled to otherwise than under a program established under section 62. However, the program may, as regards the basic necessities of a natural person, provide that financial assistance or compensation is to be granted to the person regardless of all other amounts the person could be entitled to otherwise than under a program established under section 62 and in relation to those needs.

**“64.** A person or a municipal authority is not eligible under financial assistance or compensation programs if they

(1) failed, with regard to a risk, to take or apply, without valid reason, the prevention measures prescribed by law, in particular with respect to land use planning and development, the measures ordered or recommended by a competent public authority or the measures that were clearly necessary; or

(2) are responsible for their losses.

The first paragraph does not apply to a program established under subparagraph 2 of the first paragraph of section 62.

In addition, subparagraph 1 of the first paragraph does not apply to a program relating to an event other than a disaster that compromises human safety.

**“65.** No financial assistance or compensation may be paid to a municipal authority that fails to comply with the obligations prescribed by this Act or other Acts in relation to civil protection.

However, the Minister may indicate to such an authority its alleged failure and allow the authority to remedy the failure within the time the Minister determines so that the financial assistance or compensation may be paid to the authority, to the extent that the other conditions of the program are met.

The first paragraph does not apply to a program established under subparagraph 2 of the first paragraph of section 62, or to a program relating to another event that, although it does not constitute a disaster, compromises human safety.

**“66.** Financial assistance or compensation programs are published in the *Gazette officielle du Québec* and must be disseminated by the most efficient means available to ensure that the persons concerned are rapidly informed.

**“67.** The Minister is responsible for the administration of the programs, subject to the designation of another minister, or to a joint designation by the Government when the Government establishes a program.

The minister responsible for the administration of a program may, to the extent and on the conditions determined by that minister, delegate its administration to another minister, a municipal authority, a body or any other person. The minister may, in the instrument of delegation, authorize the subdelegation of the functions the minister specifies.

Any information relating to the administration of a program that is not under the responsibility of the Minister responsible for the administration of this Act must be communicated to the Minister on request.

**“68.** A general program established under the first paragraph of section 62 is implemented on the decision of the minister responsible for its administration or a minister authorized to implement it under section 57. The decision specifies the risk or event for which the program is implemented, the period covered and the territory concerned.

A specific program established under the second paragraph of section 62 is implemented on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the program. When establishing such a program, the Government specifies the risk or event for which the program is implemented, the period covered and the territory concerned.

The minister responsible for the administration of a program may extend the territory concerned or the period covered or, if the period covered has not expired, shorten it, but in the latter case the expiry date must not be earlier than the date of publication of the decision shortening the period.

Any decision made under the first or third paragraph must be published in the *Gazette officielle du Québec* and disseminated by the most efficient means available to ensure that the persons concerned are rapidly informed.

**“69.** To obtain financial assistance or compensation under a program, applicants must send their application to the authority responsible for the administration of a program. The authority must assist any applicant who so requests in order to facilitate the applicant’s understanding of the program and, if applicable, help the applicant in making an application.

The applicant must inform the authority of any change in the applicant’s situation that may have an impact on the application of the program with regard to the applicant.

**“70.** For the purposes of the application of a program, the authority responsible for its administration may, at any time, require that any document and information that the authority considers necessary be communicated to it, for examination or reproduction, and examine the premises or property concerned.

In addition, the authority may communicate personal information, without the consent of the person concerned, to a municipal authority that needs it to exercise its functions.

**“71.** When a program is implemented, a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) may communicate personal information, without the consent of the person concerned, to a person or body, provided that communicating the information

(1) is necessary to reach or locate the person concerned; and

(2) is manifestly for the benefit of the person concerned, in particular to maintain or adapt the public services provided to the person.

Only information required for the intended purposes may be communicated.

**“72.** Information relating to the amounts paid to a natural person under a program concerning any of the following is public:

(1) damage to an immovable;

(2) work to flood-proof a building or stabilize land; and

(3) costs for moving a building, or a departure allowance, including, where applicable, any amount relating to a transfer of land.

When such information is communicated, it is not to be associated with the name of the recipient of the amount, but only with the civic address or the lot number of the immovable concerned.

**“73.** Entitlement to financial assistance or compensation under a program is prescribed one year after the program’s implementation date or, if a decision is made to extend the period covered or the territory concerned, one year after the date of that decision as concerns the new period or new territory. If the damage appears progressively or tardily, the prescription period runs from the day the damage first appears, provided that first appearance does not occur more than five years after the program’s implementation or after the decision to extend the period covered or the territory concerned, as applicable.

**“74.** In exceptional circumstances, the minister responsible for the administration of a program may decide that a natural person who would otherwise be excluded from the program is entitled to the benefits of the program. In the same circumstances, the minister may also decide that a person eligible under a program is dispensed from some of the program’s requirements.

**“75.** Financial assistance or compensation granted under a program, or entitlement to it, is a personal right and may therefore not be assigned, subject to the exceptions provided for by the program.

No financial assistance or compensation granted to a recipient may be seized.

**“76.** Financial assistance granted under a program must be used exclusively for the purposes for which it is paid.

**“77.** The Government is subrogated by operation of law in the rights of any recipient of financial assistance or compensation under a program, up to the amounts paid, against any third party responsible for the risk, damage or event.

**“78.** A recipient of financial assistance or compensation must repay to the Minister any amount received without entitlement, unless it was paid as a result of an administrative error which the recipient could not reasonably have discovered. Such an amount may be recovered within three years after it becomes recoverable or, in a case of bad faith, within three years after discovery of the fact, but not later than 15 years after it becomes recoverable.

Despite the second paragraph of section 75, the amount that the recipient must repay may be deducted from any financial assistance or compensation to which the recipient would subsequently be entitled.

**“79.** Any amount due under a subrogation or under a claim for overpayment is secured by a legal hypothec on the property of the debtor.

**“80.** A person directly concerned by a decision regarding eligibility under a program, regarding the amount of the financial assistance or compensation granted, regarding a condition for obtaining payment of the assistance or compensation regarding an amount due under a claim for overpayment may apply to the person designated by the minister responsible for the administration of the program for a review, except in the case of a decision under section 74.

The person must, within two months after the date on which the person is notified of the decision, file an application for review in writing, stating the main grounds on which the application is based, unless the person proves that it was impossible to act earlier.

An application for review does not suspend the carrying out of the decision, unless the person designated for the purpose of the review decides otherwise.

**“81.** [[The sums required for the administration of the programs, including extra administrative costs incurred during a disaster situation or another event that compromises human safety and during the recovery period, and the sums required to analyze whether a program must be established or implemented are taken out of the Consolidated Revenue Fund.]]

Amounts recovered under section 77 or 78 are paid into the Consolidated Revenue Fund.

## **“DIVISION V**

### **“REGULATORY POWERS**

**“82.** In addition to its other regulatory powers under this Act, the Government may, by regulation,

(1) establish standards for ensuring effective disaster risk management or optimal response to disasters, to the extent that doing so does not encroach on the specific field of jurisdiction of another regulatory authority, or make the standards developed by another government or a standards organization mandatory; and

(2) determine, among the provisions of a regulation made under this Act, those whose violation constitutes an offence, and indicate, for each offence, the fines to which the offender is liable, which may not exceed \$10,000.

## **“CHAPTER IV**

### **“PRESUMPTIONS, RIGHTS AND IMMUNITY**

**“83.** Any person complying with an order given under section 23 or 57 is deemed to be in a situation of superior force.

**“84.** A person mobilized under measures established under this Act or whose services have been required or accepted in order to respond to a disaster, to another event that compromises human safety or to the imminence of any of those events is, for the purposes of third-party civil liability, deemed to be a subordinate of the authority under which the person is placed. The same applies to a person participating in a training activity or a civil protection exercise.

Despite the first paragraph,

(1) subordinates of the State or of legal persons established in the public interest do not cease to act in the exercise of their functions solely because they are placed temporarily under the command of another authority;

(2) a person mobilized or whose services have been required or accepted under section 18 or 28 is deemed to be a subordinate of the local municipality that was unable to or failed to act; and

(3) a person who was mobilized or whose services have been required or accepted during the deployment of cooperative measures by Québec authorities or by authorities outside Québec is deemed to be a subordinate of the Government.

**“85.** Any person referred to in section 84 who participates in the deployment of measures to respond to a disaster, to another event that compromises human safety or to the imminence of any of those events as well as any authority of which the person is a subordinate or that deployed or requested the deployment of those measures are relieved from liability for any damage resulting from an act performed or omitted by the person, unless the damage is caused by the person’s gross or intentional fault.

An authority is not entitled to the exemption provided for in the first paragraph if, in the case of a disaster, the authority did not, in accordance with this Act,

(1) carry out or collaborate in the disaster risk management process;

(2) adopt a plan prescribed by this Act or put in place the measures of such a plan that were under its responsibility; or

(3) deploy the measures under its responsibility to respond to the disaster and that are related to the alleged acts.

**“86.** The representation or defence of a person referred to in section 84 at a coroner’s inquest or a fire investigation commissioner’s inquiry concerning the event during which the person intervened, or in proceedings before a court or body exercising adjudicative functions concerning an act performed or omitted by the person during such an event is assumed by the authority of which the person is deemed to be a subordinate.

Despite the first paragraph, the authority may make an agreement with the person for reimbursement of any reasonable costs incurred by the person or the person's representative.

The authority is however relieved from that obligation where the authority itself is the plaintiff in the proceeding or where the person specifically consents to it in writing.

The authority may require the person to reimburse the costs the authority incurred or reimbursed where the act performed or omitted constitutes a gross or intentional fault or where the person is found guilty of a criminal offence and had no reasonable grounds to believe that their conduct was in compliance with the law.

**“87.** No proceedings may be brought against the Minister for an act performed or omitted in good faith in the exercise of the Minister's functions.

Nor may proceedings be brought against the following for an act performed or omitted in good faith:

(1) an inspector, an investigator or a designated person, as applicable, acting in the exercise of their functions under section 18, 34, 36, 51 or 57;

(2) a local municipality, an inspector or a designated person acting in the exercise of their functions under section 13 or 15;

(3) a local municipality, the members of its council or other persons authorized to exercise an extraordinary power provided for in section 23;

(4) the Government or a minister exercising a power provided for in section 57.

**“88.** No employer or subordinate of an employer may dismiss, suspend or transfer an employee, practise discrimination or take reprisals against the employee, or impose any other sanction on the employee on the sole ground that the employee had to leave work precipitously or could not report for work because the employee's services have been or were required or accepted for the deployment of measures in response to a disaster, to another event that compromises human safety or to the imminence of any of those events, provided the employee informed the employer that the employee had to leave work precipitously or could not report for work.

In addition, any person who believes they are a victim of a sanction referred to in the first paragraph may exercise a remedy before the Administrative Labour Tribunal. The provisions applicable to a remedy relating to the exercise by an employee of a right under the Labour Code (chapter C-27) apply, with the necessary modifications.

**“CHAPTER V**  
**“PENAL PROVISIONS**

**“89.** The following are liable to a fine of \$1,000 to \$5,000 in the case of a natural person and \$3,000 to \$15,000 in any other case:

(1) anyone who fails to file a risk report in contravention of section 11;

(2) anyone who hinders the Minister, a municipal authority, an investigator, an inspector or a person designated or authorized under section 15, the second paragraph of section 21, section 51 or 55 in the exercise of the powers conferred on them under this Act, who refuses to obey an order they are entitled to give, to communicate the information or documents they are entitled to require or, without valid reason, to provide the assistance they are entitled to require, or conceals or destroys documents or other things relevant to the exercise of their functions; and

(3) anyone who reports or provides false, incomplete or misleading information or a document that is incomplete or contains false or misleading information in order to deceive the person entitled to require the information or document.

Penal proceedings for an offence under subparagraph 3 of the first paragraph are prescribed one year after the prosecutor becomes aware of the commission of the offence. However, no proceedings may be instituted more than five years after the commission of the offence.

**“90.** Every employer that contravenes section 88 is liable to a fine of \$500 to \$2,500.

**“91.** If a legal person or an agent, mandatary or employee of a legal person, of a partnership or of an association without legal personality commits an offence under this Act or the regulations, the directors or officers of the legal person, partnership or association are presumed to have committed the offence, unless they establish that they exercised due diligence, taking all necessary precautions to prevent the commission of the offence.

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

**“92.** The amounts of the fines prescribed by this Act or the regulations are doubled for a subsequent offence.

**“93.** A judge may order an offender to remedy any failure to comply of which the offender has been found guilty.

The prosecutor must give the offender at least 10 days' prior notice of any application for an order unless the parties are present before the judge. The judge must, before issuing an order and at the offender's request, grant the offender what the judge considers a reasonable period of time in which to present evidence with regard to the prosecutor's application.

**“94.** Penal proceedings for an offence under a provision of the regulation made under section 11 may be instituted by a local municipality if the offence is committed in its territory.

Such proceedings may be brought before the competent municipal court.

The fines imposed belong to the prosecuting municipality.

The costs relating to proceedings instituted before a municipal court belong to the municipality to which the court is attached, except the part of the costs remitted to another prosecuting party by the collector under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and the costs remitted to the defendant or imposed on the prosecuting municipality under article 223 of that Code.

## **“CHAPTER VI**

### **“TRANSITIONAL AND FINAL PROVISIONS**

**“95.** For the purposes of the second paragraph of section 7, the Regulation respecting warning and mobilization procedures and minimum rescue services required for the protection of persons and property in the event of a disaster (chapter S-2.3, r. 3) is deemed to have been made under paragraph 1 of section 10 of this Act.

**“96.** The Comité de sécurité civile du Québec and the Organisation de la sécurité civile du Québec, formed on (*insert the date of assent this Act*), become, respectively, the Comité de sécurité civile et de résilience aux sinistres du Québec, formed by the Government under section 38 of this Act, and the Organisation de la sécurité civile du Québec, formed by the Government under section 39 of this Act, as of that date and with the same composition and framework of operation.

**“97.** The Minister of Public Security is responsible for the administration of this Act.”

**CHAPTER II**  
**AMENDING PROVISIONS**

**DIVISION I**  
**AMENDMENTS RELATING TO CIVIL PROTECTION**

**ACT RESPECTING INDUSTRIAL ACCIDENTS AND  
OCCUPATIONAL DISEASES**

**2.** Section 12 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing the first, second and third paragraphs by the following paragraphs:

“A person who, as a volunteer, helps the personnel deployed to carry out emergency response or recovery measures during an event that is covered by the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*) after the person’s services have been accepted by the authority responsible for such measures is considered to be a worker employed by that authority, subject to the second paragraph.

A person who helps the personnel deployed after the person’s services have been accepted or required under section 23 or 57 of the Act respecting civil protection to promote disaster resilience is considered to be a worker employed by the local municipality or by the Government, depending on whether it is a local or a national state of emergency, or a worker employed by the local municipality if the Minister of Public Security declared a state of emergency in its place.”

**ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT**

**3.** The Act respecting land use planning and development (chapter A-19.1) is amended by inserting the following section after section 145.43:

“**145.44.** Despite any other provision, the council of a municipality must suspend the issue of a permit or certificate if there are serious reasons to believe that the planned uses, activities, structures or works must, for reasons of public safety, be governed or prohibited by a regulation made under this Act.

If no regulation to that effect is adopted within 12 months following the application, the permit or certificate is issued, provided that the application complies with the standards in force at the time the application was filed.

The fact that the permit or certificate application was filed before the reasons became known does not preclude the application of the first paragraph.”

## CHARTER OF VILLE DE LÉVIS

**4.** Section 89 of the Charter of Ville de Lévis (chapter C-11.2) is replaced by the following section:

**“89.** The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

## CHARTER OF VILLE DE LONGUEUIL

**5.** Section 75 of the Charter of Ville de Longueuil (chapter C-11.3) is replaced by the following section:

**“75.** The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

## CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

**6.** Section 135 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is replaced by the following section:

**“135.** The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

## CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

**7.** Section 118 of the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is replaced by the following section:

**“118.** The borough council shall participate, by its recommendations, in the preparation of the fire safety cover plan and its amendments and revisions, and promote the implementation, in the borough, of the measures contained in the plan.

It shall also participate, by its recommendations, in the carrying out of the city’s regional disaster risk management process and in the preparation of its emergency preparedness plan, and promote the putting in place, in the borough, of the measures established in that plan.”

## HIGHWAY SAFETY CODE

**8.** Section 470.1 of the Highway Safety Code (chapter C-24.2) is amended by replacing “of paragraph *d* of section 1 of the Act respecting the protection of persons and property in the event of disaster (chapter P-38.1)” in the third paragraph by “of section 2 of the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

## CORONERS ACT

**9.** Section 183 of the Coroners Act (chapter C-68.01) is amended by replacing “in a disaster in respect of which a state of emergency within the meaning of the Civil Protection Act (chapter S-2.3) was declared” in the second paragraph by “during an event for which a state of emergency was declared under the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

## ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

**10.** Section 19 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended, in paragraph 8,

- (1) by striking out “civil protection,” in subparagraph *a*;
- (2) by striking out “the civil protection plan and” in subparagraph *c*;
- (3) by adding the following subparagraph after subparagraph *c*:

“(d) the carrying out of the regional disaster risk management process and adoption of the regional disaster resilience plan;”.

## EDUCATION ACT

**11.** Section 315 of the Education Act (chapter I-13.3) is amended by replacing “referred to in Division II of Chapter VII of the Civil Protection Act (chapter S-2.3)” in the fourth paragraph by “established under the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

## ACT RESPECTING LABOUR STANDARDS

**12.** Section 81.17.1 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “major disaster within the meaning of the Civil Protection Act (chapter S-2.3)” in subparagraph *a* of subparagraph 2 of the first paragraph by “disaster within the meaning of the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

## ACT RESPECTING PRE-HOSPITAL EMERGENCY SERVICES

**13.** Section 6 of the Act respecting pre-hospital emergency services (chapter S-6.2) is amended by replacing subparagraph 6 of the first paragraph by the following subparagraph:

“(6) to participate in the carrying out of the Government’s disaster risk management process provided for by the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*);”.

**14.** Section 7 of the Act is amended by replacing subparagraph 6 of the first paragraph by the following subparagraph:

“(6) participate in the carrying out of the Government’s disaster risk management process provided for by the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*);”.

## ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

**15.** Section 30.0.4 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) is amended by replacing “Civil Protection Act (chapter S-2.3) or an event in respect of which a financial assistance program is implemented pursuant to section 109 of that Act” in the fourth paragraph by “Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*) or an event in respect of which a financial assistance or compensation program is implemented pursuant to section 68 of that Act”.

## ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

**16.** Schedule I to the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended by replacing paragraph 21 by the following paragraph:

“(21) the second paragraph of section 88 of the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*);”.

## INDIVIDUAL AND FAMILY ASSISTANCE REGULATION

**17.** Section 109 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended by replacing “by a disaster financial assistance or compensation program established under section 100 or 101 of the Civil Protection Act (chapter S-2.3)” in the second paragraph by “by a financial assistance or compensation program established under the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

**18.** Section 138 of the Regulation is amended by replacing “for extra temporary housing, food and clothing costs under a financial assistance or compensation program established under the Civil Protection Act (chapter S-2.3)” in paragraph 15 by “for basic necessities under a financial assistance or compensation program established under the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

**19.** Section 146 of the Regulation is amended

(1) by replacing “Civil Protection Act (chapter S-2.3)” in paragraph 10 by “Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”;

(2) by replacing “as extra temporary housing, food and clothing costs” in paragraph 11 by “for basic necessities”.

**20.** Section 177.96 of the Regulation is amended

(1) by replacing “Civil Protection Act (chapter S-2.3)” in paragraph 6 by “Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”;

(2) by replacing “as extra temporary housing, food and clothing costs” in paragraph 7 by “for basic necessities”.

**21.** Section 177.108 of the Regulation is amended by replacing “for extra temporary housing, food and clothing costs under a financial assistance or compensation program established under the Civil Protection Act (chapter S-2.3)” in paragraph 10 by “for basic necessities under a financial assistance or compensation program established under the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

REGULATION RESPECTING THE ACT RESPECTING OWNERS,  
OPERATORS AND DRIVERS OF HEAVY VEHICLES

**22.** Section 1 of the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3, r. 1) is amended by replacing “major disaster or a minor disaster within the meaning of section 2 of the Civil Protection Act (chapter S-2.3)” in paragraph 1 by “disaster within the meaning of section 2 of the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*)”.

DAM SAFETY REGULATION

**23.** Sections 33 and 39 of the Dam Safety Regulation (chapter S-3.1.01, r. 1) are amended by striking out “or to the Minister of Public Security, as provided in section 8 of the Civil Protection Act (chapter S-2.3)” in the first paragraph.

## **DIVISION II**

### **AMENDMENTS RELATING TO EMERGENCY COMMUNICATION CENTRES**

#### **CIVIL PROTECTION ACT**

**24.** The title of the Civil Protection Act (chapter S-2.3) is replaced by the following title:

“Act respecting emergency communication centres”.

**25.** Chapter I of the Act becomes Division I.

**26.** Section 1 of the Act is replaced by the following section:

“**1.** The purpose of this Act is to ensure an appropriate, efficient and quality response to communications received by emergency communication centres.

The Act applies to the following emergency communication centres:

(1) a 9-1-1 emergency centre, meaning a centre that receives communications requiring one or more emergency interventions, determines the nature of the emergency for each communication and transmits the communication with any relevant information to the appropriate secondary emergency communication centre, whether it is a dispatch centre for a fire safety service or a police force or a health communication centre within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2), or, where required, to another 9-1-1 emergency centre; or

(2) a secondary emergency communication centre that is the dispatch centre for a fire safety service or a police force.”

**27.** Sections 2 to 52 of the Act are repealed.

**28.** Division II.1 of Chapter IV of the Act becomes Division II and its heading is replaced by the following heading:

“EMERGENCY COMMUNICATION CENTRES”.

**29.** Section 52.1 of the Act is renumbered 2 and is replaced by the following section:

“**2.** In order to respond to emergency communications in its territory, every local municipality must be served by a 9-1-1 emergency centre that has obtained a certificate of compliance in accordance with this division unless no telecommunication service allowing to call 9-1-1 emergency services directly is available in its territory.”

**30.** Section 52.2 of the Act is renumbered 3 and is amended by replacing all occurrences of “call” and “calls” by “communication” and “communications”, respectively.

**31.** Section 52.3 of the Act is renumbered 4 and is amended by replacing “to the 9-1-1 emergency centres and secondary emergency call centres” by “to any emergency communication centre”.

**32.** Section 52.4 of the Act is renumbered 5 and is amended by replacing “secondary emergency call centres other than health communication centres” in the second paragraph by “secondary emergency communication centres”.

**33.** Section 52.5 of the Act is renumbered 6 and is amended by replacing “secondary emergency call centres other than health communication centres” by “secondary emergency communication centres”.

**34.** Sections 52.6, 52.7 and 52.8 of the Act are renumbered 7, 8 and 9, respectively.

**35.** Section 52.10 of the Act is renumbered 10 and is amended by replacing “two” by “five”.

**36.** Sections 52.11, 52.12 and 52.13 of the Act are renumbered 11, 12 and 13, respectively.

**37.** Section 52.14 of the Act is renumbered 14 and is amended by replacing “60” by “90”.

**38.** Section 52.15 of the Act is renumbered 15 and is replaced by the following section:

**“15.** The Minister may authorize a person to act as an inspector to ensure that a 9-1-1 emergency centre meets the conditions prescribed by this division or, where applicable, that a secondary emergency communication centre complies with the standards, specifications, quality criteria and guidelines applicable to it under this division.

For that purpose, inspectors may, in the exercise of their functions,

(1) enter, at any time, a 9-1-1 emergency centre or a secondary emergency communication centre to which standards, specifications, quality criteria and guidelines apply under this division, inspect it and take photographs;

(2) require a person who is on the premises to provide reasonable assistance; and

(3) require, within the time they specify, any information relating to the activities of the centres and the production of any related document.

Inspectors must, on request, identify themselves and produce a document attesting their capacity. No proceedings may be brought against them for acts performed or omitted in good faith in the exercise of their functions.”

**39.** Sections 52.16 and 52.17 of the Act are repealed.

**40.** Section 52.18 of the Act is renumbered 16 and is replaced by the following section:

“**16.** The Minister may order a 9-1-1 emergency centre that does not meet the conditions prescribed by this division or a secondary emergency communication centre that does not comply with the standards, specifications, quality criteria or guidelines applicable to it under this division to take, within the time specified by the Minister, the corrective measures the Minister considers necessary.”

**41.** Section 52.19 of the Act is renumbered 17 and is amended by replacing “secondary emergency call centres other than health communication centres” in the second paragraph by “secondary emergency communication centres that comply with the standards, specifications, quality criteria or guidelines applicable to them under this division”.

**42.** Section 52.20 of the Act is renumbered 18.

**43.** The Act is amended by inserting the following divisions after section 52.20, renumbered 18 by section 42:

### “DIVISION III

#### “PROHIBITED PRACTICES

“**19.** It is prohibited to communicate with the 9-1-1 emergency service for frivolous or vexatious purposes, or under false pretenses.

“**20.** It is prohibited to automatically connect an alarm system to the 9-1-1 emergency service.

The first paragraph must not be interpreted as prohibiting the programming of the 9-1-1 emergency service number as a speed dial on a communication device.

### “DIVISION IV

#### “PENAL PROVISIONS

“**21.** The following persons are liable to a fine of \$1,000 to \$5,000 in the case of a natural person and \$3,000 to \$15,000 in any other case:

(1) anyone who hinders the Minister or an inspector in the exercise of the powers conferred on them under this Act, refuses to obey an order they are entitled to give, to communicate the information or documents they are entitled to require, or, without valid reason, to provide the help they are entitled to require, or conceals or destroys documents or other things relevant to the exercise of their functions; and

(2) anyone who reports or provides false, incomplete or misleading information or a document that is incomplete or contains false or misleading information in order to deceive the person entitled to require the information or document.

Penal proceedings for an offence under subparagraph 2 of the first paragraph are prescribed one year after the prosecutor becomes aware of the commission of the offence. However, no proceedings may be instituted more than five years after the commission of the offence.

**“22.** Anyone who contravenes section 19 or the first paragraph of section 20 is liable to a fine of \$500 to \$2,500 in the case of a natural person and \$1,500 to \$7,500 in any other case.

**“23.** If a legal person or an agent, mandatary or employee of a legal person, of a partnership or of an association without legal personality commits an offence under this Act, the directors or officers of the legal person, partnership or association are presumed to have committed the offence unless they establish that they exercised due diligence, taking all necessary precautions to prevent the commission of the offence.

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

**“24.** The amounts of the fines prescribed by this Act are doubled for a subsequent offence.

**“25.** A judge may order an offender to remedy any failure to comply of which the offender has been found guilty.

The prosecutor must give the offender at least 10 days' prior notice of any application for an order, unless the parties are present before the judge. The judge must, before issuing an order and at the offender's request, grant the offender what the judge considers a reasonable period of time in which to present evidence with regard to the prosecutor's application.

**“26.** Penal proceedings for an offence under a provision of this division may be instituted by a local municipality if the offence is committed in its territory.

Any such proceedings may be brought before the competent municipal court.

The fines imposed belong to the prosecuting municipality.

The costs relating to proceedings instituted before a municipal court belong to the municipality to which the court is attached, except the part of the costs remitted to another prosecuting party by the collector under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and the costs remitted to the defendant or imposed on the prosecuting municipality under article 223 of that Code.

## **“DIVISION V**

### **“FINAL PROVISION**

**“27.** The Minister of Public Security is responsible for the administration of this Act.”

**44.** Sections 53 to 195 of the Act are repealed.

### **ACT RESPECTING MUNICIPAL TAXATION**

**45.** Section 244.74 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “52.7 of the Civil Protection Act” in the third paragraph by “8 of the Act respecting emergency communication centres”.

### **ACT RESPECTING ADMINISTRATIVE JUSTICE**

**46.** Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by replacing paragraph 20.3 by the following paragraph:

“(20.3) section 13 of the Act respecting emergency communication centres (chapter S-2.3);”.

## **DIVISION III**

### **AMENDMENTS RELATING TO FOREST FIRE PROTECTION**

#### **FIRE SAFETY ACT**

**47.** Section 1 of the Fire Safety Act (chapter S-3.4) is amended

(1) by striking out “, except forest resources which are protected pursuant to the Sustainable Forest Development Act (chapter A-18.1),” in the first paragraph;

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

“The Act applies to forest fire protection only to the extent provided for in Chapter VI.1.”

**48.** The Act is amended by inserting the following chapter after section 150:

## “CHAPTER VI.1

### “FOREST FIRE PROTECTION ORGANIZATION

“**150.1.** The Minister may, for a territory delimited by the Minister, designate an organization as a forest fire protection organization.

The designated organization is responsible for organizing the protection of communities, strategic infrastructures and forest environments from forest fires or fires threatening a forest in the territory for which it was designated. It performs its duties in accordance with the policy directions and directives set out by the Minister, jointly with the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1).

“**150.2.** The designated organization’s general by-laws and any modifications to them are submitted for approval to the Minister. The Minister may approve them with or without amendment.

“**150.3.** The designated organization prepares a forest fire protection framework plan for the territory for which it was designated. The plan must define the intensive protection zone and state, among other things, the number of people, the equipment and the means the organization intends to use to protect communities, strategic infrastructures and forest environments from forest fires.

The plan is submitted to the Minister for approval within the time determined by the Minister, who may approve it with or without amendment, after consultation with the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1). If the organization fails to submit the plan to the Minister within the specified time, the Minister establishes the plan.

The organization must keep the plan up to date until a new plan is required by the Minister. Updates of the plan and any modifications are submitted to the Minister for approval. The Minister may approve them with or without amendment, after consultation with the minister responsible for the administration of the Sustainable Forest Development Act.

“**150.4.** The Minister assumes the cost of the expenses incurred by the organization designated to fight forest fires or fires threatening a forest in the intensive protection zone. [[The sums required for that purpose are taken out of the Consolidated Revenue Fund.]]

Moreover, the Minister may, using the appropriations granted annually for that purpose by Parliament, allocate sums to the designated organization to provide for the financing of the other activities carried out by the organization to perform its duties.

**“150.5.** The Minister or the organization, with the approval of the Minister, may make agreements for the purposes of protecting the forests situated outside the intensive protection zone from fires, in particular with regard to the expenses associated with preventing and fighting fires.

**“150.6.** Every person who requires the intervention of the designated organization to fight a fire other than a forest fire or a fire threatening a forest must entirely assume the costs of the intervention.

**“150.7.** The books and accounts of the designated organization are audited every year by external auditors.

Within four months after the end of each fiscal year, the organization must send the Minister the audit report on its books and accounts, its financial statements and an activity report. The financial statements and activity report must contain all the information required by the Minister.

Before the beginning of each fiscal year, the organization sends its budget estimates for the following fiscal year to the Minister in the manner prescribed by the Minister.

**“150.8.** The designated organization must communicate to the Minister or the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1) any information the Minister requires on its activities.

**“150.9.** Where a forest fire or the risk of such a fire requires it, the Minister may order any measure to ensure public safety, such as restrict or prohibit access to and travel in a forest and prohibit the making of fires in the territory the Minister determines.

A decision made under the first paragraph is published on the website of the Ministère de la Sécurité publique and disseminated by the most efficient means available to ensure that the population of the territory concerned is rapidly informed.

**“150.10.** Any representative of the designated organization is authorized to enter any premises and take all measures necessary for the purposes of fighting forest fires.

They may also recruit any person and requisition any necessary equipment, regardless of who owns it.

The organization must grant the recruited person and the owner of the requisitioned equipment fair and reasonable compensation as determined by the Minister.”

**49.** The Act is amended by inserting the following section after section 155:

“**155.1.** Every person who contravenes a measure ordered by the Minister under section 150.9 is guilty of an offence and is liable to a fine of \$500 to \$50,000.”

## SUSTAINABLE FOREST DEVELOPMENT ACT

**50.** Section 1 of the Sustainable Forest Development Act (chapter A-18.1) is amended by inserting “in a manner complementary to the provisions of Chapter VI.1 of the Fire Safety Act (chapter S-3.4) on forest fire protection” at the end of paragraph 7.

**51.** Section 4 of the Act is amended by inserting “, in particular by a forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)” after “protection” in paragraph 1.

**52.** Section 130 of the Act is amended by striking out the third paragraph.

**53.** Divisions I and II of Chapter I of Title VI of the Act, comprising sections 181 to 189, are repealed.

**54.** Section 190 of the Act is amended by replacing “forest protection organization” in the second paragraph by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”.

**55.** Section 192 of the Act is amended, in the first paragraph,

(1) by replacing “forest protection organization” by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”;

(2) by striking out “If the work is to be carried on outside an intensive protection zone.”

**56.** Section 193 of the Act is amended by replacing “forest protection organization” by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”.

**57.** Section 194 of the Act is amended by replacing “incurred to suppress” by “incurred by the forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4) to fight”.

**58.** Section 195 of the Act is amended by striking out paragraph 1.

**59.** Section 239 of the Act is amended

(1) by striking out paragraph 1;

(2) by replacing “forest fire protection organization” in paragraph 2 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4)”;

(3) by replacing “forest fire protection organization” in paragraph 3 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act”;

(4) by replacing “forest fire protection organization” in paragraph 4 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act”;

(5) by replacing “forest fire protection organization” in paragraph 5 by “forest fire protection organization designated under section 150.1 of the Fire Safety Act”.

#### LABOUR CODE

**60.** Section 111.0.16 of the Labour Code (chapter C-27) is amended by replacing paragraph 5.2 by the following paragraph:

“(5.2) a forest fire protection organization designated under section 150.1 of the Fire Safety Act (chapter S-3.4);”.

#### ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE

**61.** Section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by replacing subparagraph 16.7 of the first paragraph by the following subparagraph:

“(16.7) ensuring the protection of forests in accordance with the Sustainable Forest Development Act;”.

**62.** Section 17.12.12 of the Act is amended

(1) by inserting the following paragraph after the second paragraph:

“The Government may also, on the joint recommendation of the Minister and the Minister of Public Security, order that a part, which it fixes, of a sum referred to in the second paragraph, be credited to the sustainable forest development component and allocated, despite the first paragraph, to the

financing of forest fire protection activities provided for in Chapter VI.1 of the Fire Safety Act (chapter S-3.4) other than those referred to in the first paragraph of section 150.4 of the Act.”;

(2) by inserting “or third” after “second” in the third paragraph.

**63.** Section 17.12.13 of the Act is amended by inserting “or third” after “second” in the introductory clause of the second paragraph.

**64.** Section 17.12.15 of the Act is amended by inserting “, or against section 155.1 of the Fire Safety Act (chapter S-3.4)” at the end of subparagraph 4 of the first paragraph.

## FOREST PROTECTION REGULATION

**65.** Section 1 of the Forest Protection Regulation (chapter A-18.1, r. 10.1) is revoked.

## CHAPTER III

### TRANSITIONAL AND FINAL PROVISIONS

**66.** Unless the context provides otherwise, in any Act, regulation or other document,

(1) a reference to the Civil Protection Act (chapter S-2.3)

(a) becomes a reference to the Act respecting emergency communication centres (chapter S-2.3) where it relates to a 9-1-1 emergency centre or a secondary emergency call centre; and

(b) becomes a reference to the Act respecting civil protection to promote disaster resilience (*insert the year and chapter number of this Act and the section number of this Act that enacts the Act respecting civil protection to promote disaster resilience*) in any other case; and

(2) a reference to a secondary emergency call centre becomes a reference to a secondary emergency communication centre.

**67.** A certificate of compliance issued under section 52.10 of the Civil Protection Act and valid on (*insert the date of assent to this Act*) is deemed to have been issued for five years.

**68.** The organization recognized as a forest protection organization under section 181 of the Sustainable Forest Development Act (chapter A-18.1) on 1 January 2025, is designated, as of that date, as a forest fire protection organization under section 150.1 of the Fire Safety Act (chapter S-3.4), enacted by section 48 of this Act.

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

(1) those of sections 8 and 9 of the Act respecting civil protection to promote disaster resilience, enacted by section 1 of this Act, which come into force on the date of coming into force of the first regulation made under section 10 of the Act respecting civil protection to promote disaster resilience, enacted by section 1 of this Act;

(2) those of Division III of Chapter II, comprising sections 47 to 65, which come into force on 1 January 2025.