

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 1**

Insert "significant" before "work experience" in the third paragraph.

*adapté age*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 3**

Strike out "that may be renewed only once".

*adopté  
apc*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
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**SECTION 19**

Amendment 3 has been withdrawn and renamed AM Y.

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**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
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**SECTION 30**

1. Replace "five" in the first paragraph by "three".
2. Add the following paragraph at the end:

The competent committee of the National Assembly examines the report within three months after it is tabled.

*adopté  
ape*

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**SECTION 6**

Insert the following paragraph at the end:

This section does not prevent the Commissioner from exercising the functions set out in section 5 with regard to the children's rights recognized by those two Acts.

*Adopté  
ape*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-BEING AND RIGHTS**

**SECTION 5**

1. In the second paragraph:

(a) replace "public about children's well-being and rights" in subparagraph 4 by "public about the Commissioner's role, the principles and provisions of the Convention on the Rights of the Child as well as about children's well-being and rights,";

*Sam 1*

(b) replace "deaths of children" in subparagraph 7 by "child deaths, in particular those";

*Sam 2*

(c) replace "an advisory committee composed of children and young adults" in subparagraph 8 by "a national advisory committee and regional advisory committees, composed of children and young adults,".

*Sam 3*

2. Insert "in a vulnerable situation, including a person" after "25 years of age" in the definition of "young adult" in the fourth paragraph.

*adopté  
amendé  
apc*

**SUBAMENDMENT**

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**SECTION 5**

Replace subparagraph c of paragraph 1 of the amendment to section 5 by:

(c) replace "an advisory committee composed of children and young adults to obtain their opinions" in subparagraph 8 by "a national advisory committee and regional advisory committees composed, as much as possible, of children and young adults who are representative of the diversity of Québec society to obtain their opinions at least once a year".

*adapté  
apc*

**SUBAMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 5**

Insert after subparagraph c of paragraph 1 of the amendment to section 5:

(d) insert ", and see to the operation of the committees" after "functions" in subparagraph 8.

*Adapted  
apc*



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**SECTION 5**

Replace subparagraph *b* of paragraph 1 of the amendment to section 5 by:

(b) replace subparagraph 7 by:

(7) monitor all child deaths, as well as all deaths of persons of at least 18 years of age and not more than 25 years of age for which an investigation or an inquest has been conducted under the Coroners Act (chapter C-68.01);

*adopté  
ape*

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BEING AND RIGHTS**

**SECTION 13**

Add the following paragraph at the end:

The competent committee of the National Assembly examines the activity report referred to in section 12 within three months after it is tabled.

*adopté  
apc*

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**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
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**SECTION 5**

Insert “, including by collaborating with community organizations involved in youth-related matters,” after “implement” in subparagraph 1 of the second paragraph, as amended.

*Adopté  
apc*

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**SECTION 11**

Replace by:

11. The Commissioner cooperates with the Commission des droits de la personne et des droits de la jeunesse, the Public Protector, the National Director of Youth Protection, the National Student Ombudsman, the national public health director or, when the Commissioner considers it necessary, any public body or community organization to provide for mechanisms for concerted action to harmonize their interventions with regard to children and young adults.

*adopté  
apc*

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**Bill 37**

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**SECTION 11.1**

Insert after section 11, as replaced by amendment:

**11.1.** The Commissioner may, in the exercise of the functions of office referred to in subparagraphs 2, 3 and 6 of the second paragraph of section 5, make any recommendation to a public body and require to be informed of the measures that are taken to follow up on the recommendation.

*adopté  
apc*

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**SECTION 11.2**

Insert after section 11.1, introduced by amendment:

**11.2.** If, after making a recommendation to a public body, the Commissioner considers that no satisfactory measure has been taken within a reasonable time to follow up on it, the Commissioner may so notify the Government in writing and, if the Commissioner considers it necessary, explain the situation in a report referred to in paragraph 5 of section 8.

*adopté  
apc*

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**SECTION 11.3**

Insert after section 11.2, introduced by amendment:

**11.3.** In order to remedy situations observed in the exercise of the functions of office referred to in subparagraphs 2, 3 and 6 of the second paragraph of section 5, avoid the recurrence of such situations or prevent similar situations, the Commissioner may give an opinion to a public body or the Government on the legislative, regulatory or administrative reforms that the Commissioner considers to be consistent with the interest of the child.

If the Commissioner considers it necessary, the Commissioner may explain the situations in a report referred to in paragraph 5 of section 8.

*adopté  
apc*

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**SECTION 12**

1. Insert "related to the exercise of the functions of office referred to in section 5" at the end of the first paragraph.
2. Insert ", any recommendations made under section 11.1 or any notices or opinions given under section 11.2 or 11.3" at the end of the second paragraph.

*adopted  
apc*



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**SECTION 5**

Insert at the end of the second paragraph of section 5, as amended:

(10) where the Commissioner considers it necessary, provide a public body with opinions and recommendations the Commissioner considers appropriate on any question concerning a matter within the scope of the Commissioner's functions.

*Adopté  
APC*

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**SECTION 29**

Replace by:

**29.** Section 99 of the Coroners Act (chapter C-68.01) is amended by adding the following paragraph at the end:

“The coroner or the Chief Coroner shall forward to the Commissioner for Children’s Well-Being and Rights such a copy of any report of investigation concerning the death of a person 25 years of age or under.”

*Adopted  
apc*

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**SECTION 9**

1. Replace "3 and 6" by "3, 6 and 7".
2. Add the following paragraph at the end:

A public body that provides services intended for children must also, on request, allow the Commissioner to access, at any reasonable time, premises held by the body if the Commissioner considers it useful for the exercise of the functions of office referred to in subparagraph 6 of the second paragraph of section 5, in particular to receive and hear observations from the persons present.

*adapté  
aprc*

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**SECTION 29.1**

Insert after section 29, as amended:

**YOUTH PROTECTION ACT**

**29.1.** Section 72.6 of the Youth Protection Act (chapter P-34.1) is amended by adding the following subparagraph at the end of the second paragraph:

“(5) to the Commissioner for Children’s Well-Being and Rights, where the disclosure is necessary for the exercise of the Commissioner’s functions referred to in subparagraph 6 of the second paragraph of section 5 of the Act respecting the Commissioner for Children’s Well-Being and Rights (*insert the year and chapter number of that Act*).”

*Adapté  
apc*

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**CHAPTER III**

Replace Chapter III, comprising sections 14 to 18, by:

**CHAPTER III  
FIRST NATIONS AND INUIT**

**14.** The Commissioner may, in accordance with the Act respecting the Ministère du Conseil exécutif (chapter M-30), enter into a collaboration agreement on any matter within scope of the Commissioner's functions with the First Nations or the Inuit represented by all the band councils or northern village councils of the communities that make them up, with the Makivik Corporation, with the Cree Nation Government or with a First Nations or Inuit community represented by its band council or by the northern village council, with a group of communities so represented or with any other First Nations or Inuit group. The agreement may also pertain to a mechanism for concerted action to harmonize their interventions with regard to First Nations or Inuit children and young adults.

*Sam I*

The Commissioner sends any agreement entered into under this section to the President of the National Assembly who tables it in the Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days after the opening of the next session or after resumption.

*adopté  
apc*

**SUBAMENDMENT**

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**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
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**SECTION 14**

In the amendment to section 14:

Replace "to harmonize their interventions with regard to First Nations or Inuit children and young adults" at the end of the first paragraph by "to coordinate their actions in supporting First Nations or Inuit children and young adults".

*adopté  
apc*

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**SECTION 19**

Replace by:

**19.** The Government appoints a Deputy Commissioner on the recommendation of the Commissioner to assist the latter in the exercise of the functions of office.

The Government determines the remuneration, employee benefits and other conditions of employment of the Deputy Commissioner. The Deputy Commissioner's term must not exceed five years, but the Deputy Commissioner remains in office at the expiry of that term until reappointed or replaced. The Government may dismiss the Deputy Commissioner before the end of the term, but only for cause.

*adopté  
apc*

**AMENDMENT**

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**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 19.1**

Insert after section 19, as amended:

**19.1.** The Commissioner determines the functions and powers of the Deputy Commissioner.

*Adopté  
apc*



**AMENDMENT**

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**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 19.2**

Insert after section 19.1, introduced by amendment:

**19.2.** If the Commissioner is absent or unable to act, or if the office of Commissioner is vacant, the Deputy Commissioner acts as interim Commissioner.

If the Deputy Commissioner is also absent or unable to act, or if the office of Deputy Commissioner is vacant, the Commissioner is replaced by a person appointed temporarily for that purpose by the Government which, if need be, determines the remuneration, employee benefits and other conditions of employment of that person.

*adopté  
apc*

**AMENDMENT**

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**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
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**SECTION 25**

Replace "Associate" by "Deputy".

*adopté  
ape*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 26**

Replace "Associate" by "Deputy".

*adopté  
apc*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**SECTION 28**

Replace "Associate" in the first paragraph by "Deputy".

*adopted  
apc*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
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**SECTION 32**

Replace by:

**32.** The provisions of this Act come into force on (*insert the date of assent to this Act*), except sections 5, 6 and 8 to 29, which come into force on the date on which the first Commissioner for Children's Well-Being and Rights appointed under section 1 takes office.

*adopté  
apc*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**PREAMBLE**

1. Replace the second paragraph by:

AS Québec is a society that cares about children, where parents must exercise their authority without any violence and where children's well-being is a core concern;

2. Insert "and by the Charter of human rights and freedoms" at the end of the third paragraph. *Sam 1*

3. Insert ", as well as their concerns," after "the interest of children" in the fourth paragraph.

4. Replace "wants to" in the fifth paragraph by "must".

5. Replace "Indigenous" in the sixth paragraph by "First Nations and Inuit".

*adopté  
amendé  
apc*

**SUBAMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**PREAMBLE**

Replace paragraphs 2 and 3 of the amendment to the preamble by:

2. Insert “, by the Charter of human rights and freedoms and by the Youth Protection Act” at the end of the third paragraph.
3. Insert “, as well as their concerns and opinions,” after “the interest of children” in the fourth paragraph.

*Adopté  
opc*

**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**Preamble**

Add the following paragraph after the sixth paragraph:

AS the First Nations and Inuit are best suited to meet the needs of their children in the manner that is the most appropriate;

*Adopté  
opc*



**AMENDMENT**

**Bill 37**

**AN ACT RESPECTING THE COMMISSIONER FOR CHILDREN'S WELL-  
BEING AND RIGHTS**

**Preamble**

Replace the seventh paragraph by:

AS it is necessary that a person be devoted exclusively to promoting well-being of all children and respect for their rights and to seeing to the protection of the interest of the child;

*adopté  
apc.*