

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 1 of the Act respecting contracting by municipal
bodies)**

Replace the first sentence of the first paragraph of proposed section 1 by "The purpose of this Act is to define a framework for the awarding of contracts to enterprises by municipal bodies and for the management of those contracts."

Adopt
ERB

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SECTION 1 (section 196 of the Act respecting contracting by municipal
bodies amending section 9 of the Act respecting the
Réseau de transport métropolitain)

Replace proposed section 196 by:

"196. Section 9 of the Act is amended by striking out the first paragraph.

Adopt
ER6

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SECTION 1 (section 179 of the Act respecting contracting by municipal
bodies amending section 85 of the Act respecting the
Commission municipale)

Replace paragraph 1 of proposed section 179 by:

(1) by replacing "573.3.5 of the Cities and Towns Act (chapter C-19)" and "that Act" in the introductory clause by "4 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*)" and "the Cities and Towns Act (chapter C-19)", respectively;

Adopt
ERb

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SECTION 1 (section 10 of the Act respecting contracting by municipal
bodies)

Strike out the second paragraph of proposed section 10.

Adopt
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**SECTION 1 (section 11 of the Act respecting contracting by municipal
bodies)**

In proposed section 11:

1. In subparagraph 4 of the first paragraph:
 - (a) insert "equipment or" before "infrastructure project";
 - (b) insert "equipment or" after "building the";
 - (c) insert "equipment or" after "related to the".
2. Insert "equipment or" after both occurrences of "building" in subparagraph 3 of the second paragraph.

Adopt
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SECTION 1 (section 12 of the Act respecting contracting by municipal
bodies)

Insert "equipment or" before "infrastructure project" in paragraph 2 of proposed
section 12.

Adopt
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SECTION 1 (section 14 of the Act respecting contracting by municipal
bodies)

Replace the first paragraph of proposed section 14 by:

A municipal body may entrust another municipal body, the Union des municipalités du Québec or the Fédération québécoise des municipalités locales et régionales (FQM) with a mandate to award a contract.

Adopté
ERb

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SECTION 1 (section 146 of the Act respecting contracting by municipal
bodies amending section 41 of Schedule C to the Charter
of Ville de Québec, national capital of Québec)

Replace proposed section 146 by:

“146. Section 41 of Schedule C to the Charter is repealed.

Adopté
ERL

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SECTION 1 (section 158 of the Act respecting contracting by municipal
bodies proposing section 469.5 of the Cities and Towns
Act)

Replace "section 17" in section 469.5 of the Cities and Towns Act proposed by
proposed section 158 by "either of sections 14 and 17".

Adopt
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SECTION 1 (section 170 of the Act respecting contracting by municipal
bodies proposing article 624.4 of the Municipal Code of
Québec)

Replace “section 17” in article 624.4 of the Municipal Code of Québec proposed
by proposed section 170 by “either of sections 14 and 17”.

*Adopté
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**SECTION 1 (section 18 of the Act respecting contracting by municipal
bodies)**

Add the following sentence at the end of the first paragraph of proposed section 18: "That evaluation must be documented if the contract involves an expenditure equal to or greater than \$25,000, except in the case of a contract awarded in accordance with subparagraph 1 of the first paragraph of section 33."

Adopted
ER 6

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SECTION 1 (section 20 of the Act respecting contracting by municipal
bodies)

Replace “of \$100,000 or more” in proposed section 20 by “equal to or above the
threshold determined for the purposes of section 29”.

Adopt
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SECTION 1 (section 23 of the Act respecting contracting by municipal
bodies)

Insert "on the electronic tendering system" after "publishes" in the second paragraph of proposed section 23.

Adopted
ERB

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**SECTION 1 (section 27 of the Act respecting contracting by municipal
bodies)**

Insert "equipment or" before "infrastructure project" in subparagraph 5 of the first paragraph of proposed section 27.

Adopt
ERL

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SECTION 1 (section 28 of the Act respecting contracting by municipal
bodies)

Insert "equipment or" before "infrastructure project" in proposed section 28.

Adopt
ERG

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SECTION 1 (section 31 of the Act respecting contracting by municipal
bodies)

Replace "or using an overall criteria evaluation system or a system in which knowledge of the price is deferred" in proposed section 31 by ", using an overall criteria evaluation system or a system in which knowledge of the price is deferred, or following an engineering, architecture or design competition".

Adopt
ERL

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SECTION 1 (section 32 of the Act respecting contracting by municipal
bodies)

Insert "equipment or" before "infrastructure project" in proposed section 32.

Adopted
ERG

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SECTION 1 (section 33 of the Act respecting contracting by municipal
bodies)

In proposed section 33:

1. Insert "or, insofar as the contract is awarded by a municipal body that offers public transportation services, those services could be seriously disrupted" at the end of subparagraph 1 of the first paragraph.
2. Replace the third sentence of the second paragraph by "The person who awards the contract may also authorize any expenditure the person deems necessary in connection with that contract."
3. Insert the following paragraph after the second paragraph:

The person who awards a contract under the second paragraph must table a substantiated report at the first sitting of the body's council or meeting of the body's board that follows the awarding of the contract or the authorization of the expenditure.

Adopt
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SECTION 1 (section 151.1 of the Act respecting contracting by municipal bodies amending section 114.2 of the Cities and Towns Act)

Insert after proposed section 151:

“151.1. Section 114.2 of the Act is amended by replacing the second paragraph by the following paragraph:

“However, the person in charge of access to documents may

(1) refuse for a reason provided for in sections 21 to 27 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) to give access to a document concerning a business corporation with which the municipality has entered into an agreement relating to the exercise of any of its powers and of which it is a shareholder; or

(2) refuse for a reason provided for in sections 28 to 29 of that Act to give access to a document concerning a contract awarded under subparagraph 3 of the first paragraph of section 33 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*).”

Adopt
ERL

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SECTION 1 (section 165.1 of the Act respecting contracting by
municipal bodies amending article 209 of the Municipal
Code)

Insert after proposed section 165:

“165.1. Article 209 of the Code is amended by replacing the second paragraph by the following paragraph:

“However, the person in charge of access to documents may

(1) refuse for a reason provided for in sections 21 to 27 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) to give access to a document concerning a business corporation with which the municipality has entered into an agreement relating to the exercise of any of its powers and of which it is a shareholder; or

(2) refuse for a reason provided for in sections 28 to 29 of that Act to give access to a document concerning a contract awarded under subparagraph 3 of the first paragraph of section 33 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*).”

Adopt
ER6

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SECTION 1 (section 155.1 of the Act respecting contracting by
municipal bodies amending section 468.31 of the Cities
and Towns Act)

Insert after proposed section 155:

“155.1. Section 468.31 of the Act is amended by adding the following paragraph at the end:

“However, the person in charge of access to documents may refuse for a reason provided for in sections 28 to 29 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) to give access to a document concerning a contract awarded under subparagraph 3 of the first paragraph of section 33 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*).”

Adopt
ERb

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SECTION 1 (section 167.1 of the Act respecting contracting by
municipal bodies amending article 600 of the Municipal
Code of Québec)

Insert after proposed section 167:

“167.1. Article 600 the Code is amended by adding the following paragraph
at the end:

“However, the person in charge of access to documents may refuse for a
reason provided for in sections 28 to 29 of the Act respecting Access to documents
held by public bodies and the Protection of personal information (chapter A-2.1) to
give access to a document concerning a contract awarded under subparagraph 3
of the first paragraph of section 33 of the Act respecting contracting by municipal
bodies (*insert the year and chapter number of this Act and the number of the
section of this Act that enacts the Act respecting contracting by municipal bodies*).”

Adopté
ER6

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SECTION 1 (section 181.1 of the Act respecting contracting by
municipal bodies amending section 95 of the Act
respecting the Communauté métropolitaine de Montréal)

Insert after proposed section 181:

“181.1. Section 95 of the Act is amended by adding the following paragraph
at the end:

“However, the person in charge of access to documents may

(1) refuse for a reason provided for in sections 21 to 27 of the Act
respecting Access to documents held by public bodies and the Protection of
personal information (chapter A-2.1) to give access to a document concerning a
business corporation with which the Community has entered into an agreement
relating to the exercise of any of its powers and of which it is a shareholder; or

(2) refuse for a reason provided for in sections 28 to 29 of that Act to
give access to a document concerning a contract awarded under subparagraph 3
of the first paragraph of section 33 of the Act respecting contracting by municipal
bodies (*insert the year and chapter number of this Act and the number of the
section of this Act that enacts the Act respecting contracting by municipal bodies*).”

Adopt
ER6

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SECTION 1 (section 183.1 of the Act respecting contracting by
municipal bodies amending section 89 of the Act
respecting the Communauté métropolitaine de Québec)

Insert after proposed section 183:

"183.1. Section 89 of the Act is amended by adding the following paragraph at the end:

"However, the person in charge of access to documents may

(1) refuse for a reason provided for in sections 21 to 27 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) to give access to a document concerning a business corporation with which the Community has entered into an agreement relating to the exercise of any of its powers and of which it is a shareholder; or

(2) refuse for a reason provided for in sections 28 to 29 of that Act to give access to a document concerning a contract awarded under subparagraph 3 of the first paragraph of section 33 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*)."

Adopt
ERG

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SECTION 1 (section 161.1 of the Act respecting contracting by
municipal bodies amending section 544.1 of the Cities and
Towns Act)

Insert after proposed section 161:

“161.1. Section 544.1 of the Act is amended by adding the following paragraph at the end:

“This section does not apply where the loan is reserved for the repayment to the general fund of all or part of the sums expended under a contract awarded in accordance with subparagraph 1 of the first paragraph of section 33 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*) or subparagraph 6 of the first paragraph of section 23 of the Act respecting civil protection to promote disaster resilience (chapter S-2.4).”

Adopted
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SECTION 1 (section 178.1 of the Act respecting contracting by
municipal bodies amending article 1063.1 of the Municipal
Code of Québec)

Insert after proposed section 178:

“178.1. Article 1063.1 of the Code is amended by adding the following paragraph at the end:

“This article does not apply where the loan is reserved for the repayment to the general fund of all or part of the sums expended under a contract awarded in accordance with subparagraph 1 of the first paragraph of section 33 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*) or subparagraph 6 of the first paragraph of section 23 of the Act respecting civil protection to promote disaster resilience (chapter S-2.4).”

Adopté
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SECTION 1 (section 35 of the Act respecting contracting by municipal
bodies)

Replace the second paragraph of proposed section 35 by:

The municipal body must also inform the enterprise of its right to file a complaint under section 38 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) within three days after receiving the decision.

Adopt
ERB

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**SECTION 1 (section 38 of the Act respecting contracting by municipal
bodies)**

In the second paragraph of proposed section 38:

1. Replace "in the" in proposed subparagraph 4 by "in the other".
2. Insert ", unless they are provided for in the other tender documents" at the end of subparagraph 6.
3. Insert ", unless they are provided for in the other tender documents" at the end of subparagraph 7.

Adopt⁻
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**SECTION 1 (section 39 of the Act respecting contracting by municipal
bodies)**

In the first paragraph of proposed section 39:

1. Insert after subparagraph 5:

(5.1) that, in the cases and on the conditions determined by a regulation of the Minister, will be taken into consideration for the purpose of determining the selected tenderer, in addition to the price proposed in each of the tenders, the additional costs to be assumed by the municipal body;

2. Replace subparagraph 7 by:

(7) the possibility of rejecting any tender from an enterprise that, in the two years prior to the tender closing date, has been, in accordance with Division IV of Chapter VII, the subject of an unsatisfactory performance assessment in connection with a contract awarded by the municipal body, has failed to follow up on a tender or contract or has had a contract cancelled for failure to comply with the contract's conditions.

Adopt
ERG

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**SECTION 1 (section 48 of the Act respecting contracting by municipal
bodies)**

Strike out "before the opening of tenders" in subparagraph 2 of the second paragraph of proposed section 48.

*Adopt
ERb*

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SECTION 1 (section 162 of the Act respecting contracting by municipal bodies)

Replace by:

“162. Section 573.3.4 of the Act is amended

(1) by replacing “subsection 3.1 of section 573 or who knowingly, by his or her vote or otherwise, authorizes or effects the awarding or making of a contract without complying with the rules or measures set out or provided for in the preceding sections of this subdivision, in a regulation made under any of sections 573.3.0.1, 573.3.0.2 and 573.3.1.1 or in the policy adopted under section 573.3.1.2” in the first paragraph by “section 48 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*) or who knowingly, by his or her vote or otherwise, authorizes or effects the awarding of a contract without complying with the rules or measures set out or provided for by that Act or a regulation made under it”;

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

“This section applies, with the necessary modifications, to any body that is subject to the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*), with the exception of a body referred to in article 938.4 of the Municipal Code of Québec (chapter C-27.1), section 118.2 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), section 111.2 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) or section 108.2 of the Act respecting public transit authorities (chapter S-30.01).”

Adopté
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**SECTION 1 (section 49 of the Act respecting contracting by municipal
bodies)**

In proposed section 49:

1. Replace “, the price proposed in each tender and the result of the opening of tenders” in the first paragraph by “and the price proposed in each of the tenders”.
2. Strike out “and of the result of the opening of tenders” in subparagraph 2 of the second paragraph.

Adopt
ERG

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**SECTION 1 (section 51.1 of the Act respecting contracting by
municipal bodies)**

Insert after proposed section 51:

"51.1. Despite the second and third paragraphs of section 46, only qualified enterprises are informed of the publication of an amendment to the tender documents on the electronic tendering system. If an amendment could affect the tendered prices, the closing date for the receipt of tenders is extended by as many days as the number of days between the date of transmission of the notice referred to in the second paragraph of section 51 and the closing date for the receipt of tenders indicated in that notice or, if there are more than seven days between those two dates, by seven days.

Adopt
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**SECTION 1 (section 52 of the Act respecting contracting by municipal
bodies)**

Replace “of a witness and the result of the opening of tenders is published on the electronic tendering system” in proposed section 52 by “of one witness”.

*Adopted
ERB*

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SECTION 1 (section 54 of the Act respecting contracting by municipal
bodies)

Strike out "or its secretary" in the third paragraph of proposed section 54.

*Adopted
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SECTION 1 (section 57 of the Act respecting contracting by municipal
bodies)

Strike out "and the result of the opening of tenders is not disclosed" in proposed
section 57.

*Adopte
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**SECTION 1 (section 58 of the Act respecting contracting by municipal
bodies)**

Insert "takes those discussions into account and" after "tenders which" in proposed section 58.

*Adopted
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**SECTION 1 (section 61 of the Act respecting contracting by municipal
bodies)**

Replace "highest score in" in proposed section 61 by "highest score during".

Adopt
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**SECTION 1 (section 43 of the Act respecting contracting by municipal
bodies)**

Replace subparagraph 3 of the first paragraph of proposed section 43 by:

(3) an indication that the price of the tender must be presented in a document that is separate from the rest of the tender documents so that section 69 may apply.

Adopt
ERL

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**SECTION 1 (section 67 of the Act respecting contracting by municipal
bodies)**

Replace "and the result of the opening of tenders are not disclosed" in proposed section 67 by "in each of the tenders is not disclosed".

Adopt
ERB

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SECTION 1 (Heading of Division VII of Chapter IV of Title III of the Act
respecting contracting by municipal bodies)

Insert "EQUIPMENT OR" before "INFRASTRUCTURE PROJECT" in the proposed
heading of Division VII of Chapter IV of Title III.

Adopted
ERG

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 44 of the Act respecting contracting by municipal
bodies)**

In proposed section 44:

1. Insert "equipment or" before "infrastructure project" in the introductory cause.
2. Replace "to each tenderer, other than the tenderer" in paragraph 5 by "to each selected enterprise other than the one".

*Adopted
ERB*

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 82 of the Act respecting contracting by municipal
bodies)**

Replace “, 47 and 48” in proposed section 82 by “and 41, the first and second paragraphs of section 46, sections 47 and 48 and the first sentence of section 51.1”.

*Adopted
ERB*

AMENDMENT

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**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 84 of the Act respecting contracting by municipal
bodies)

In proposed section 84:

1. Replace "may not exceed three years" in the first paragraph by ", including any renewal of such a contract, may not exceed five years".
2. Replace "meilleur pointage" in the French text of the second paragraph by "pointage le plus haut".

Adopté
ER6

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**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 87 of the Act respecting contracting by municipal
bodies)**

Replace "a damage insurance" in proposed section 87 by "an insurance".

Adopt
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 93 of the Act respecting contracting by municipal
bodies)**

Insert "compliant" after "one" in proposed section 93.

Adopt
ERB

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Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 95 of the Act respecting contracting by municipal
bodies)**

Replace "an officer or employee" in proposed section 95 by "a person designated by the council or board".

*Adopted
ER6*

AMENDMENT

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**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 96 of the Act respecting contracting by municipal
bodies)

Replace "within 60 days after" in proposed section 96 by "not later than 60 days
after".

Adopted
ERG

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 98 of the Act respecting contracting by municipal
bodies)**

In proposed section 98:

1. Replace "greater than \$100,000" in subparagraph 2 of the second paragraph by "above the threshold determined for the purposes of section 29".
2. Insert "equipment or" before both occurrences of "infrastructure" in subparagraph 3 of the third paragraph.

Adopt
ERb

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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 99 of the Act respecting contracting by municipal
bodies)

Replace "\$2,000" in proposed section 99 by "\$5,000".

*Adopted
ER6*

AMENDMENT

Bill 79

AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF MUNICIPAL BODIES

SECTION 1 (Division VI of Chapter VII of Title III of the Act respecting contracting by municipal bodies)

Insert after proposed section 99:

“DIVISION VI

“PAYMENTS AND DISPUTE SETTLEMENT WITH REGARD TO CONSTRUCTION WORK

“§ 1. — *Preliminary provisions*

“99.1. The purpose of this division is to ensure prompt payment of sums of money claimed by enterprises that take part in carrying out construction work on behalf of municipal bodies.

A further purpose of this division is to allow prompt settlement of disputes that may arise between such enterprises, or between such enterprises and such bodies.

“99.2. Any clause that has the effect of excluding the application of one or more of the provisions of this division is absolutely null.

The same applies to a clause that has the effect of excluding the application of one or more of the provisions of a regulation made under this division, unless otherwise provided by that regulation.

“§ 2. — *Payments*

“99.3. Any request for payment of a sum of money an enterprise considers is owed to it in connection with a construction contract or a related subcontract must be made in compliance with the terms and conditions determined by government regulation, such as the requirement to include in the request the contractor’s name

and address, a description of the work, the period during which the work was carried out and the sum of money to be paid.

A request for payment so made is hereinafter called a "valid request for payment".

A government regulation determines the municipal bodies or categories of municipal bodies that are subject to this subdivision as well as any category of contract or subcontract covered by this subdivision.

"99.4. A debtor is deemed not to have defaulted on payment of a sum of money claimed from the debtor if no valid request for payment of the sum has been made.

That presumption lapses once such a request for payment is received.

"99.5. If a debtor considers that the debtor is not required to pay all or part of a sum of money claimed by means of a valid request for payment, the debtor must express refusal to pay within the time determined by government regulation and in compliance with any other terms and conditions determined by such a regulation, such as a requirement to include a description of the work covered by the refusal as well as the grounds justifying it and the sum of money corresponding to the refusal.

"99.6. A debtor is required to pay, within the time determined by government regulation, any sum of money payment of which has been claimed by means of a valid request for payment and which the debtor has not refused to pay in accordance with section 99.5. Such a payment obligation is binding on the debtor even if the debtor has not claimed payment of the sum from the debtor's own debtor.

Despite the first paragraph, a debtor may, in the cases and on the terms and conditions determined by government regulation, make a withholding or deduction from a sum of money payable.

The mere lapse of the time determined under the first paragraph has the effect of causing the debtor concerned to be in default of payment.

"99.7. A sum of money for which a debtor is in default of payment under section 99.6 bears interest at the rate determined by government regulation.

"§ 3. — *Dispute settlement*

"99.8. Any party to a dispute determined by government regulation, such as a dispute that could affect the payment of a sum of money that a party owes to another party, may, on the conditions prescribed by that regulation, require that the dispute be decided by a third-person decider.

In such a case, the other party to the dispute is required to participate in the selection of a third-person decider and in the dispute settlement process before that third person; failing such participation, that selection or process may, in accordance with the rules determined by government regulation, be made or take place without the participation of that other party.

The disputes that may be submitted to a third-person decider under this section may, among other things, be determined according to their subject matter, or according to the municipal body or category of municipal bodies that awarded the contract, the category of contracts or subcontracts from which they arise, or any characteristic of those contracts or subcontracts, such as the manner in which the contract or subcontract is to be carried out.

“99.9. The decision rendered by a third-person decider is binding on the parties until, as applicable, a judgment by a court of general jurisdiction is made or an arbitration award is rendered on the same subject matter.

The parties to the dispute must comply with the decision so rendered on the terms and conditions indicated in the decision. Furthermore, the party that is required, under such a decision, to pay a sum of money must do so within the time determined by government regulation.

A sum that is unpaid at the expiry of the time limit bears interest at the rate determined by government regulation.

Any payment of a sum of money made in order to comply with a decision rendered by a third-person decider does not constitute an acknowledgement of debt, either as to its existence or as to its amount, nor does it constitute a waiver of the right to claim its total or partial reimbursement through legal proceedings or arbitration.

“99.10. In a case of failure by the debtor to comply with a decision rendered by a third-person decider within the time determined under the second paragraph of section 99.9, the creditor may file a copy of the decision with the office of the competent court to obtain its forced execution. However, such filing may only be made from the expiry of the time limit prescribed in the second paragraph of section 99.11 to apply for the annulment of the decision of the third-person decider or, if such an application has been made, from the date on which a court decision confirming the validity of the decision of the third-person decider becomes final. In the latter case, a copy of the court decision must be attached to the decision of the third-person decider.

Such forced execution is effected in accordance with the rules set out in the Code of Civil Procedure (chapter C-25.01), subject, as applicable, to the rules determined by government regulation.

“99.11. A party may apply to the court for the annulment of a decision rendered by a third-person decider for any of the following reasons:

(1) a party did not have the capacity to participate in the dispute settlement process before the third-person decider;

(2) the dispute arises from a contract or subcontract that is not valid.

(3) the decision pertains to a dispute that could not be submitted to a third-person decider, or it contains a conclusion completely unrelated to the subject matter of the dispute submitted to the third-person decider;

(4) the dispute settlement process was conducted by a person who was not certified to act as a third-person decider;

(5) the rules applicable to the selection of a third-person decider were not observed; or

(6) the rules applicable to the dispute settlement process before the third-person decider were not complied with, and such non-compliance was prejudicial to the fairness of the process.

An application for annulment must be made before the Court of Québec or the Superior Court, according to their respective jurisdiction to rule on the subject matter of the dispute submitted to the third-person decider, within 30 days after receipt of the decision whose annulment is applied for. This time limit is a strict time limit.

An application for annulment does not stay the execution of the decision, unless the court orders otherwise.

If the court annuls the decision of a third-person decider in whole or in part, it may order a party to reimburse the other party all or part of the sums of money paid by the latter as part of the execution of the decision.

“99.12. The Minister of Justice designates the persons, bodies or associations responsible for certifying the persons who may act as third-person deciders.

Only persons certified to act as third-person deciders may act as such.

“99.13. No legal proceedings may be brought against a third-person decider for acts performed in the exercise of their functions, unless they acted in bad faith or committed an intentional or gross fault.

5 de 5

Nor may such a third person be compelled, in a judicial proceeding or a proceeding before a person or body exercising adjudicative functions, to make a deposition on information obtained in the exercise of the third person's functions or to produce a document containing such information.

"§ 4. — *Miscellaneous provisions*

"99.14. In addition to the other regulatory powers provided for in this division, the Government may, by regulation,

(1) exclude from the application of all or part of the provisions of subdivision 2 requests for payment based on certain grounds for claims;

(2) make the municipal bodies and the enterprises that are party to those contracts which it determines subject to all or part of the provisions of subdivision 2, provided that those contracts be related to contracts or subcontracts covered by that subdivision;

(3) determine, for the purposes of the provisions of subdivision 3, the rules relating to the dispute settlement process before a third-person decider, including the selection of the third person and the latter's duties, obligations, functions and powers within the scope of such a process, and the rules relating to the decision rendered at the end of such a process and to the payment, by the parties to a dispute submitted to such a third person, of the latter's fees and expenses and those of the witnesses, experts or any other person involved in the process; and

(4) determine any other rule necessary for the application of this division or for the purposes sought by the Government regulation, including, where applicable, rules relating to the effects and the end of the suretyship.

Adopté
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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MUNICIPAL BODIES**

SECTION 1 (section 220.2 of the Act respecting contracting by
municipal bodies)

Insert after proposed section 220.1, introduced by amendment:

“ACT RESPECTING VILLE DE BLAINVILLE

“**220.2.** Section 11 of the Act respecting Ville de Blainville (2024, chapter 47) is amended by replacing “the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 573 of the Cities and Towns Act” in the first paragraph by “the threshold determined for the purposes of section 29 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*)”.

Adopt
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 226 of the Act respecting contracting by municipal
bodies)

Insert "of the Cities and Towns Act (chapter C-19)" after "section 573" in paragraph
1 of proposed section 226.

Adopted
ERB

AMENDMENT

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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 101 of the Act respecting contracting by municipal
bodies)**

Insert “, except a contract awarding procedure by means of a request for a quotation addressed to qualified enterprises,” after “open procedure” in the first paragraph of proposed section 101.

Adopt-
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 1 (section 121.1 of the Act respecting contracting by
municipal bodies)**

Insert after proposed section 121:

"121.1. A regulation of the Government may

(1) determine the standards with which the persons, bodies and associations designated by the Minister of Justice under section 99.12 must comply;

(2) establish the conditions a person must satisfy to be certified to act as a third-person decider for the purposes of subdivision 3 of Division VI of Chapter VII of Title III and determine the standards with which such a third person must comply in the exercise of their functions, as well as the sanctions applicable for non-compliance; and

(3) establish rules concerning the fees and other expenses that the parties to a dispute may be required to pay when the dispute is submitted to a third-person decider under subdivision 3 of Division VI of Chapter VII of Title III.

Adopt
ER6

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MUNICIPAL BODIES**

SECTION 1 (section 196.2 of the Act respecting contracting by
municipal bodies enacting section 52.1 of the Act
respecting the Réseau de transport métropolitain)

Insert after proposed section 196.1, introduced by amendment:

“196.2. The Act is amended by inserting the following section after section 52:

“52.1. If the Network owns fractions representing at least one-third of the relative value of all the fractions of a divided co-ownership, the board of directors of the syndicate of that co-ownership must include a director appointed by the Network.

If the Network owns fractions representing at least one-half of the relative value of all the fractions of a divided co-ownership, the budget of that co-ownership must be approved by the Network. If the budget is not approved on the first day of the fiscal year for which it was prepared, it must be presented at the first meeting of the board of directors that follows. In such a case, the amounts required for the maintenance and preservation of the immovable until that meeting is held may be incurred by the syndicate of co-owners before such approval.

The provisions of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*) apply, with the necessary modifications, to a divided co-ownership referred to in the second paragraph.”

Adopté
ER6

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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 220.1 of the Act respecting contracting by
municipal bodies)

Insert after proposed section 220:

“ACT RESPECTING VILLE DE TERREBONNE

“**220.1.** Sections 2 to 5 of the Act respecting Ville de Terrebonne (2024,
chapter 46) are repealed.

*Adopté
ERB*

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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MUNICIPAL BODIES**

SECTION 1 (section 148.1 of the Act respecting contracting by
municipal bodies replacing section 29.3 of the Cities and
Towns Act)

Insert before proposed section 149:

“148.1. Section 29.3 of the Cities and Towns Act (chapter C-19) is replaced
by the following section:

“29.3. Every by-law or resolution that authorizes a municipality to enter into
a contract under which the municipality makes a financial commitment and from
which arises, either explicitly or implicitly, an obligation for the other contracting
party to build, enlarge or substantially modify equipment or an infrastructure used
for municipal purposes must, on pain of nullity, be submitted to the approval of the
qualified voters according to the procedure provided for loan by-laws.

The first paragraph does not apply to a by-law or resolution that authorizes
entering into a construction contract, another contract whose object is the
improvement of the energy efficiency of equipment or infrastructure and whose
financing is entrusted to the other contracting party or to a third person in
accordance with the first paragraph of section 16.2 of the Municipal Powers Act
(chapter C-47.1), or an intermunicipal agreement.”

Adopte
ER6

AMENDMENT

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SECTION 1 (section 163.1 of the Act respecting contracting by
municipal bodies replacing article 14.1 of the Municipal
Code of Québec)

Insert before proposed section 164:

“163.1. Article 14.1 of the Municipal Code of Québec (chapter C-27.1) is replaced by the following article:

“14.1. Every by-law or resolution that authorizes a municipality to enter into a contract under which the municipality makes a financial commitment and from which arises, either explicitly or implicitly, an obligation for the other contracting party to build, enlarge or substantially modify equipment or an infrastructure used for municipal purposes must, on pain of nullity, be submitted to the approval of the qualified voters according to the procedure provided for loan by-laws.

The first paragraph does not apply to a by-law or resolution that authorizes entering into a construction contract, another contract whose object is the improvement of the energy efficiency of equipment or infrastructure and whose financing is entrusted to the other contracting party or to a third person in accordance with the first paragraph of section 16.2 of the Municipal Powers Act (chapter C-47.1), or an intermunicipal agreement.”

Adopt
ERB

AMENDMENT**Bill 79****AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF MUNICIPAL BODIES****SECTION 1** (section 196.1 of the Act respecting contracting by municipal bodies amending section 10 of the Act respecting the Réseau de transport métropolitain)

Insert after proposed section 196:

"196.1. Section 10 of the Act is replaced by the following section:

"10. For the purpose of providing services to the Autorité régionale de transport métropolitain, the Network may provide services adapted to the needs of mobility impaired persons or enter into a contract for the provision of such services with any carrier, any owner of a qualified automobile within the meaning of paragraph 1 of section 9 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), any operator of a transportation system authorized under that Act or any service association comprising such owners.

Where the services are intended for handicapped persons, a contract referred to in this section may, despite sections 29 and 30 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*), be awarded by mutual agreement. However, unless such services are provided by bus or minibus, only a taxi within the meaning of section 144 of the Act respecting remunerated passenger transportation by automobile may provide such services for the Network. In addition, the members of the Network's board of directors may unanimously request the enterprise registrar to constitute, by letters patent, a non-profit legal person having as its primary object the operation, on behalf of the Network, of transportation services adapted to the needs of handicapped persons. The Network may also, if all the members consent thereto, enter into a contract with a non-profit legal person whose primary object is to provide transportation services adapted to the needs of handicapped persons.

2 de 2

At least one member of the Network sits on the board of directors of a legal person referred to in the second paragraph and the Network assumes any operating deficit.”

Adopt
ERB

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SECTION 1 (section 122 of the Act respecting contracting by municipal
bodies amending section 145.28 of the Act respecting land
use planning and development)

Insert “, except section 13 of that Act,” before “does not apply” in proposed section
122.

Adopt⁻
ERb

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SECTION 1 (section 123 of the Act respecting contracting by municipal
bodies amending section 20 of the Act respecting the
Autorité des marchés publics)

Replace “municipal body within the meaning of” in the subparagraph proposed by
proposed section 123 by “body subject to”.

Adopt
ERB

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SECTION 1 (section 153 of the Act respecting contracting by municipal
bodies amending section 346.1 of the Cities and Towns
Act)

Replace proposed section 153 by:

"153. Section 346.1 of the Act is amended by replacing "an advertisement provided for in subsection 1 of section 573, or a notice provided for" in the third paragraph by "in the third paragraph of section 38 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*) or".

Adopted
ERB

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MUNICIPAL BODIES**

SECTION 1 (section 161 of the Act respecting contracting by municipal
bodies repealing sections 477.3 to 477.6 of the Cities and
Towns Act)

Replace proposed section 161 by:

"161. Sections 477.3 to 477.6 of the Act are repealed.

Adopt
ERB

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MUNICIPAL BODIES**

SECTION 1 (section 161.2 of the Act respecting contracting by
municipal bodies repealing sections 572.1 to 573.3.3.6 of
the Cities and Towns Act)

Insert after proposed section 161.1, introduced by amendment:

"161.2. Sections 572.1 to 573.3.3.6 of the Act are repealed.

Adopt
ERB

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SECTION 1 (section 167 of the Act respecting contracting by municipal
bodies amending article 437.1 of the Municipal Code of
Québec)

Replace proposed section 167 by:

“**167.** Article 437.1 of the Code is amended by replacing “to an advertisement provided for in subarticle 1 of article 935, a document provided for in article 1027, or a notice provided for” by “to the document provided for in article 1027 or to the notice provided for in the third paragraph of section 38 of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*) or”.

Adopt
ER6

AMENDMENT

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SECTION 1 (section 181 of the Act respecting contracting by municipal
bodies repealing section 47.1 of the Act respecting the
Communauté métropolitaine de Montréal)

Replace proposed section 181 by:

“181. Section 47.1 of the Act respecting the Communauté métropolitaine de
Montréal (chapter C-37.01) is repealed.

Adopt
ER6

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SECTION 1 (section 181.2 of the Act respecting contracting by
municipal bodies repealing sections 105.1 to 118.1.5 of the
Act respecting the Communauté métropolitaine de
Montréal)

Insert after proposed section 181.1, introduced by amendment:

"181.2. Sections 105.1 to 118.1.5 of the Act are repealed.

Adopt
ERB

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SECTION 1 (section 183 of the Act respecting contracting by municipal
bodies repealing section 38.1 the Act respecting the
Communauté métropolitaine de Québec)

Replace proposed section 183 by:

“183. Section 38.1 of the Act respecting the Communauté métropolitaine de
Québec (chapter C-37.02) is repealed.

Adopt
ERB

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SECTION 1 (section 183.2 of the Act respecting contracting by
municipal bodies repealing sections 98.1 to 111.1.5 of the
Act respecting the Communauté métropolitaine de
Québec)

Insert after proposed section 183.1, introduced by amendment:

"183.2. Sections 98.1 to 111.1.5 of the Act are repealed.

Adopt
ERb

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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
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SECTION 1 (section 195.1 of the Act respecting contracting by
municipal bodies amending section 8.4 of the Act
respecting the Réseau de transport métropolitain)

Insert before proposed section 196:

“195.1. Section 8.4 of the Act respecting the Réseau de transport métropolitain (chapter R-25.01), enacted by section 9 of the Act enacting the Act respecting Mobilité Infra Québec and amending certain provisions relating to shared transportation (2024, chapter 40), is amended by replacing “section 9” in the first paragraph by “the provisions of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*)”.

Adopté
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 197 of the Act respecting contracting by municipal
bodies amending section 4 of the Act respecting the
Réseau structurant de transport en commun de la Ville de
Québec)

Withdraw proposed section 197.

Adopté
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 202.1 of the Act respecting contracting by
municipal bodies amending section 92.0.11 of the Act
respecting public transit authorities)

Insert after proposed section 202:

202.1. Section 92.0.11 of the Act, enacted by section 42 of the Act enacting the Act respecting Mobilité Infra Québec and amending certain provisions relating to shared transportation (2024, chapter 40), is amended by replacing “sections 92.1 to 108.1” in the first paragraph by “the provisions of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*)”.

Adopt
ERG

AMENDMENT

Bill 79

AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF MUNICIPAL BODIES

SECTION 1 (section 217 of the Act respecting contracting by municipal bodies replacing section 20 of the Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption of, La Mutuelle des municipalités du Québec)

Replace proposed section 217 by:

“217. Section 20 of the Act is replaced by the following section:

“20. For the purposes of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*), a municipal body may, despite sections 29 and 30 of that Act, award by mutual agreement a contract referred to in Title III of that Act to the Fédération québécoise des municipalités locales et régionales (FQM) or to a group of which the Federation is the holder of control within the meaning of the Insurers Act (chapter A-32.1).

For the purposes of sections 204.3 and 358.3 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1), the Fédération québécoise des municipalités locales et régionales (FQM) and the groups of which the Federation is the holder of control within the meaning of the Insurers Act are considered to be 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).”

Adopt
ER6

AMENDMENT

Bill 79

AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF MUNICIPAL BODIES

SECTION 1 (section 218 of the Act respecting contracting by municipal bodies replacing section 21 of the Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption of, La Mutuelle des municipalités du Québec)

Replace proposed section 218 by:

“**218.** Section 21 of the Act is replaced by the following section:

“**21.** The Fédération québécoise des municipalités locales et régionales (FQM) and the groups of which the Federation is the holder of control within the meaning of the Insurers Act (chapter A-32.1) are considered to be municipal bodies exclusively for the purposes

(1) of that Act, despite the third paragraph of section 5 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1); and

(2) of the Act respecting contracting by municipal bodies (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting contracting by municipal bodies*), with the exception of the awarding of contracts of reinsurance or contracts involving no party other than the Federation or the groups of which the Federation is the holder of control.”

Adopt
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 1 (section 232 of the Act respecting contracting by municipal
bodies)

Insert “, except the first paragraph of section 99.12 and section 121.1, which are under the administration of the Minister of Justice” at the end of proposed section 232.

Adopted
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 81 (section 93 of the Act to amend various legislative provisions with respect to housing)

1. Insert after subparagraph *b* of paragraph 1:

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

“(3) the project mostly consists of dwellings, the municipality has a population of less than 10,000 inhabitants and the most recent vacancy rates for rental dwellings published by the Canada Mortgage and Housing Corporation with respect to the entire territory of Québec is less than 3% at any time between (*insert the date of assent to this Act*) and 21 February 2027.”;

2. Insert after paragraph 2:

(2.1) in the second paragraph,

(a) by inserting the following subparagraph after subparagraph 1:

“(1.1) in a place where land occupation is subject to special restrictions due to the presence of a road or rail infrastructure and if the authorization were to be granted so as to depart from standards provided for under paragraph 16.1 of the second paragraph of section 113 of the Act respecting land use planning and development.”;

(b) by inserting “, other than a place referred to in subparagraph 1.1,” after “place” in subparagraph 2.

Adopté
ERG

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 23 (section 79.19.11 of the Act respecting land use and
planning)

Replace by:

23. Sections 79.19.11 to 79.19.15 of the Act are replaced by the following section:

"79.19.11. A by-law referred to in section 79.3 must be in conformity with the objectives of the RCM plan and with the provisions of the complementary document. Such conformity is deemed to be established as soon as the by-law is adopted.

The by-law comes into force in accordance with the Act that governs the regional county municipality in that respect."

Adopted
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 44 (section 264.0.4 of the Act respecting land use planning
and development)**

Replace by:

44. Section 264.0.4 of the Act is amended, in the second paragraph,

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

“(1) any by-law, adopted by the city council, that adopts, amends or replaces the planning program or a planning by-law is deemed to be in conformity with the RCM plan as soon as it is adopted;”;

(2) by replacing “third, fourth and fifth” in subparagraph 2 by “second, third and fourth”.

Adopted
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 80.1 (section 253 of the Act to amend various legislative provisions concerning municipal affairs)

Insert after section 80:

80.1. Section 253 of the Act to amend various legislative provisions concerning municipal affairs (2001, chapter 68), amended by section 46 of chapter 68 of the statutes of 2002 and by section 114 of chapter 7 of the statutes of 2021, is again amended by replacing the second paragraph by the following paragraph

“However, any by-law that adopts, amends or replaces the planning program or planning by-law is deemed to be in conformity with the development plan as soon as it is adopted.”

Adopted
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 87

Insert "section 253 of the Act to amend various legislative provisions concerning municipal affairs (2001, chapter 68), amended by section 46 of chapter 68 of the statutes of 2002 and by section 114 of chapter 7 of the statutes of 2021," after "(1999, chapter 91)," in the first paragraph.

Adopted
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 54.1 (section 107.1 of the Cities and Towns Act)

Insert before section 55:

54.1. Section 107.1 of the Cities and Towns Act (chapter C-19) is amended by inserting "and the holder of a public accountancy permit" at the end.

*Adopted
ERL*

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 54.2 (section 107.2 of the Cities and Towns Act)

Insert after section 54.1, introduced by amendment:

54.2. Section 107.2 of the Act is replaced by the following section:

"107.2. The chief auditor shall, by a resolution approved by a two-thirds majority of the votes of the members of the council, be appointed for a single term of ten years."

Adopt
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 87.0.1 (sections 107.1 and 107.2 of the Cities and Towns Act)

Insert after section 87:

87.0.1. Sections 107.1 and 107.2 of the Cities and Towns Act (chapter C-19) continue to apply, as they read on (*insert the date preceding the date of assent to this Act*), with respect to any chief auditor appointed before (*insert the date of assent to this Act*).

Adopted
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 87.1 (sections 124.1 and 175.1 of the Act respecting municipal
territorial organization)**

Insert after section 87.0.1, introduced by amendment:

87.1. Sections 124.1 and 175.1 of the Act respecting municipal territorial organization (chapter O-9), enacted by sections 73 and 75 of this Act, do not apply to a payment the amount of which was confirmed to a municipality before 1 January 2026.

Adopte
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 87.1

Insert after section 87.1, introduced by amendment:

87.2. The Minister of Municipal Affairs, Regions and Land Occupancy pays to the municipalities resulting from an amalgamation for which the amalgamation order came into force after 31 December 2015, to the extent that the total of the amounts paid to them under section 254 of the Act respecting municipal taxation (chapter F-2.1) or the Regulation respecting the equalization scheme (chapter F-2.1, r. 11) for the 2025 fiscal period is less than the total of the amounts that would have been established for that fiscal period with respect to each of those municipalities had the amalgamation not taken place, an amount equal to the difference between those totals.

Adopt
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 65.1 (section 118.83.1. of the Act respecting the exercise of
certain municipal powers in certain urban agglomerations)

Insert after section 65:

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

65.1. Section 118.83.1 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is replaced by the following section:

"118.83.1. Section 19 is modified

(1) by inserting the following paragraph after paragraph 3:

"(3.1) road service and vehicle towing and impounding;"

(2) by replacing subparagraph *d* of paragraph 8 by the following subparagraph:

"(d) disaster risk management and response to disasters in accordance with the Act respecting civil protection to promote disaster resilience (chapter S-2.4);".

Adopté
ERL

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 65.2 (section 118.85.2 of the Act respecting the exercise of
certain municipal powers in certain urban agglomerations)**

Insert after section 65.1, introduced by amendment:

65.2. The Act is amended by inserting the following section after section 118.85.1:

“118.85.2. The following section is inserted after section 28.1:

“28.2. The central municipality’s exclusive jurisdiction over the component of public security consisting in disaster risk management and response to disasters does not have the effect of exempting another related municipality from cooperating closely with the central municipality in the carrying out of the regional disaster risk management process.

Likewise, that exclusive jurisdiction does not prevent another related municipality from

(1) being responsible for putting in place measures of the emergency preparedness plan established by the central municipality;

(2) deploying emergency response and recovery measures to respond to a disaster that occurs or is imminent in its territory; or

(3) declaring or renewing a state of emergency in its territory, nor does it prevent its mayor from declaring such a state of emergency, subject to compliance with the measures taken under section 23 of the Act respecting civil protection to promote disaster resilience (chapter S-4), if the state of emergency has been or is declared by the central municipality or its mayor in all or part of the territory of the agglomeration or is renewed by the central municipality.”

*Adopt
ERG*

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

**SECTION 76.1 (Chapter VII.1 of the Act to recognize and support
caregivers)**

Insert after section 76:

ACT TO RECOGNIZE AND SUPPORT CAREGIVERS

76.1 The Act to recognize and support caregivers (chapter R-1.1) is amended
by inserting the following chapter after section 39:

“CHAPTER VII.1

“LAND USE PLANNING AND DEVELOPMENT

“39.1. No municipal permit or certificate may be refused nor proceedings
under a by-law instituted for the sole reason that a building or dwelling premises
are to be occupied in whole or in part by a resource that only offers respite services
to caregivers by temporarily sheltering the persons they help.

This section takes precedence over any general or special Act and over any
municipal by-law adopted under any such Act.”

*Adopted
ERG*

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 80.2 (section 6 of the Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption of, La Mutuelle des municipalités du Québec)

Insert after section 80.1, introduced by amendment:

80.2. Section 6 of the Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption of, La Mutuelle des municipalités du Québec (2021, chapter 46) is amended by replacing “contribution” and “and payment of interest to the holders” by “special assessment or funding contribution” and “of interest and its payment to those holders who paid a premium or a funding contribution”, respectively.

Adopté
ERG

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 80.3 (section 7 of the Act respecting the insurer activities of the
Fédération québécoise des municipalités locales et
régionales (FQM) and its amalgamation with, by absorption
of, La Mutuelle des municipalités du Québec)

Insert after section 80.2, introduced by amendment:

80.3. Section 7 of the Act is amended by replacing “declare or pay any interest”
by “reimburse a funding contribution or declare or pay interest”.

Adopté
ERG

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 80.4 (section 11 of the Act respecting the insurer activities of the Fédération québécoise des municipalités locales et régionales (FQM) and its amalgamation with, by absorption of, La Mutuelle des municipalités du Québec)

Insert after section 80.3, introduced by amendment:

80.4. Section 11 of the Act is amended by replacing the first sentence by the following sentence: "The remaining property of the Federation's insurance fund is, after reimbursement of any funding contribution made by a holder of an insurance contract referred to in either of subparagraphs 1 and 2 of the first paragraph of section 1, remitted only to the holders referred to in subparagraph 1 of that paragraph.

Adopté
ER6

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
MUNICIPAL BODIES AND TO AMEND VARIOUS PROVISIONS MAINLY FOR
THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 62.1 (section 17.1 of the Municipal Powers Act)

Insert after section 62:

MUNICIPAL POWERS ACT

62.1. Section 17.1 of the Municipal Powers Act (chapter C-47.1) is amended by replacing the second paragraph by the following paragraph:

“Where the enterprise produces electricity at a hydro-electric power plant, at least 50% of the voting rights attached to the participations must be held by the local municipality or, if the enterprise is operated jointly with a regional county municipality or a band council within the meaning of the Indian Act (R.S.C. 1985, c. I-5) or the Naskapi and the Cree-Naskapi Commission Act (S.C. 1984, c. 18), by all such operators.”

Adopted
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 62.2 (section 111 of the Municipal Powers Act)

Insert after section 62.1, introduced by amendment:

62.2. Section 111 of the Act is amended by replacing the second paragraph by the following paragraph:

“Where the enterprise produces electricity at a hydro-electric power plant, at least 50% of the voting rights attached to the participations must be held by the regional county municipality or, if the enterprise is operated jointly with a local municipality or a band council within the meaning of the Indian Act (R.S.C. 1985, c. I-5) or the Naskapi and the Cree-Naskapi Commission Act (S.C. 1984, c. 18), by all such operators.”

Adopted
ERB

AMENDMENT

Bill 79

**AN ACT TO ENACT THE ACT RESPECTING CONTRACTING BY
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THE PURPOSE OF REDUCING THE ADMINISTRATIVE BURDEN OF
MUNICIPAL BODIES**

SECTION 88

1. Replace "165" in paragraph 1 by "148.1, 156, 159, 163.1, 165, 168, 175, 196.2, 205, 213 to 215, 219 to 220.1".
2. Insert after paragraph 2:
 - (3) the provisions of sections 73 and 75, which come into force on 1 January 2026.

Adopt
ER6