



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 107

**An Act to amend various provisions
concerning mainly the Comité
consultatif sur l'accessibilité
financière aux études and the
Commission d'évaluation de
l'enseignement collégial**

Introduction

**Introduced by
Madam Pascale Déry
Minister of Higher Education**

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EXPLANATORY NOTES

This bill amends various provisions concerning the Comité consultatif sur l'accessibilité financière aux études, the Commission d'évaluation de l'enseignement collégial and the Conseil de l'enseignement supérieur.

The bill provides that the chair of the Comité consultatif sur l'accessibilité financière aux études is an ex officio associate member of the Conseil de l'enseignement supérieur, but is not entitled to vote.

The bill transfers to the Act that establishes the Conseil de l'enseignement supérieur the provisions concerning the establishment, composition and operation of the Comité consultatif sur l'accessibilité financière aux études, and makes certain amendments to those provisions.

More precisely, the bill provides that the president of the Conseil de l'enseignement supérieur (the Council) is an ex officio associate member of the Comité consultatif sur l'accessibilité financière aux études (the advisory committee), but is not entitled to vote. The bill subjects the advisory committee's by-laws to the approval of the Council and subjects the exercise by the advisory committee of certain powers, in particular commissioning studies and research and soliciting observations and suggestions from individuals or groups, to the Council's authorization. It also prescribes that any request for an opinion made to the advisory committee by the Minister of Higher Education or by the Minister of Education is to be sent to the Council.

In addition, the Commission d'évaluation de l'enseignement collégial is abolished.

Lastly, the bill contains consequential and transitional provisions.

LEGISLATION AMENDED BY THIS BILL:

- Financial Administration Act (chapter A-6.001);
- General and Vocational Colleges Act (chapter C-29);
- Act respecting the Conseil supérieur de l'éducation (chapter C-60);

– Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1).

LEGISLATION REPEALED BY THIS BILL:

– Act respecting the Commission d’évaluation de l’enseignement collégial (chapter C-32.2).

REGULATIONS AMENDED BY THIS BILL:

– Regulation respecting the committee on training of hearing-aid acousticians (chapter A-33, r. 5);

– Regulation respecting the committee on training of dental hygienists (chapter C-26, r. 142);

– Regulation respecting the committee on training of inhalotherapists (chapter C-26, r. 169);

– Regulation respecting the committee on training of dental prosthesis and appliance technologists (chapter C-26, r. 228);

– Regulation respecting the committee on training of medical technologists (chapter C-26, r. 245);

– Regulation respecting the committee on training of professional technologists (chapter C-26, r. 260);

– College Education Regulations (chapter C-29, r. 4);

– Regulation respecting the committee on training of denturologists (chapter D-4, r. 7);

– Regulation respecting the committee on training of dispensing opticians (chapter O-6, r. 5);

– Regulation respecting the committee on training of medical imaging technologists, radiation oncology technologists and medical electrophysiology technologists (chapter T-5, r. 7).

Bill 107

AN ACT TO AMEND VARIOUS PROVISIONS CONCERNING MAINLY THE COMITÉ CONSULTATIF SUR L'ACCESSIBILITÉ FINANCIÈRE AUX ÉTUDES AND THE COMMISSION D'ÉVALUATION DE L'ENSEIGNEMENT COLLÉGIAL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PROVISIONS CONCERNING THE CONSEIL DE
L'ENSEIGNEMENT SUPÉRIEUR AND THE COMITÉ
CONSULTATIF SUR L'ACCESSIBILITÉ FINANCIÈRE AUX
ÉTUDES

ACT RESPECTING THE CONSEIL SUPÉRIEUR DE L'ÉDUCATION

1. The title of the Act respecting the Conseil supérieur de l'éducation (chapter C-60), replaced by section 48 of chapter 32 of the statutes of 2023, is again replaced by the following title:

“Act respecting the Conseil de l'enseignement supérieur and the Comité consultatif sur l'accessibilité financière aux études”.

2. The Act is amended by adding the following before section 1:

“CHAPTER I

“CONSEIL DE L'ENSEIGNEMENT SUPÉRIEUR”.

3. Section 7 of the Act, amended by section 53 of chapter 32 of the statutes of 2023, is again amended by replacing the second paragraph by the following paragraph:

“The chair of the board of directors of the Institut national d'excellence en éducation and the chair of the Comité consultatif sur l'accessibilité financière aux études are also ex officio associate members of the Council, but are not entitled to vote. They may designate a substitute from among the members of the board of directors of the Institut national d'excellence en éducation or from among the members of the Comité consultatif sur l'accessibilité financière aux études.”

4. The Act is amended by inserting the following after section 14.1:

“15. The Council may establish commissions to carry out its work or to examine specific issues.

Those commissions may sit at any place in Québec.

“16. The office of a Council member shall become vacant if the member dies, ceases to be qualified, refuses to accept it, resigns in writing or does not attend four consecutive sittings of the Council.

“CHAPTER II

“COMITÉ CONSULTATIF SUR L’ACCESSIBILITÉ FINANCIÈRE AUX ÉTUDES

“17. An advisory committee is established under the name “Comité consultatif sur l’accessibilité financière aux études”.

“18. The advisory committee shall be composed of 16 members, including a chair, appointed by the Government after consultation with groups representing students, the staff of educational institutions and socio-economic circles. The appointments shall be made on the recommendation of the Minister after consultation with the Minister of Education, Recreation and Sports.

The members so appointed shall be as follows:

- (1) one student or staff member at the secondary level, in vocational training;
- (2) two students at the college level, including one in a technical studies program and the other in a pre-university studies program;
- (3) four students at the university level, including one at the undergraduate level, one at the Master’s level, one at the doctoral level and one in a continuing education program;
- (4) one teacher;
- (5) five persons exercising administrative functions, including two within a general and vocational college and the others within an educational institution at the university level; and
- (6) three persons who are representative of socio-economic groups.

“19. The Deputy Minister of Higher Education, Research, Science and Technology and the Deputy Minister of Education, Recreation and Sports are ex officio associate members of the advisory committee, but are not entitled to vote. They may designate a substitute.

The president of the Council, or the person designated by the president as a substitute from among the members of the Council, is also an ex officio associate member of the advisory committee, but is not entitled to vote.

“20. A member of the advisory committee shall be appointed for a term not exceeding four years.

At the end of the term, a member of the advisory committee remains in office until reappointed or replaced.

The term of a member of the advisory committee may be renewed consecutively only once.

“21. A vacancy on the advisory committee shall be filled in accordance with the rules of appointment to the committee.

A vacancy includes loss of the status required or an unexplained absence from the number of consecutive meetings determined in the by-laws of the advisory committee, in the cases and circumstances set out in the by-laws.

“22. The members of the advisory committee shall not be remunerated except in the cases, on the conditions and to the extent that may be determined by the Government. However, they shall be entitled to a reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“23. The advisory committee shall adopt by-laws. The by-laws shall be submitted to the Council for approval.”

5. Sections 24 to 29 of the Act are replaced by the following sections:

“24. The secretariat of the advisory committee shall be in the territory of Ville de Québec.

The advisory committee may hold its meetings at any place in Québec.

“25. The quorum at meetings of the advisory committee shall be the majority of its members.

Decisions shall be made by a majority vote of the members present.

“26. The secretary and the other members of the personnel of the advisory committee shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

“27. The advisory committee shall be responsible for advising the Minister and the Minister of Education, Recreation and Sports on any matter submitted to it for an opinion by either Minister with regard to

(1) financial assistance programs established by the Act respecting financial assistance for education expenses (chapter A-13.3);

(2) tuition fees, admission or registration fees for educational services and other fees relating to such services; and

(3) measures or policies that may affect the financial accessibility of education.

“28. The advisory committee may, with the authorization of the Council,

(1) refer any question relating to a matter coming under the advisory committee’s jurisdiction to the Minister or to the Minister of Education, Recreation and Sports, according to their respective jurisdictions;

(2) commission studies and research;

(3) solicit and receive observations and suggestions from individuals or groups; and

(4) require that the Minister or the Minister of Education, Recreation and Sports send any available information to the advisory committee.

“29. The Minister, after consultation with the Minister of Education, Recreation and Sports when the matter relates to a level of education within that Minister’s jurisdiction, shall submit to the advisory committee for an opinion any draft regulation relating to the financial assistance programs referred to in paragraph 1 of section 27.

The Minister and the Minister of Education, Recreation and Sports shall similarly submit for an opinion any condition they intend to include in budgetary rules or in any directive they intend to give to educational institutions with respect to the matters referred to in paragraph 2 of section 27.

The Minister or the Minister of Education, Recreation and Sports, as applicable, shall inform the advisory committee of the time within which the opinion must be sent to the Minister. That time shall not be less than 30 days.

If the advisory committee fails to send its opinion within the time specified, the obligation of the Minister concerned, in the cases set out in the first and second paragraphs, shall be deemed to be fulfilled.

“30. The Minister and the Minister of Education, Recreation and Sports shall send to the Council the requests for an opinion that they address to the advisory committee.

“30.0.1. Not later than 30 June each year, the advisory committee shall submit a report of its activities for the preceding fiscal year to the Minister.

The Minister shall table the report in the National Assembly within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of resumption.”

ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE LA
TECHNOLOGIE

6. Chapter V of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1), comprising sections 78 to 91, is repealed.

DIVISION II

PROVISIONS CONCERNING THE COMMISSION D'ÉVALUATION
DE L'ENSEIGNEMENT COLLÉGIAL

ACT RESPECTING THE COMMISSION D'ÉVALUATION DE
L'ENSEIGNEMENT COLLÉGIAL

7. The Act respecting the Commission d'évaluation de l'enseignement collégial (chapter C-32.2) is repealed.

FINANCIAL ADMINISTRATION ACT

8. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by striking out “Commission d'évaluation de l'enseignement collégial”.

GENERAL AND VOCATIONAL COLLEGES ACT

9. Section 16.1 of the General and Vocational Colleges Act (chapter C-29) is amended by striking out “and to the Commission d'évaluation de l'enseignement collégial” in the third paragraph.

10. Section 18 of the Act is amended by striking out “and on the recommendation of the Commission d'évaluation de l'enseignement collégial” in subparagraph *e* of the third paragraph.

COLLEGE EDUCATION REGULATIONS

11. Section 32.2 of the College Education Regulations (chapter C-29, r. 4) is amended by striking out “and on the recommendation of the Commission d'évaluation de l'enseignement collégial”.

DIVISION III

CONSEQUENTIAL, TRANSITIONAL AND FINAL PROVISIONS

12. In the following regulations, section 6 is amended by striking out “, in particular, the Commission d’évaluation de l’enseignement collégial du Québec” or “, in particular, the Commission d’évaluation de l’enseignement collégial”, as the case may be:

(1) the Regulation respecting the committee on training of hearing-aid acousticians (chapter A-33, r. 5);

(2) the Regulation respecting the committee on training of dental hygienists (chapter C-26, r. 142);

(3) the Regulation respecting the committee on training of inhalotherapists (chapter C-26, r. 169);

(4) the Regulation respecting the committee on training of dental prosthesis and appliance technologists (chapter C-26, r. 228);

(5) the Regulation respecting the committee on training of medical technologists (chapter C-26, r. 245);

(6) the Regulation respecting the committee on training of professional technologists (chapter C-26, r. 260);

(7) the Regulation respecting the committee on training of denturologists (chapter D-4, r. 7);

(8) the Regulation respecting the committee on training of dispensing opticians (chapter O-6, r. 5); and

(9) the Regulation respecting the committee on training of medical imaging technologists, radiation oncology technologists and medical electrophysiology technologists (chapter T-5, r. 7).

13. The Comité consultatif sur l’accessibilité financière aux études established under Chapter V of the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) continues to exist as if it had been established under the Act respecting the Conseil de l’enseignement supérieur and the Comité consultatif sur l’accessibilité financière aux études (chapter C-60), as amended by this Act.

The by-laws of the Comité consultatif sur l’accessibilité financière aux études in force on the date of coming into force of section 4 of this Act are deemed to have been approved in accordance with section 23 of the Act respecting the Conseil de l’enseignement supérieur and the Comité consultatif sur l’accessibilité financière aux études, enacted by section 4 of this Act, until they are replaced or amended under that section.

14. The term of office of the members of the Commission d'évaluation de l'enseignement collégial ends on 31 December 2025, without compensation other than the severance allowance provided for in their instrument of appointment.

15. The records and other documents of the Commission d'évaluation de l'enseignement collégial become those of the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.

16. The provisions of this Act come into force on 1 January 2026, except those of sections 1 to 6 and 13, which come into force on the date of coming into force of sections 50, 51, 54, 55, 57 and 58 of the Act to amend mainly the Education Act and to enact the Act respecting the Institut national d'excellence en éducation (2023, chapter 32).

