



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-THIRD LEGISLATURE

Bill 5

**An Act to accelerate the granting
of the authorizations required
to carry out priority national-scale
projects**

Introduction

**Introduced by
Mr. Eric Girard
Minister of Finance**

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EXPLANATORY NOTES

This bill provides measures to accelerate the granting of the authorizations required to carry out priority national-scale projects.

To that end, the bill allows the Government, during a period of five years following the date of assent to this bill, to designate as a priority national-scale project any large-scale strategic project whose rapid carrying out is of collective interest and whose successful implementation is plausible.

The bill provides that the Government grants the proponent of a designated project, on certain conditions, a single authorization that replaces the permissions that would allow the project proponent to carry out the project or the activities necessary for its carrying out under the Acts listed in the Schedule to the bill or the regulations made under them. It allows the Government to attach conditions to the authorization, including any term, requirement, restriction or prohibition provided for by those Acts or those regulations. It also allows the Government to amend, suspend or revoke an authorization, or to authorize its transfer.

The bill gives the Minister of Finance the power to allow, after consultation with the project proponent as well as the ministers, public bodies and other parties concerned, the preparatory work that the Minister determines and that may be executed before the authorization is granted.

The bill provides that the Government is deemed to have the powers and obligations of the authorities responsible for granting the permissions provided for by the Acts or the regulations that the authorization replaces, except for, in particular, the power to conduct an inspection or investigation or to impose a monetary administrative penalty, and allows the Government to delegate certain of its powers to the Minister of Finance.

The bill allows the Government to add to or remove from the Schedule to the bill any Act or provision of such an Act, except those it specifies. It also allows the Government to modify the application of any provision of an Act referred to in that Schedule or of a regulation made under such an Act in order to accelerate the carrying out of a designated project or to allow the exercise of activities that

arise from a designated project after it has been carried out and that cannot be compliant with the applicable standards. It also prescribes special relief measures concerning the environment, the municipal domain, the mining sector, the forest sector, agricultural zones and lands in the domain of the State.

The bill provides that its provisions do not have the effect of releasing anyone from the obligations provided for by the Acts or regulations that are applicable to the designated project, or of restricting any power to inspect or investigate or any power to impose a monetary administrative penalty that an authority may exercise under those Acts or regulations. In addition, the bill introduces the applicable penalties for contraventions of the law.

Lastly, the bill includes consequential, transitional and final provisions.

Bill 5

AN ACT TO ACCELERATE THE GRANTING OF THE AUTHORIZATIONS REQUIRED TO CARRY OUT PRIORITY NATIONAL-SCALE PROJECTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PART I

GENERAL PROVISIONS, DESIGNATION AND AUTHORIZATION

CHAPTER I

GENERAL PROVISIONS

- 1.** This Act provides measures to accelerate the granting of the authorizations required to carry out priority national-scale projects, for the purpose of fostering Québec's autonomy, resilience and prosperity while preserving the health and safety of persons, the safety of property as well as the quality of the environment, in a manner that is respectful of Indigenous communities.
- 2.** This Act applies subject to any Act aimed at implementing the agreements referred to in section 1 of the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and in section 1 of the Act approving the Northeastern Québec Agreement (chapter C-67.1).
- 3.** This Act is to be construed in a manner consistent with the obligation to consult the Indigenous communities.

The communities are consulted separately if the circumstances so warrant.

CHAPTER II

DESIGNATION

- 4.** The Government may designate as a priority national-scale project any large-scale strategic project whose rapid carrying out is of collective interest and whose successful implementation is plausible.

For the purposes of the designation, the Government may, in particular, consider whether

(1) the project would consolidate Québec’s autonomy and resilience, in particular as regards energy, critical and strategic minerals or infrastructure;

(2) the project would generate major economic spinoffs for Québec, in particular because of the value of the investments necessary for its carrying out and the jobs that would be created;

(3) the project would take into account the interests of local and Indigenous communities;

(4) the project would help achieve the government targets relating to the objectives of the energy transition; and

(5) the timeline for carrying out the project makes short-term implementation conceivable.

5. A project proponent who wishes to have their project designated by the Government must present it to the Minister.

The Government may determine criteria that a project or its proponent must meet in order for the project to be examined.

For the purposes of this Act, “proponent” means anyone who applies for the designation of a project or for an authorization to carry out a designated project or the activities necessary for its carrying out.

6. Before the Government designates a project, the Minister publishes in the *Gazette officielle du Québec* a notice of the intended designation indicating the name and description of the project, the name of the project proponent and the reasons for which the project is considered a priority national-scale project.

The notice indicates the time period, of at least 30 days, at the expiry of which the project may be designated by the Government. It also mentions that any interested person may, during that time, submit comments to the Minister.

The Minister also solicits comments from the parties concerned separately.

7. Where the Government designates a project, it indicates the name and description of the project, the name of the project proponent and the reasons for which the project is considered a priority national-scale project.

8. A project is not to be designated by the Government if the project proponent is an enterprise within the meaning of the third paragraph of section 13.1 of the Act respecting contracting by public bodies (chapter C-65.1) that, at the time of the designation, does not hold an authorization to contract granted by the Autorité des marchés publics under that Act.

9. The Government may, before granting an authorization under section 13, determine that a designated project no longer qualifies as a priority national-scale project, in particular because the reasons that led to its designation no longer exist. In addition, a designation lapses on the expiry of five years after the date on which the designation order was made by the Government if no authorization has been granted by the Government during that time.

Before recommending that the Government determine that a designated project no longer qualifies, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the project proponent and grant the latter at least 15 days to submit observations.

CHAPTER III

AUTHORIZATION

10. A project proponent who wishes to obtain the Government's authorization to carry out a designated project must submit an application to the Minister. The application must mention the permissions allowing the proponent to carry out the project or the activities necessary for its carrying out provided for by an Act or the provisions thereof listed in Schedule I or by the regulations made under them, and must be accompanied by the information and documents required as well as the payment of the duties and fees payable for the granting of those permissions.

11. The Minister establishes a timeline of the different steps for the granting of the authorization in concert with the project proponent as well as the ministers, public bodies, municipalities and metropolitan communities concerned.

12. The Minister may allow, on the conditions the Minister determines and despite any contrary provision, the preparatory work the Minister determines and that may be executed before the authorization is granted, after consultation with the project proponent as well as the ministers, public bodies and other parties concerned. Where the Minister allows such work, the Minister may designate the authority responsible for seeing to the monitoring of the work if not already provided for by law.

13. The Government grants the proponent of a designated project an authorization that allows them to carry out the project as well as the activities necessary for its carrying out.

That authorization replaces the permissions allowing the proponent to carry out the project or the activities necessary for its carrying out that are provided for by an Act or the provisions thereof listed in Schedule I or by the regulations made under them and that are specified in the authorization. It is deemed to be granted under the provisions concerned that provide for the granting of those permissions.

14. The Government may grant an authorization only if the following conditions are met:

(1) the requirements under this Act or the Acts listed in Schedule I or the regulations made under them, including the requirements applicable to the granting of the permissions allowing the project proponent to carry out the project or the activities necessary for its carrying out and that are replaced by the authorization, are met or can be met, including, in particular,

(a) the sending of the information and documents required for the analysis of an application, including an investment plan,

(b) the deposit of the guarantees, proof of solvency or compensations required, if applicable,

(c) the payment of all the duties and fees normally payable for the permissions that allow the project proponent to carry out the project or the activities necessary for its carrying out and that are replaced by the authorization, and

(d) the production of the undertakings and attestations required to ensure the conformity of the designated project; and

(2) the Minister has obtained the opinion of the ministers, public bodies, municipalities and metropolitan communities concerned, in particular as regards the conditions and other terms, requirements, restrictions or prohibitions that should be attached to the authorization for the purpose of carrying out the designated project or the activities necessary for its carrying out.

15. Where the Government grants or amends an authorization, it may attach conditions to it, including any term, requirement, restriction or prohibition provided for by the Acts listed in Schedule I or by the regulations made under them, in particular the cases in which the project proponent must apply for an amendment to the authorization. Those conditions are deemed to be imposed under the provisions concerned that provide for them.

Where preparatory work has been executed before an authorization is granted, the Government may, in addition to the conditions fixed by the Minister or in replacement of them, exercise the powers under the first paragraph in respect of that work and require restoration of the premises where work was executed and is no longer required for the carrying out of the project.

16. The Government may, in particular following an application by the proponent of a designated project, amend, suspend or revoke the authorization. The Government may also, following a request by the proponent, authorize the transfer of the authorization on the conditions determined by the Acts listed in Schedule I or by the regulations made under them that govern the carrying out of the designated project or the activities necessary for its carrying out.

The Government may exercise the powers under the first paragraph only if the conditions referred to in section 14 are met.

17. The Government has, in respect of the designated project and its proponent, the powers and obligations of the authorities responsible for granting the permissions provided for by the Acts listed in Schedule I or by the regulations made under them that govern the carrying out of the designated project or the activities necessary for its carrying out, regardless of the qualification of the designated project or of the project proponent under those Acts or regulations, other than the power to conduct an inspection or an investigation or to impose a monetary administrative penalty. Moreover, it does not have the power to refuse to grant an authorization, subject to section 14.

18. Before recommending that the Government amend or add conditions to an authorization, that it refuse an application to amend an authorization or that it amend, suspend or revoke an authorization, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the project proponent and grant the latter at least 15 days to submit observations.

The first paragraph does not apply where the conditions were requested by the proponent or where the decision of the Government is made in urgent circumstances or in order to prevent serious or irreparable harm or damage to the health and safety of persons or to ecosystems, other living species, the environment or property. The project proponent may then, within the time indicated by the Minister, submit observations so that the Government's decision may be reviewed.

19. The Government may delegate to the Minister its power to amend or suspend an authorization, attach conditions to it or authorize its transfer. However, no such power may be exercised so as to substantially alter the designated project.

Section 18 applies to the Minister where the Minister exercises a power under the first paragraph. An order made by the Minister is to be published in the *Gazette officielle du Québec*.

20. An authorization lapses two years after it is granted if the carrying out of the designated project has not begun.

The carrying out of a designated project begins and ends at the times indicated in the authorization.

21. In exercising the Minister's responsibilities and on taking charge of the coordination of the players concerned, the Minister may request that a minister, public body, municipality, metropolitan community or project proponent provide, within the time the Minister indicates, the information the Minister considers necessary.

CHAPTER IV SPECIAL POWERS OF THE GOVERNMENT

22. The Government may amend Schedule I in order to add or remove any Act or one of its provisions.

However, none of the following Acts, regulations made under them or provisions thereof may be added to Schedule I:

- (1) the Civil Code of Québec;
- (2) the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- (3) the Charter of the French language (chapter C-11);
- (4) the Charter of human rights and freedoms (chapter C-12);
- (5) the Code of Civil Procedure (chapter C-25.01);
- (6) the Code of Penal Procedure (chapter C-25.1);
- (7) the Labour Code (chapter C-27);
- (8) the Act respecting contracting by municipal bodies (chapter C-65.01);
- (9) the Act respecting contracting by public bodies (chapter C-65.1);
- (10) the Act respecting elections and referendums in municipalities (chapter E-2.2);
- (11) the Election Act (chapter E-3.3);
- (12) the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5);
- (13) the Act respecting the Ministère du Conseil exécutif (chapter M-30);
- (14) the Act respecting labour standards (chapter N-1.1);
- (15) the Act respecting the protection of personal information in the private sector (chapter P-39.1);
- (16) Title II of the Environment Quality Act (chapter Q-2);
- (17) the Professional Syndicates Act (chapter S-40);
- (18) the Lobbying Transparency and Ethics Act (chapter T-11.011); and

(19) the Auditor General Act (chapter V-5.01).

23. The Government may, in order to accelerate the carrying out of a designated project or to allow the exercise of activities that arise from a designated project after it has been carried out and that cannot be compliant with the applicable standards, modify the application of any provision of an Act referred to in Schedule I or of a regulation made under such an Act.

24. The Government may, by regulation, determine the duties payable for any formality under this Act as well as their conditions and terms of payment.

25. An order made for the purposes of the first paragraph of section 22 or of section 23 must specify the reasons that justify making the order. If applicable, the notice accompanying a proposed regulation made for the purposes of section 23 must also set out the reasons that justify making the regulation.

Despite sections 11 and 17 of the Regulations Act (chapter R-18.1), a proposed regulation referred to in the first paragraph or in section 24 may be made after the expiry of at least 20 days from its publication in the *Gazette officielle du Québec* and a regulation referred to in that paragraph or that section may come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation.

CHAPTER V

PUBLIC INFORMATION

26. The Minister makes accessible, in the manner the Minister determines, the following information:

(1) the anticipated timeline for the granting of an authorization by the Government;

(2) the Minister's order authorizing preparatory work;

(3) the documents and information, other than those containing personal information, on the basis of which the authorization, including the conditions attached to it, was granted by the Government;

(4) the timeline for carrying out a designated project;

(5) the applications by a project proponent to amend an authorization and, if applicable, the reasons for which such an application was refused;

(6) the information accessible under the Acts or regulations that govern the carrying out of the designated project or the activities necessary for its carrying out that is not otherwise published; and

(7) an annual progress report on each of the designated projects.

The information referred to in the first paragraph is public information, except

(1) information concerning the location of threatened or vulnerable species; and

(2) information identified by the proponent of a designated project as information the proponent considers to be a confidential industrial or trade secret.

Despite subparagraph 2 of the second paragraph, the Minister may, if the Minister does not agree with the project proponent's contentions, decide to make the information public within 15 days after notifying a notice to that effect to the proponent.

PART II

SPECIAL RELIEF MEASURES AND OTHER ADAPTATIONS

CHAPTER I

ENVIRONMENT AND DAM SAFETY

DIVISION I

PREPARATORY WORK

27. The preparatory work allowed under section 12 is not to be subjected, on its own, to the environmental impact assessment and review procedure under section 31.1 of the Environment Quality Act (chapter Q-2).

Such preparatory work is not to be executed in the following places:

(1) an environment that is of special conservation interest identified in a regional wetlands and bodies of water plan developed in accordance with subdivision 3 of Division IV of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2);

(2) a territory entered in the register of protected areas in Québec under section 5 of the Natural Heritage Conservation Act (chapter C-61.01);

(3) a wildlife preserve or a territory set aside for the establishment of a wildlife preserve within the meaning of the Act respecting the conservation and development of wildlife (chapter C-61.1); and

(4) the habitat of a threatened or vulnerable wildlife or plant species within the meaning of the Act respecting threatened or vulnerable species (chapter E-12.01).

Where the Minister allows preparatory work to be executed in wetlands and bodies of water within the meaning of section 46.0.2 of the Environment Quality Act, the Minister must take into account the objectives stated in section 46.0.1 of that Act.

DIVISION II

ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW PROCEDURE

28. Where the carrying out of a designated project is subject to one of the environmental impact assessment and review procedures provided for by the Environment Quality Act (chapter Q-2), the procedure must have been carried out before the Government grants the project proponent an authorization to carry out the designated project or the activities necessary for its carrying out under this Act.

29. The environmental impact assessment and review procedure must be carried out with a view to determining the conditions, restrictions and prohibitions applicable to the carrying out of the designated project in order to ensure adequate protection of the environment and of the health, safety, welfare or comfort of human beings, to protect other living species or to prevent adverse effects on property.

30. Where the designated project's impact assessment statement is considered admissible in accordance with the second paragraph of section 31.3.4 of the Environment Quality Act (chapter Q-2), the Minister of Sustainable Development, Environment, Wildlife and Parks mandates the Bureau d'audiences publiques sur l'environnement to hold a public hearing on the designated project without holding the information period required under the third paragraph of that section 31.3.4.

The public consultation mechanisms provided for by the other Acts listed in Schedule I or by the regulations made under them governing the carrying out of the designated project or of the activities necessary for its carrying out are replaced by that public hearing provided that the issues concerning the designated project are brought to the attention of the public during that hearing.

31. Upon completion of the environmental assessment, the Minister of Sustainable Development, Environment, Wildlife and Parks sends the recommendation provided for in the first paragraph of section 31.5 of the Environment Quality Act (chapter Q-2) to the Minister for the purposes of the granting of the authorization by the Government. The recommendation must pertain to the conditions or the other terms, requirements, restrictions or prohibitions that should be attached to the authorization.

32. Despite section 31.6 of the Environment Quality Act (chapter Q-2) and the regulations made under it, the Government determines in the authorization the activities necessary for the carrying out of the designated project that require

an amendment to the authorization under section 16 of this Act. The Government may also determine that those activities may instead be the subject of a declaration of compliance under subdivision 2 of Division II of Chapter IV of Title I of the Environment Quality Act, on the conditions the Government determines.

The project proponent is prohibited from carrying out an activity referred to in the first paragraph if they have not obtained an amendment to their authorization or, if applicable, if they have not produced the declaration of compliance.

DIVISION III

WILDLIFE HABITATS AND THREATENED OR VULNERABLE PLANT SPECIES

33. To the extent that the authorization granted by the Government replaces the authorization that should have been granted under section 31.1 of the Environment Quality Act (chapter Q-2), the prohibitions under section 128.6 of the Act respecting the conservation and development of wildlife (chapter C-61.1) and under sections 16 and 17 of the Act respecting threatened or vulnerable species (chapter E-12.01) do not apply to the proponent of the project.

DIVISION IV

LAND REHABILITATION

34. Where the carrying out of a designated project or the activities necessary for its carrying out takes place on land in respect of which a characterization study required under section 31.51 or 31.53 of the Environment Quality Act (chapter Q-2) reveals the presence of contaminants in a concentration exceeding the limit values determined by the regulation made under subparagraph 1 of the second paragraph of section 31.69 of that Act,

(1) the rehabilitation plan required under the second paragraph of section 31.54 of that Act may be sent to the Minister of Sustainable Development, Environment and Parks gradually, based on the planned rehabilitation phases; and

(2) the rehabilitation of the land by excavation of soils in which the concentration of contaminants present exceeds the regulatory limit values is eligible for a declaration of compliance in accordance with section 31.68.1 of that Act if the rehabilitation can be completed within a maximum period of one year, regardless of the quantity of contaminated soils to be excavated.

For the purposes of subparagraph 1 of the first paragraph, the following information and documents must be sent to the Minister of Sustainable Development, Environment and Parks for the first rehabilitation phase in order to be admissible for consideration by the Minister:

- (1) a detailed rehabilitation plan for that first phase and the implementation schedule;
- (2) an implementation schedule for the subsequent phases; and
- (3) an undertaking to send a detailed rehabilitation plan for the subsequent phases and to comply with the submitted schedule.

Failure to send a declaration of compliance results in the project proponent being deemed to carry out its activity without its rehabilitation plan being approved.

DIVISION V

DAM SAFETY

35. Where the carrying out of a designated project or of the activities necessary for its carrying out concerns a high-capacity dam referred to in Chapter II of the Dam Safety Act (chapter S-3.1.01), the Government determines in the authorization the activities requiring that the authorization be amended under section 16 of this Act.

The project proponent is prohibited from carrying out an activity referred to in the first paragraph if they have not obtained an amendment to their authorization.

DIVISION VI

MONITORING

36. The Minister of Sustainable Development, Environment and Parks may, for the purpose of ensuring that the project proponent is complying with the provisions of this Chapter or where an authorization replaces a permission provided for by an Act or the provisions thereof listed in Schedule I or by the regulations made under such an Act that are entrusted to the Minister's administration, exercise any power referred to in section 52 to inspect, investigate or impose a monetary administrative penalty.

CHAPTER II

AGRICULTURAL ZONE

37. Where the authorization granted by the Government replaces a permission required to carry out a designated project or the activities necessary for its carrying out under the Act respecting the acquisition of farm land by non-residents (chapter A-4.1) or the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), the processes for the examination of an application by the Commission de protection du territoire agricole du Québec under either of those Acts do not apply.

An authorization granted by the Government that excludes a lot from an agricultural zone must, on such conditions as are determined in the authorization, provide for its reinclusion in the event that the project is not carried out. In addition, an authorization granted by the Government allowing the use of a lot for purposes other than agriculture or the exclusion of a lot must provide for any impact reduction measures that the Government considers sufficient, in particular the inclusion or reinclusion of a lot in the agricultural zone.

The Minister of Agriculture, Fisheries and Food may enter into any agreement relating to the implementation of the impact reduction measures referred to in the second paragraph and into any agreement allowing the transfer of a lot over which the Minister has authority to an organization, a social or private trust, or a foundation whose mission is to ensure the preservation of farm land.

38. Despite the third paragraph of section 67 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), the Commission de protection du territoire agricole du Québec may file, for purposes of registration at the Land Registry Office, a certified true copy of a notice of the authorization and, if applicable, a detailed plan of the modification of the agricultural zone even though, if applicable, the regional county municipality or the community within the meaning of section 1 of that Act has not amended its land use and development plan or its metropolitan land use and development plan.

39. The Commission de protection du territoire agricole du Québec may, for the purpose of ensuring that the project proponent is complying with the provisions of this Chapter or where an authorization replaces a permission provided for by an Act or the provisions thereof listed in Schedule I or by the regulations made under such an Act that are entrusted to its administration, exercise any power to inspect or investigate referred to in section 52.

CHAPTER III

MUNICIPAL DOMAIN

40. The provisions of the Act respecting land use planning and development (chapter A-19.1) do not apply where a designated project is an intervention referred to in section 149 of that Act.

41. Where a designated project requires a municipal authorization, the Minister sends to the local municipality a project notice containing a detailed description of the intended activities in its territory as well as the other information required for the granting, by the municipality, of any authorization needed to carry out a designated project or the activities necessary for its carrying out.

It also sends a copy of the notice to the regional county municipality and, if applicable, the metropolitan community whose territory includes the territory of the local municipality.

42. According to the timeline referred to in section 11 and after receiving the project notice and the other information required, the local municipality grants the proponent of the designated project any authorization needed to carry out the project or the activities necessary for its carrying out or sends the project proponent a notice indicating that the designated project is not in conformity with the municipal by-laws applicable in the territory. The notice must specify which by-laws impede the granting of the authorizations and, where those by-laws fall within the jurisdiction of the local municipality, the notice must indicate whether the local municipality intends to amend them.

The local municipality informs the Minister of the granting of any required authorization or sends the Minister a copy of the notice indicating that the designated project is not in conformity with the municipal by-laws, as applicable.

43. The provisions of Division V of Chapter IV of Title I of the Act respecting land use planning and development (chapter A-19.1) do not apply to the adoption and coming into force of a by-law aimed exclusively at allowing the granting of an authorization needed to carry out a designated project or the activities necessary for its carrying out.

A certified true copy of the by-law and of the resolution by which it was adopted must be sent to the regional county municipality whose territory includes the territory of the local municipality.

The by-law comes into force on the day it is adopted and the local municipality publishes, as soon as possible, a notice of the date of its coming into force.

44. A by-law aimed exclusively at allowing the granting of an authorization needed to carry out a designated project or the activities necessary for its carrying out need not be preceded by a notice of motion and a draft by-law.

45. Where a local municipality has not granted an authorization needed to carry out a designated project or the activities necessary for its carrying out within the time set out in the timeline referred to in section 11 or where it has made the carrying out of the project or activities subject to a condition that the Government considers inappropriate, the authorization granted by the Government in accordance with section 13 may stand in lieu of any municipal authorization required.

Where the authorization granted by the Government modifies a regulation made under an Act concerning the municipal domain listed in Schedule I pursuant to section 23 or imposes any condition that could be imposed by a municipality in the exercise of its powers, the Government's authorization may designate the authority responsible for seeing that those modifications are applied or that those conditions are complied with.

Any provision of a municipal act that is inconsistent with the content of the authorization granted by the Government is inoperative.

CHAPTER IV

NATURAL RESOURCES AND LANDS IN THE DOMAIN OF THE STATE

DIVISION I

MINES

46. Despite section 101 of the Mining Act (chapter M-13.1), no authorization replacing a mining lease may be granted unless a rehabilitation and restoration plan has been approved and a financial guarantee provided. However, the Minister of Natural Resources and Wildlife must have approved a preliminary version of such a plan and obtained the provisional financial guarantee that the Minister required from the project proponent.

The authorization provides the time limits within which the rehabilitation and restoration plan must be approved in accordance with sections 232.1, 232.3 and 232.5 of the Mining Act and the financial guarantee provided in accordance with section 232.4 of that Act.

DIVISION II

FORESTS

47. The preparatory work allowed under section 12 may, where it concerns a forest development activity within the meaning of paragraph 1 of section 4 of the Sustainable Forest Development Act (chapter A-18.1), be executed only if the project proponent shows that the substitute measures proposed offer equivalent or superior protection for forest resources and the forest environment or where the designated project entails a change in the vocation of the forest.

DIVISION III

LANDS IN THE DOMAIN OF THE STATE

48. Before granting an authorization, the Government may, on the recommendation of the Minister, after consultation with the minister or public body having authority over lands in the domain of the State, reserve those lands for the State, for a period of one year, which the Government may renew, so that no right may be granted or no land use may be established under another Act that would limit the occupation of those lands or the carrying out of a designated project or of the activities necessary for its carrying out on those lands.

49. The project proponent may, before the publication of the required land rights, execute the preparatory work allowed by the Minister or the activities authorized by the Government on lands in the domain of the State, provided that such work or activities do not interfere with the rights previously granted on those lands and any other use established on them.

DIVISION IV

MONITORING

50. The Minister of Natural Resources and Wildlife or, as regards the provisions of Division III concerning the waters in the domain of the State, the Minister of Sustainable Development, Environment and Parks may, for the purpose of ensuring that the project proponent is complying with the provisions of this Chapter or where an authorization replaces a permission provided for by an Act or the provisions thereof listed in Schedule I or by the regulations made under such an Act that are entrusted to the Minister's administration, exercise any power to inspect or investigate referred to in section 52.

PART III

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

51. Subject to Part II and the modifications made under section 23, the provisions of this Act do not release anyone from the obligations provided for by an Act listed in Schedule I or a regulation made under such an Act that governs the carrying out of a designated project or of the activities necessary for its carrying out.

52. The provisions of this Act do not have the effect of restricting any power to inspect or investigate that an authority may exercise under an Act or a regulation that governs the carrying out of a designated project or of the activities necessary for its carrying out, in particular for the purpose of imposing a monetary administrative penalty or a fine.

53. Unless this Act provides otherwise, a contravention of a provision of this Act, including of a provision of an Act or a regulation referred to in section 23, renders the offender liable to the fines applicable to a person who contravenes section 22 of the Environment Quality Act (chapter Q-2).

54. No project may be designated as a priority national-scale project on or after (*insert the date that is five years after the date of assent to this Act*).

55. Until the date of coming into force of section 1 of the Act respecting contracting by municipal bodies (chapter C-65.01), subparagraph 8 of the second paragraph of section 22 of this Act is to be read as follows:

“(8) section 14 of the Act respecting the Autorité régionale de transport métropolitain (chapter A-33.3), sections 465.10.1, 468.51 and 573 to 573.3.5 of the Cities and Towns Act (chapter C-19), sections 620, 711.11.1 and 934 to 938.4 of the Municipal Code of Québec (chapter C-27.1), sections 106 to 118.2 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), sections 99 to 111.2 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02), sections 21.12.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1), section 9 of the Act respecting the Réseau de transport métropolitain (chapter R-25.01) and sections 92.1 to 108.2 of the Act respecting public transit authorities (chapter S-30.01);”.

56. From the date of designation of a project under section 7 of this Act, the environmental impact assessment and review procedure provided for in subdivision 4 of Division II of Chapter IV of Title I of the Environment Quality Act (chapter Q-2) relating to the project and in progress on that date is continued according to the provisions of this Act.

Similarly, pending applications for permissions allowing the project proponent to carry out their project or the activities necessary for its carrying out provided for by the Acts referred to in Schedule I are continued and decided in accordance with the provisions of this Act.

The Government may determine any transitional measure for the purposes of this section. Such a measure may apply from any date not prior to (*insert the date of assent to this Act*).

57. Until the coming into force of the first regulation made under section 44 of the Natural Heritage Conservation Act (chapter C-61.01) or, as applicable, until one of the expiry dates set out in section 64 of the Act to amend the Natural Heritage Conservation Act and other provisions (2021, chapter 1), Schedule I to this Act is to be read as if the following were inserted before “**MUNICIPAL DOMAIN**”:

“Act to amend the Natural Heritage Conservation Act and other provisions (2021, chapter 1)	regulations and conservation plans referred to in the second paragraph of section 62, the first paragraph of section 63 and the first paragraph of section 64
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”.	

58. The Minister of Finance is responsible for the administration of this Act.

59. The provisions of this Act come into force on (*insert the date of assent to this Act*), except those of Division II of Chapter I of Part II, which come into force on the date or dates to be set by the Government.

SCHEDULE I*(Sections 10, 13 to 17, 22, 23, 30, 36, 39, 45, 50, 51 and 56)***LIST OF ACTS PROVIDING FOR THE PERMISSIONS
THAT MAY BE REPLACED BY AN AUTHORIZATION
OF THE GOVERNMENT**

TITLES	PROVISIONS
ACQUISITION AND CONSTRUCTION	
Act respecting the Autorité régionale de transport métropolitain (chapter A-33.3)	sections 11 and 97.7
Railway Act (chapter C-14.1)	second paragraph of section 2
Act respecting expropriation (chapter E-25)	section 4
Hydro-Québec Act (chapter H-5)	third paragraph of section 29
Act respecting the Ministère des Transports (chapter M-28)	section 11.1
Act respecting Mobilité Infra Québec (chapter M-36.1)	subparagraph 3 of the second paragraph of section 4
Cultural Heritage Act (chapter P-9.002)	sections 48, 49, 52, 53, 64, 65, 68, 69, 137, 138, 141 and 179.1
Act respecting the Régie de l'énergie (chapter R-6.01)	sections 73 and 85.22
Act respecting the Réseau de transport métropolitain (chapter R-25.01)	sections 6, 15 and 16
Dam Safety Act (chapter S-3.1.01)	sections 5 and 7
Act to ensure safety in guided land transport (chapter S-3.3)	section 11
Act respecting the Société des Traversiers du Québec (chapter S-14)	section 15
Act respecting public transit authorities (chapter S-30.01)	sections 4.1, 92, 151, 158.3, 162.1 and 162.7

TITLES	PROVISIONS
Act respecting roads (chapter V-9)	sections 23, 26, 37 and 38
AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES	
Act respecting the acquisition of farm land by non-residents (chapter A-4.1)	
Sustainable Forest Development Act (chapter A-18.1)	sections 41, 74, 88 and 174
Natural Heritage Conservation Act (chapter C-61.01)	sections 13.1 and 19
Act respecting the conservation and development of wildlife (chapter C-61.1)	sections 122.3 (enacted by section 64 of chapter 24 of the statutes of 2021 and amended by section 10 of chapter 10 of the statutes of 2022 and section 44 of chapter 12 of the statutes of 2025), 128.7 and 128.8
Act respecting threatened or vulnerable species (chapter E-12.01)	sections 18 and 19
Mining Act (chapter M-13.1)	sections 101, 140, 140.0.1, 142, 146, 213, 232.1, 232.2, 232.4, 232.5, 239, 240 and 241
Parks Act (chapter P-9)	
Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1)	
Environment Quality Act (chapter Q-2)	sections 22, 30, 31.1 and 31.7
MUNICIPAL DOMAIN	
Act respecting land use planning and development (chapter A-19.1)	
Charter of Ville de Longueuil (chapter C-11.3)	

TITLES	PROVISIONS
Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4)	
Charter of Ville de Québec, national capital of Québec (chapter C-11.5)	
Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)	
Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)	
Municipal Powers Act (chapter C-47.1)	
OCCUPATION OF THE DOMAIN OF THE STATE	
Watercourses Act (chapter R-13)	sections 2, 2.1, 3 and 3.1
Act respecting the lands in the domain of the State (chapter T-8.1)	sections 34, 35, 35.1, 47, 48, 50, 54 and 55