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# NATIONAL ASSEMBLY OF QUÉBEC

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SECOND SESSION

FORTY-THIRD LEGISLATURE

Bill 12

**An Act to establish the provision  
of educational childcare  
by recognized persons responsible  
for a community educational  
childcare service**

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**Introduction**

**Introduced by  
Madam Kateri Champagne Jourdain  
Minister of Families**

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## **EXPLANATORY NOTES**

*The main purpose of this bill is to establish the provision of educational childcare services by persons recognized as persons responsible for a community educational childcare service.*

*To that end, the bill adjusts the rules applicable to persons responsible for an educational childcare service according to whether they provide educational childcare services in a home or in a community setting or whether the rules are common to both types of persons responsible for an educational childcare service. It also adjusts the name, role and responsibilities of home educational childcare coordinating offices, which become home and community educational childcare coordinating offices.*

*The bill establishes the conditions to be met by a natural person who is a self-employed worker to be recognized as a person responsible for a community educational childcare service by a coordinating office in a location other than a private residence. The bill provides that the recognition of such a person allows the person to provide childcare alone, with an assistant or in collaboration with another recognized person and sets the maximum number of children to whom that person may provide childcare services, according to the applicable situation.*

*The bill also provides that two persons responsible for a community educational childcare service may be recognized in the same location as long as they enter into a collaboration agreement. The bill specifies that, in such a situation, the childcare agreement between them and a parent must, in particular, indicate which of those persons is the main person responsible for a particular child.*

*The bill allows the Government to take various measures by regulation to ensure the implementation of the new method of providing educational childcare services, in particular to determine the conditions according to which a coordinating office may recognize more than two persons responsible for a community educational childcare service to provide childcare services on an alternating basis in the same location.*

*The bill prohibits a person responsible for a community educational childcare service working in collaboration with another person from tolerating from that other person any degrading, abusive*

*or other type of inappropriate behaviour toward children. The bill confers on a coordinating office the power to order the evacuation of a location where childcare services are provided by a person responsible for a community educational childcare service if an office has reasonable grounds to believe that the children's health, safety or well-being is severely affected, and penalties are provided for in case of contravention of the order's provisions.*

*The bill provides that the group representation and the negotiation process for group agreements applicable to persons responsible for a home educational childcare service, as self-employed workers, also applies to persons responsible for a community educational childcare service.*

*Lastly, the bill gives the Minister of Families the power to extend, if the Minister deems it necessary, the duration of the *Projet pilote de responsables d'un service de garde éducatif en communauté et en entreprise* and contains provisions to govern the transition between that pilot project and the new method of providing childcare services established by the bill.*

**LEGISLATION AMENDED BY THIS BILL:**

- Act respecting municipal taxation (chapter F-2.1);
- Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements (chapter R-24.0.1);
- Educational Childcare Act (chapter S-4.1.1).

**REGULATION AMENDED BY THIS BILL:**

- Regulation respecting the application of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1, r. 1).



## Bill 12

### **AN ACT TO ESTABLISH THE PROVISION OF EDUCATIONAL CHILDCARE BY RECOGNIZED PERSONS RESPONSIBLE FOR A COMMUNITY EDUCATIONAL CHILDCARE SERVICE**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### EDUCATIONAL CHILDCARE ACT

**1.** Section 2.1 of the Educational Childcare Act (chapter S-4.1.1) is amended by replacing “recognized home educational childcare providers, with the support, in the latter’s case, of home educational childcare coordinating offices” by “persons recognized as persons responsible for a home educational childcare service or as persons responsible for a community educational childcare service, with the support, in the case of both types of recognized persons, of home and community educational childcare coordinating offices”.

**2.** Section 5.2 of the Act is amended by adding the following paragraph at the end:

“In the case of a person responsible for a community educational childcare service who provides childcare in collaboration with another such person in accordance with subdivision 2 of Division III of Chapter III, the former may not tolerate from the latter or, if applicable, from the latter’s assistant any behaviour referred to in the second paragraph.”

**3.** Section 40 of the Act is amended

(1) by inserting “and community” after “home” in the first paragraph;

(2) by replacing “home educational childcare providers” in the second paragraph by “persons responsible for an educational childcare service”;

(3) by replacing the third paragraph by the following paragraph:

“It must also strive to enhance the quality of home and community childcare services and promote the training and professional development of persons responsible for an educational childcare service. That responsibility is exercised in collaboration with the persons responsible for an educational childcare service in its territory and the associations representing them.”

**4.** Section 40.2 of the Act is amended

(1) by inserting “and community” after “home” in the introductory clause of the first paragraph;

(2) by replacing “home educational childcare provider” in subparagraphs 2 and 3 of the first paragraph by “person responsible for an educational childcare service”;

(3) by replacing “home educational childcare” in the second paragraph by “childcare provided by a person responsible for an educational childcare service”.

**5.** Section 41 of the Act is replaced by the following section:

**“41.** Only a home and community educational childcare coordinating office accredited by the Minister may recognize a person as a person responsible for an educational childcare service and coordinate the home or community childcare services of a person it has recognized.

Only the holder of accreditation from the Minister may use a name that includes the term “home and community educational childcare coordinating office”. In addition, no person may use a designation or qualifier that gives the impression that the person acts in that capacity while the person is not accredited by the Minister under this Act.”

**6.** Section 42 of the Act is amended

(1) by striking out “home educational childcare” in the introductory clause;

(2) by replacing “home educational childcare providers” in paragraphs 1, 2, 3 and 5 by “persons responsible for an educational childcare service”;

(3) by inserting “and community” after “home” in paragraph 6;

(4) by replacing “home educational childcare providers” in paragraph 6.1 by “persons responsible for an educational childcare service”;

(5) by inserting the following paragraph after paragraph 6.1:

“(6.1.1) to make information available to any person or entity interested in being put in contact with the persons who wish to become persons responsible for a community educational childcare service;”;

(6) by replacing “childcare as a method” in paragraph 6.2 by “and community childcare as methods”;

(7) by replacing “home educational childcare providers” in paragraph 8 by “persons responsible for an educational childcare service”.

**7.** Section 42.0.1 of the Act is amended

(1) by replacing “educational childcare coordinating office has reasonable grounds to believe that the health, safety or well-being of children receiving childcare from a home educational childcare provider” in the first paragraph by “and community educational childcare coordinating office has reasonable grounds to believe that the health, safety or well-being of children receiving childcare from a person responsible for a home educational childcare service”;

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

“The coordinating office has the same power to make orders as the power referred to in the first paragraph, with the necessary modifications, with respect to children to whom childcare is provided by a person responsible for a community educational childcare service in the location for which the latter is recognized.”;

(3) by replacing “that orders such an evacuation notifies it in writing to the home educational childcare provider” in the second paragraph by “that makes an evacuation order notifies it in writing to the person concerned”;

(4) by replacing “, the recognition of the home educational childcare provider” in the third paragraph by “or location for which a person is recognized, the recognition of that person”.

**8.** Section 43 of the Act is amended by replacing “home childcare” in subparagraph 1 of the first paragraph by “home and community childcare, in particular”.

**9.** The Act is amended by inserting the following division after section 51.1:

**“DIVISION I.1**

**“RULES APPLICABLE TO BOTH TYPES OF PERSONS  
RESPONSIBLE FOR AN EDUCATIONAL CHILDCARE SERVICE**

**“51.2.** Recognition of a person responsible for an educational childcare service is granted by a home and community educational childcare coordinating office for a five-year period. It may be renewed, suspended or revoked under the circumstances and conditions determined by government regulation.

**“51.3.** A recognized person responsible for an educational childcare service makes a commitment, toward parents with whom the person has a contract, to provide educational childcare services to their children in accordance with the law. The person manages his or her business in such a way as to ensure the children’s health, safety and well-being.

**“51.4.** A person responsible for an educational childcare service may call upon the services of an adult of the person’s choosing as an assistant, on the conditions prescribed by government regulation.

**“51.5.** A person recognized as a person responsible for a home educational childcare service who wishes to now be recognized as a person responsible for a community educational childcare service instead, or vice versa, must apply to the coordinating office and demonstrate, to the satisfaction of the office, that the person meets the conditions that are not applicable to the person but would become applicable with the change.”

**10.** The heading of Division II of Chapter III and sections 52 and 53 of the Act are amended by replacing all occurrences of “home educational childcare provider” by “person responsible for a home educational childcare service”, with the necessary modifications.

**11.** Section 53.1 of the Act, amended by section 32 of chapter 9 of the statutes of 2022, is again amended

(1) by replacing “home educational childcare provider’s own children, children of the provider’s assistant,”, “with the provider”, “to whom the provider” and “their grandchildren” in the first paragraph by “children of the person responsible for a home educational childcare service, children of that person’s assistant,”, “with the person”, “to whom the person” and “the grandchildren of the person or assistant”, respectively;

(2) by replacing “home educational childcare provider’s own grandchild”, “with the provider” and “with their child” in the third paragraph by “grandchild of the person responsible for a home educational childcare service”, “with that person” and “with one of their children”, respectively.

**12.** Sections 54 and 55 of the Act are repealed.

**13.** The Act is amended by inserting the following division before Chapter IV:

**“DIVISION III**

**“PERSONS RESPONSIBLE FOR A COMMUNITY EDUCATIONAL  
CHILDCARE SERVICE**

**“§1.—***Recognition by a coordinating office*

**“56.** A home and community educational childcare coordinating office may recognize, in its territory, a person responsible for a community educational childcare service to provide, in return for payment, educational childcare to the children of the parents with whom the person has a contract, if the person meets the following conditions:

- (1) the person is a natural person and an own-account self-employed worker, and is not a day care centre permit holder;
- (2) the person provides childcare services in a location
  - (a) that is not a private residence;
  - (b) in which any premises where childcare services are provided are reserved exclusively for childcare activities while such services are provided;
  - (c) that meets the applicable standards established under subparagraph 5 of the first paragraph of section 106; and
  - (d) that allows, according to the coordinating office, the children's health, safety and well-being to be ensured;
- (3) the person meets the additional condition of the first paragraph of section 56.4, if applicable; and
- (4) the person meets any other condition or term for recognition determined by government regulation.

**“56.1.** Recognition granted in accordance with section 56 is only valid for the location indicated or described in it.

In order for two persons to be recognized for the provision of childcare services simultaneously in the same location, they must work in collaboration in accordance with subdivision 2 of this division.

In addition, a coordinating office may grant recognition for the provision of childcare services on an alternating basis in a location for which at least one person is already recognized only according to the conditions, circumstances or limits prescribed by government regulation.

**“56.2.** A coordinating office may recognize more than one location where persons responsible for a community educational childcare service may provide childcare services in the same immovable according to the conditions, circumstances or limits prescribed by government regulation.

**“56.3.** Recognition granted to a person under this division allows the person to provide childcare services in the location for which the person is recognized to the following number of children, according to the applicable situation:

- (1) up to six children of whom not more than two are under the age of 18 months, or
- (2) up to nine children of whom not more than four are under the age of 18 months, if the person is assisted by another adult of the person's choosing,

provided that adult is not a person recognized as a person responsible for a community educational childcare service.

If they are present while childcare services are being provided and they have the right to receive such services according to the first paragraph of section 2, children who are the children of the person responsible for a community educational childcare service, children of the person's assistant, if applicable, as well as children who ordinarily live with the person or with the assistant are included for the purpose of the calculation of the number of children to whom they may provide childcare services under the first paragraph. The same applies with respect to the person's or assistant's grandchildren, within the meaning given to that term by the third paragraph of section 53.1.

*“§2. — Persons responsible for a community educational childcare service working in collaboration*

**“56.4.** Two persons may be recognized as persons responsible for a community educational childcare service by a coordinating office to provide childcare services in collaboration in the same location, provided they enter into a collaboration agreement and meet the other conditions for recognition.

The Minister proposes an agreement model. Its use is optional, except for any matter determined or any clause made mandatory by a government regulation.

In the case where a new person applies for recognition to provide childcare services simultaneously in a location for which another person responsible for a community educational childcare service is already recognized, refusal by the latter to enter into a collaboration agreement may not be cause for the suspension or revocation of their recognition.

The expiry or cancellation of the collaboration agreement entails the suspension of the recognition of both of the persons, unless one of them notifies the coordinating office that he or she no longer wants to provide childcare services in that location, in which case the other person remains recognized without suspension. In any other case, the coordinating office may, on the conditions prescribed by government regulation, determine which of the suspensions may be lifted.

**“56.5.** Two recognitions granted for the same location to two persons who have entered into a collaboration agreement allow them to provide childcare in the location for which they are recognized to up to twelve children of whom not more than four are under the age of 18 months.

However, any time the person responsible for a community educational childcare service is alone in the location, the person may only provide childcare services to up to six children of whom not more than two are under the age of 18 months. In addition, any time there is only one person responsible for a community educational childcare service and one assistant, the person responsible for a community educational childcare service may only provide

childcare to up to nine children, of whom not more than four are under the age of 18 months.

The second paragraph of section 56.3 then applies, with the necessary modifications.

However, the coordinating office may authorize a maximum number of children lower than the number established in the first paragraph in the cases and under the conditions prescribed by government regulation.

**“56.6.** Both persons responsible for a community educational childcare service working in collaboration must be parties to the childcare agreement entered into with a parent and sign it. The agreement must indicate which of them is the main person responsible for a particular child.”

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

(1) by replacing “home educational childcare providers” in the first paragraph by “persons responsible for an educational childcare service”;

(2) by replacing “home educational childcare provider along with, in each case, the date of recognition, the number of children to whom childcare is to be provided and the number of subsidized childcare spaces assigned” in the second paragraph by “person along with, in each case, the date of recognition, the number of children to whom childcare is to be provided and the number of subsidized childcare spaces assigned. The register must also indicate whether the person is recognized as a person responsible for a home or a community educational childcare service and state the address where the childcare services are provided if it is different from the correspondence address”.

**15.** Section 59.6 of the Act, enacted by section 35 of chapter 9 of the statutes of 2022, is amended by replacing “to their facility or to a home childcare service if the child” by “if the latter”.

**16.** Section 81.2.1 of the Act is amended

(1) by replacing “home educational childcare provider” in paragraph 6 by “person responsible for a home educational childcare service”;

(2) by inserting the following paragraph after paragraph 6:

“(6.1) a person applying for recognition or who is recognized as a person responsible for a community educational childcare service;”;

(3) by replacing “home educational childcare provider” in paragraph 8 by “person responsible for a home educational childcare service”;

(4) by inserting the following paragraph after paragraph 8:

“(8.1) a trainee or a volunteer who is of full age and who is regularly present in the location where childcare is provided by a person responsible for a community educational childcare service, as well as the latter’s assistant or occasional replacement;”;

(5) by replacing “home educational childcare coordinating office whose function is to manage the office, to recognize or to monitor home educational childcare providers, or to provide technical and educational support to the home educational childcare providers” in paragraph 9 by “home and community educational childcare coordinating office whose function is to manage the office, to recognize or to monitor persons responsible for an educational childcare service, or to provide technical and educational support to the persons responsible for an educational childcare service”;

(6) by inserting “and community” after “home” in paragraph 10.

**17.** Section 81.2.3 of the Act is amended by replacing “to provide home educational childcare services” in subparagraph 2 of the first paragraph by “to provide home or community childcare services”.

**18.** Section 81.2.6 of the Act is amended by replacing “1 to 6” by “1 to 6.1”.

**19.** Section 81.2.7 of the Act is amended by replacing both occurrences of “home educational childcare provider” by “person responsible for a home educational childcare service”.

**20.** Section 81.2.10 of the Act is amended by replacing “home educational childcare provider with regard to the persons referred to in paragraphs 7 and 8 of section 81.2.1 and to a coordinating office with regard to the persons referred to in paragraphs 6, 9 and 10 of section 81.2.1” in the second paragraph by “person responsible for a home educational childcare service with regard to the persons referred to in paragraphs 7 and 8 of section 81.2.1, to a person who is recognized as a person responsible for a community educational childcare service with regard to the persons referred to in paragraph 8.1 of that section and to a coordinating office with regard to the persons referred to in paragraphs 6, 6.1, 9 and 10 of the same section”.

**21.** Section 81.2.12 of the Act is amended, in the first paragraph,

(1) by replacing “home educational childcare provider” in subparagraph 1 by “person responsible for an educational childcare service”;

(2) by replacing “home educational childcare provider” in subparagraph 3 by “person responsible for a home educational childcare service”.

**22.** Section 81.2.16 of the Act is amended by replacing “or 8” in the introductory clause by “, 8 or 8.1”.

**23.** The Act is amended by inserting the following section after section 81.2.16:

**“81.2.16.1.** The attestation establishing that no impediment exists of a person recognized as a person responsible for an educational childcare service who makes an application in accordance with section 51.5 remains valid for its remaining duration.”

**24.** Section 81.2.17 of the Act is amended

(1) by replacing “a permit holder’s facility or in a residence where childcare is provided, the permit holder or the home educational childcare provider” in the introductory clause of the first paragraph by “a place where childcare is provided, the permit holder or the person responsible for an educational childcare service”;

(2) by replacing “the facility or in the residence” in subparagraph 2 of the first paragraph by “a place where childcare is provided”;

(3) by replacing “home educational childcare coordinating office” and “home educational childcare provider” in the second paragraph by “home and community educational childcare coordinating office” and “person responsible for an educational childcare service”, respectively;

(4) by replacing “the facility of a permit holder or in the residence” in the third paragraph by “a place”.

**25.** Section 90 of the Act is amended

(1) by replacing “day care centre permit holder or home educational childcare provider” in the first paragraph by “day care centre permit holder, person responsible for a home educational childcare service or person responsible for a community educational childcare service”;

(2) by replacing “Home educational childcare providers may not receive a subsidy for the childcare they provide, within their childcare operation, to their own children or to children who ordinarily live with them. Nor may they” in the third paragraph by “Persons responsible for an educational childcare service may not receive a subsidy for the childcare they provide to their own children or to children who ordinarily live with them. Nor may persons responsible for a home educational childcare service”.

**26.** Section 95 of the Act is amended by adding the following sentence at the end: “The same applies to two persons responsible for a community educational childcare service working in collaboration.”

**27.** Section 106 of the Act, amended by section 58 of chapter 9 of the statutes of 2022 and section 17 of chapter 17 of the statutes of 2025, is again amended, in the first paragraph,

(1) by replacing “their residence” in subparagraph 3.1 by “the residence or location for which they are recognized”;

(2) by replacing “home educational childcare provider it has recognized when the home educational childcare provider’s recognition” in subparagraph 8.2 by “person responsible for an educational childcare service it has recognized when that person’s recognition”;

(3) by replacing “home educational childcare coordinating office, recognized home educational childcare provider” in subparagraph 8.3 by “home and community educational childcare coordinating office, person responsible for an educational childcare service”;

(4) by inserting “and community” after “home” in subparagraph 9;

(5) by replacing “home educational childcare providers” in subparagraph 10 by “persons responsible for an educational childcare service”;

(6) by inserting “and community” after all occurrences of “home” in subparagraphs 11, 12 and 19;

(7) by replacing “home educational childcare provider” in subparagraphs 21 and 22 by “person responsible for an educational childcare service”;

(8) by replacing subparagraph 23 by the following subparagraph:

“(23) determine the monitoring measures applicable to a person responsible for an educational childcare service, the situations that can lead to non-renewal, suspension or revocation of recognition and the conditions to determine whether any of the suspensions referred to in the fourth paragraph of section 56.4 may be lifted;”;

(9) by replacing “home educational childcare coordinating office is required to make to a home educational childcare provider” in subparagraph 23.1 by “home and community educational childcare coordinating office is required to make to a person responsible for a home educational childcare service, and those that it must make to the location where childcare is provided by a person responsible for a community educational childcare service”;

(10) by replacing “home educational childcare provider must communicate to the coordinating office that granted its” in subparagraph 24 by “person responsible for an educational childcare service must communicate to the home and community educational childcare coordinating office that granted that person’s”;

(11) by adding the following subparagraphs at the end of the first paragraph:

“(33) determine the conditions, circumstances or limits allowing a coordinating office to grant recognition as a person responsible for a community educational childcare service for the provision of childcare on an alternating basis in a location for which at least one person is already recognized;

“(34) determine the conditions, circumstances or limits allowing a coordinating office to recognize more than one location where persons responsible for a community educational childcare service may provide childcare in the same immovable;

“(35) determine any matter that a collaboration agreement must deal with or make mandatory certain clauses to be included in those agreements, in accordance with the second paragraph of section 56.4;

“(36) prescribe the cases or conditions allowing a coordinating office to authorize a maximum number of children lower than the number established in the first paragraph of section 56.5; and

“(37) if persons responsible for a community educational childcare service are working in collaboration, specify the characteristics to be used to qualify one of them as the main person responsible for a child and determine the effects of that qualification with respect to that child or that child’s parents and to the services provided to them, in particular if the recognition is suspended.”

**28.** Section 115.5 of the Act is replaced by the following section:

**“115.5.** A person that allows children to access

(1) a facility or part of a facility that is the subject of an evacuation order issued under section 81.0.3;

(2) a residence or part of a residence that is the subject of an evacuation order issued under the first paragraph of section 42.0.1; or

(3) a location or part of a location that is the subject of an evacuation order issued under the second paragraph of section 42.0.1

is liable to a fine of \$5,000 to \$50,000.”

**29.** The Act is amended

(1) by inserting “or community” after all occurrences of “home” in the heading of Chapter III and sections 73 and 124.1;

(2) by striking out all occurrences of “is guilty of an offence and” in Chapter XI.

## ACT RESPECTING MUNICIPAL TAXATION

**30.** Section 236 of the Act respecting municipal taxation (chapter F-2.1), amended by section 154 of chapter 32 of the statutes of 2025, is again amended, in paragraph 1,

- (1) by inserting “and community” after “home” in subparagraph g;
- (2) by replacing subparagraph *h* by the following subparagraph:

“(h) a person recognized as a person responsible for a home educational childcare service or as a person responsible for a community educational childcare service, under the Act mentioned in subparagraph g, and that is an activity governed by that Act;”.

## ACT RESPECTING THE REPRESENTATION OF CERTAIN HOME EDUCATIONAL CHILDCARE PROVIDERS AND THE NEGOTIATION PROCESS FOR THEIR GROUP AGREEMENTS

**31.** Section 1 of the Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements (chapter R-24.0.1) is amended

- (1) by replacing “home educational childcare providers” in the first paragraph by “persons responsible for a home educational childcare service and to persons responsible for a community educational childcare service”;
- (2) by replacing “persons home educational childcare providers” in the second paragraph by “persons they”.

**32.** Section 9 of the Act is amended, in the second paragraph,

- (1) by replacing “home educational childcare provider” in the introductory clause by “person responsible for an educational childcare service”;
- (2) by replacing “maintain a home educational childcare operation” in subparagraph 1 by “provide educational childcare”.

**33.** Section 27 of the Act is amended

- (1) by replacing “is a home educational childcare provider” by “is a person responsible for an educational childcare service”;
- (2) by replacing “operates as a home educational childcare provider” by “provides educational childcare”.

**34.** Section 32 of the Act is amended

(1) by replacing “a home childcare operation” in the third paragraph by “the provision of educational childcare by a person responsible for an educational childcare service”;

(2) by replacing all occurrences of “home educational childcare provider” and “home educational childcare providers” by “person responsible for an educational childcare service” and “persons responsible for an educational childcare service”, respectively.

**35.** Section 33 of the Act is amended

(1) by replacing “home educational childcare provider” in paragraph 2 by “person responsible for an educational childcare service”;

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

“(3) the collaboration agreement that may be entered into between two persons recognized as persons responsible for a community educational childcare service under section 56.4 of the Educational Childcare Act.”

**36.** Section 35 of the Act is replaced by the following section:

“**35.** A group agreement applies to all persons responsible for an educational childcare service who provide educational childcare in the territory of a recognized association that is bound by the agreement. It also applies to any new person responsible for an educational childcare service who provides educational childcare in the territory.”

REGULATION RESPECTING THE APPLICATION  
OF THE ACT TO ASSIST PERSONS WHO ARE VICTIMS  
OF CRIMINAL OFFENCES AND TO FACILITATE THEIR RECOVERY

**37.** Section 212 of the Regulation respecting the application of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1, r. 1) is amended

(1) by replacing “in a childcare centre or with a recognized home educational childcare provider” in paragraph 1 by “provided by a childcare centre, a day care centre or a person recognized as a person responsible for a home or community educational childcare service”;

(2) by replacing “in a day care centre or with a recognized home educational childcare provider” in paragraph 2 by “provided by a day care centre or by a person recognized as a person responsible for a home or community educational childcare service”.

## OTHER AMENDING PROVISIONS

**38.** Unless the context indicates otherwise, in any Act or regulation, including the title, and in any other document not referred to in the second paragraph of section 42,

(1) the expressions “home educational childcare coordinating office” and “home coordinating office” are replaced by “home and community educational childcare coordinating office”;

(2) the expression “home educational childcare provider” is replaced by “person responsible for an educational childcare service”;

(3) the expressions “educational home childcare”, “home educational childcare providers operating in a given territory”, “home educational childcare providers operating in the territory” and “home educational childcare providers operating in the new territory” are replaced by “educational childcare”, “persons that provide educational childcare in a given territory”, “persons that provide educational childcare in the territory” and “persons that provide educational childcare in the new territory”, respectively;

(4) the expression “home educational childcare providers association” is replaced by “association of persons responsible for an educational childcare service”.

The replacements referred to in the first paragraph also apply, with the necessary modifications, to the plural form of the replaced expression. However, they do not apply to

(1) the sections of an Act or regulation that are amended by this Act, whether the amendment pertains to the French or English text of the Act, except the sections amended by paragraph 2 of section 29, for which the replacements do apply; or

(2) the regulations enacted under the Educational Childcare Act (chapter S-4.1.1) and the Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements (chapter R-24.0.1).

## TRANSITIONAL AND FINAL PROVISIONS

**39.** Recognition granted by a home educational childcare coordinating office under the *Projet pilote de responsables d’un service de garde éducatif en communauté et en entreprise* authorized by the Minister of Families under section 122 of the Educational Childcare Act (chapter S-4.1.1) remains governed by the provisions of the pilot project while the pilot project is in force, regardless of the decision made by the coordinating office under section 40 of this Act.

The coming into force of section 56 of the Educational Childcare Act, enacted by section 13 of this Act, leads to, without further formality, the end of the pilot project, insofar as it has not previously otherwise ended.

However, so long as a coordinating office has not determined the compliance of a project under section 40 of this Act, and without exceeding the time period provided for in the first paragraph of that section, a recognized person remains governed by the directives applicable to the pilot project.

**40.** A coordinating office that has recognized a person as a person responsible for an educational childcare service according to the directives applicable to the pilot project referred to in section 39 must decide whether recognition of that person is compliant with Division III of Chapter III of the Educational Childcare Act (chapter S-4.1.1) and its regulations not later than three months after the first regulation is made under subparagraph 21 of the first paragraph of section 106 of that Act, as amended by paragraph 7 of section 27 of this Act.

If the coordinating office decides that the recognition is compliant, the recognition is deemed to have been granted under section 56 of the Educational Childcare Act, enacted by section 13 of this Act, on the same conditions provided for such recognition, from the date of coming into force of that section 56 or the date of the coordinating office's compliance decision, whichever is later.

If the coordinating office decides that the recognition is not compliant, it must, within the same time period, indicate to the person responsible for an educational childcare service the corrective measures required for the person to be compliant and give the person a time period of three months to take the corrective measures requested. It may again make a decision on the compliance of the recognition, on its own initiative or at the person's request.

**41.** The Minister may, if the Minister considers it appropriate to ensure the orderly implementation of this Act, extend the duration of the *Projet pilote de responsables d'un service de garde éducatif en communauté et en entreprise*, which came into force on 1 April 2022, by a further period not exceeding 18 months in addition to the pilot project's initial duration and its extension, provided for in the first paragraph of section 124 of the Educational Childcare Act (chapter S-4.1.1).

**42.** Recognition granted by the Administrative Labour Tribunal to a home educational childcare providers association under section 18 of the Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements (chapter R-24.0.1) is deemed to cover the persons responsible for a community educational childcare service for the territory covered by the recognition from the date of coming into force of section 56 of the Educational Childcare Act (chapter S-4.1.1), enacted by section 13 of this Act.

Until a group agreement within the meaning of the Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements is amended or renewed and unless the context indicates otherwise, any provision of such an agreement covering a home educational childcare provider also applies, with the necessary modifications in accordance with this Act, to a person responsible for a community educational childcare service.

**43.** The provisions of this Act come into force on the date or dates to be determined by the Government, except those of sections 39 to 41, which come into force on (*insert the date of assent to this Act*).