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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 659-2004, 30 June 2004

**An Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11)
— Coming into force**

COMING INTO FORCE of the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions

WHEREAS the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11) was assented to on 16 June 2004;

WHEREAS, under section 81 of the Act, its provisions come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to fix 30 June 2004 as the date of coming into force of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks:

THAT 30 June 2004 be set as the date of coming into force of the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 706-2004, 30 June 2004

**An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions (2001, c. 35)
— Coming into force of section 35**

COMING INTO FORCE of section 35 of the Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions

WHEREAS the Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions (2001, c. 35) was assented to on 21 June 2001;

WHEREAS, under section 45 of the Act, its provisions came into force on 21 June 2001, except sections 24, 25, 26 and 33 which came into force on 1 October 2001 and paragraphs 1 and 2 of section 29, and sections 30 and 35, which come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 15 July 2004 as the date of coming into force of section 35 of the Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions (2001, c. 35);

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT 15 July 2004 be fixed as the date of coming into force of section 35 of the Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions (2001, c. 35).

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 670-2004, 30 June 2004

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3)

Financial assistance for education expenses — Amendments

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3), amended by section 41 of chapter 17 of the Statutes of 2003, the Government may make regulations for the carrying out of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses by Order in Council 344-2004 dated 7 April 2004;

WHEREAS it is expedient to amend the Regulation respecting financial assistance for education expenses;

WHEREAS, under section 23.7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), every draft regulation respecting the financial assistance programs established by the Act respecting financial assistance for education expenses must be submitted for advice to the advisory committee on the financial accessibility of education;

WHEREAS a draft of the Regulation attached to this Order in Council was submitted to the advisory committee on the financial accessibility of education and the advisory committee has given its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 May 2004, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting financial assistance for education expenses*

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3, s. 57; 2003, c. 17, ss. 41 and 42)

1. The Regulation respecting financial assistance for education expenses is amended by inserting the following after section 29:

“**29.1.** An allocation for the purchase of computer equipment shall be granted, on request, to a student eligible for a loan.

The amount allocated to a student in the form of a loan is \$2,000. The amount is increased to \$3,000 if the student is pursuing studies that require the use of a portable computer.

The computer equipment, including a computer, must be purchased by the student from a computer equipment dealer within two months after the month in which the Minister notifies the student that an allocation has been granted.

The allocation for the purchase of computer equipment may be granted only once during the student's lifetime.

The amount allocated is not taken into account for the purpose of computing financial assistance for education expenses.”.

* The Regulation respecting financial assistance for education expenses was made by Order in Council 344-2004 dated 7 April 2004 (*G.O.* 2, 1211).

2. Section 51 is replaced by the following:

“**51.** The maximum amount of a loan is increased by the amount of the fees allocated to a student pursuant to section 29 and, where applicable, by the amount allocated to a student pursuant to section 39.

The maximum amount of a loan is increased by \$315 for each month in the year of allocation during which a student is in any of the situations referred to in subparagraphs 2 to 4 of the first paragraph of section 24.

The amount established in the second paragraph is increased to \$415 if the student attends an educational institution at the master’s or doctoral level, or if the student has obtained an undergraduate degree in Québec or an undergraduate degree or the equivalent outside Québec and attends an educational institution at the undergraduate university level.”.

3. Section 59 is amended

(1) by replacing the amounts provided for respectively in subparagraphs 1 to 8 of the first paragraph by the following amounts:

- (1) “\$22,000”;
- (2) “\$16,000”;
- (3) “\$23,000”;
- (4) “\$30,000”;
- (5) “\$36,000”;
- (6) “\$42,000”;
- (7) “\$48,000”;
- (8) “\$55,000”;

(2) by replacing “\$25,000”, “\$45,000” and “\$60,000” in the second paragraph by “\$27,000”, “\$55,000” and “\$70,000” respectively.

4. Schedule II is amended by adding “in excess of \$1,200 per year of allocation” at the end of paragraph 6.

5. Despite section 29.1 of the Regulation, introduced by section 1 of this Regulation, a student who has received financial assistance from the Ministère de l’Éducation for the purchase of a computer is not eligible for the amount allocated pursuant to that section.

6. This Regulation comes into force on 1 September 2004, except section 3, which comes into force on 1 September 2006.

6419

Gouvernement du Québec

O.C. 699-2004, 30 June 2004

Environment Quality Act
(R.S.Q., c. Q-2)

**Public wading and swimming pools
— Amendment**

Regulation to amend the Regulation respecting public wading and swimming pools

WHEREAS, under sections 31, 46, 71 and 87 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting public wading and swimming pools (R.R.Q., 1981, c. Q-2, r.17);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation was published in the *Gazette officielle du Québec* of 2 October 2002, with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment:

THAT the Regulation to amend the Regulation respecting public wading and swimming pools, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting public wading and swimming pools*

Environment Quality Act
(R.S.Q., c. Q-2, ss. 31, 46, 71 and 87)

- 1.** Sections 72, 76 and 95 of the Regulation respecting public wading and swimming pools are revoked.
- 2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6420

Gouvernement du Québec

O.C. 703-2004, 30 June 2004

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Fishing activities — Amendments

Regulation to amend the Fishing Activities Regulation

WHEREAS, under paragraph 9 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Fishing Activities Regulation by Order in Council 952-2001 dated 23 August 2001;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Fishing Activities Regulation was published in Part 2 of the *Gazette officielle du Québec* of 10 March 2004 with a notice that it could be made by the Government on the expiry of a 45-day period following that publication;

WHEREAS no comments were received in respect of sections 1 and 2 of the draft Regulation concerning new requirements that holders of a fishing licence must comply with to fish in the Web Sees Indohoun and Eastmain sectors in Area 22;

WHEREAS comments were received in respect of section 3 of the draft Regulation concerning the requirement for holders of a resident fishing licence to use the services of an outfitter to fish during a certain period or in certain locations in Area 23;

WHEREAS it is expedient to make the Regulation to amend the Fishing Activities Regulation, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks:

THAT the Regulation to amend the Fishing Activities Regulation, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Fishing Activities Regulation*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 162, par. 9)

- 1.** The Fishing Activities Regulation is amended in section 2.1

(1) by replacing “permit” by “licence” and by replacing “they must also report on such activity at that place by stating” by “they must also, at the end of each daily fishing period or their stay, report at that place on the fishing activity, declaring”;

(2) by adding the following paragraph:

“The holders referred to in the first paragraph must comply with the dates and locations specified on the right of access pass.”.

* The Regulation respecting public wading and swimming pools (R.R.Q., 1981, c. Q-2, r.17) has never been amended.

* The Fishing Activities Regulation made by Order in Council 952-2001 dated 23 August 2001 (2001, *G.O.* 2, 4857) has been amended once, by the regulation made by Order in Council 1506-2002 dated 18 December 2002 (2003, *G.O.* 2, 60).

2. The following is inserted after section 2.1 :

“**2.2.** Where a right of access pass is required under section 2.1 and there is no registration officer to issue it at the place designated for that purpose, the holder must fill in the form available at the reception station for the territory concerned and deposit it at the place specified for that purpose.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6421

Gouvernement du Québec

O.C. 707-2004, 30 June 2004

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Services automobiles — Québec
— Attendance allowance and travelling expenses of
the members of the members of the Comité conjoint

Regulation respecting the attendance allowance and travelling expenses of the members of the Comité conjoint sur les services automobiles de la région de Québec

WHEREAS, under paragraph 1 of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), a parity committee may, by regulation approved with or without amendment by the Government, determine the amount of the attendance allowance to which its members are entitled in addition to their actual travelling expenses ;

WHEREAS the Special By-laws of the Comité conjoint sur les services automobiles de la région de Québec were approved by Order in Council No. 518, Division F, dated 28 March 1962 ;

WHEREAS the Comité conjoint sur les services automobiles de la région de Québec adopted the “Regulation respecting the attendance allowance and travelling expenses of the members of the Comité conjoint sur les services automobiles de la région de Québec”, to replace section 23 of the Special By-laws of that Committee, at its meeting held on 30 March 2004 ;

WHEREAS, under paragraph 1 of section 22 of the Act respecting collective agreement decrees, the Regulation must be approved with or without amendment by the Government ;

WHEREAS it is expedient to approve the Regulation with amendments ;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour :

THAT the Regulation respecting the attendance allowance and travelling expenses of the members of the Comité conjoint sur les services automobiles de la région de Québec, attached hereto, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the attendance
allowance and travelling expenses of
the members of the Comité conjoint
sur les services automobiles de la région
de Québec

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 22, par. 1)

1. The Comité conjoint sur les services automobiles de la région de Québec shall pay an attendance allowance to its members of \$160 per day to attend meetings of the Committee or of one of its subcommittees.

2. The Committee shall reimburse its members, upon the presentation of vouchers, for their actual travelling expenses incurred to attend meetings of the Committee or of one of its subcommittees.

3. This Regulation replaces section 23 of the Special By-laws of the Comité conjoint sur les services automobiles de la région de Québec, approved by Order in Council No. 518, Division F, dated 28 March 1962.

4. This Regulation comes into force on the date of its approval by the Government.

6423

Gouvernement du Québec

O.C. 708-2004, 30 June 2004

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

**Installation of petroleum equipment
— Amendment**

CONCERNING the Decree to amend the Decree
respecting the installation of petroleum equipment

WHEREAS the Government has made the Decree
respecting the installation of petroleum equipment
(R.R.Q., 1981, c. D-2, r.33);

WHEREAS the contracting parties within the meaning
of this Decree have petitioned the Minister of Labour to
have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act respecting
collective agreement decrees (R.S.Q., c. D-2) authorize
the Government to amend a collective agreement decree;

WHEREAS, in accordance with sections 10 and 11 of
the Regulations Act (R.S.Q., c. R-18.1) and sections 5
and 6.1 of the Act respecting collective agreement decrees,
a draft of the amending decree was published in Part 2 of
the *Gazette officielle du Québec* of 7 January 2004 and,
on that same date, in two French language newspapers
and one English language newspaper, with a notice that
it could be made by the Government upon the expiry of
45 days following that publication;

WHEREAS no comment has been made concerning
this draft regulation;

WHEREAS it is expedient to make this draft Decree
without amendment;

IT IS ORDERED, therefore, on the recommendation of
the Minister of Labour:

THAT the Decree to amend the Decree respecting the
installation of petroleum equipment, attached hereto, be
made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

**Decree to amend the Decree respecting
the installation of petroleum equipment***

1. The following is substituted for section 4.02 of the
Decree respecting the installation of petroleum equip-
ment:

“**4.02.** The first four hours worked over and above
the regular workday and the first four hours worked on
Saturday are paid time and a half.”.

2. This Decree comes into force on the day of its
publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 710-2004, 30 June 2004

Fuel Tax Act
(R.S.Q., c. T-1; 2004, c. 9)

Tobacco Tax Act
(R.S.Q., c. I-2; 2004, c. 9)

**Various regulations of a fiscal nature
— Amendments**

Various regulations amending regulations of a fiscal
nature

WHEREAS, under section 17.6 of the Tobacco Tax Act
(R.S.Q., c. I-2), repealed on 1 July 2004 by section 1 of
chapter 9 of the Statutes of 2004, the Minister is author-
ized to make an allowance determined by regulation to
any holder of a collection officer's permit with whom
the Minister has made an agreement under section 17 of
that Act for the collection and remittance of the amount
equal to the tobacco tax;

WHEREAS, under the second paragraph of section 18
of the Fuel Tax Act (R.S.Q., c. T-1), amended as of
1 July 2004 by section 2 of chapter 9 of the Statutes of
2004, the persons mentioned in the first paragraph of
that section shall pay fees relating to the colouring of
fuel oil to the Minister in the amount, according to the
terms and conditions and within the time prescribed by
regulation;

* The Decree respecting the installation of petroleum equipment
(R.R.Q., 1981, c. D-2, r.33) was last amended by the Regulation
made by Order in Council No. 655-2003 dated 11 June 2003 (2003,
G.O. 2, 1923). For previous amendments, please refer to the “Tableau
des modifications et Index sommaire”, Éditeur officiel du Québec,
2004, updated to 1 March 2004.

WHEREAS, under section 52.1 of that Act, repealed on 1 July 2004 by section 3 of chapter 9 of the Statutes of 2004, the Minister is authorized to pay an allowance determined by regulation to any holder of a permit provided for in section 27 of that Act or to a retail dealer who holds the registration certificate provided for in section 23 of that Act, with whom the Minister has made an agreement under section 51 of that Act for the collection and remittance of the tax or the amount equal to the tax provided for by that Act or for colouring fuel oil;

WHEREAS, under subsection 1 of section 19 of the Tobacco Tax Act, the Government may make such regulations, not inconsistent with that Act, as are considered necessary for the purpose of carrying into effect the provisions of that Act according to their true intent;

WHEREAS, under subparagraph *q* of the first paragraph of section 1 of the Fuel Tax Act, “regulation” means any regulation made by the Government under that Act;

WHEREAS the Regulation respecting the application of the Tobacco Tax Act was made by Order in Council 1929-86 dated 16 December 1986 under the Tobacco Tax Act and the Regulation respecting the application of the Fuel Tax Act (R.R.Q., 1981, c. T-1, r.1) was made under the Fuel Tax Act;

WHEREAS it is expedient to amend the Regulation respecting the application of the Tobacco Tax Act and the Regulation respecting the application of the Fuel Tax Act to prescribe the measures required for the administration of the Tobacco Tax Act and the Fuel Tax Act introduced by chapter 9 of the Statutes of 2004;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or repealed by those regulations warrants the absence of prior publication and such coming into force;

WHEREAS, under section 27 of that Act, that Act does not prevent a regulation from taking effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS, under section 20 of the Tobacco Tax Act, every regulation made under that Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect;

WHEREAS, under section 56 of the Fuel Tax Act, every regulation made under that Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect;

IT IS ORDERED, therefore, on the recommendation of the Minister of Revenue:

THAT the Regulations attached to this Order in Council be made:

— Regulation to amend the Regulation respecting the application of the Tobacco Tax Act;

— Regulation to amend the Regulation respecting the application of the Fuel Tax Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Tobacco Tax Act*

Tobacco Tax Act
(R.S.Q., c. I-2, ss. 17.6, 19, subsec. 1 and 20;
2004, c. 9, s. 1)

1. (1) Section 10.1 of the Regulation respecting the application of the Tobacco Tax Act is revoked.

(2) Subsection 1 has effect from 1 July 2004.

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting the application of the Fuel Tax Act**

Fuel Tax Act
(R.S.Q., c. T-1, ss. 1, 1st par., subpar. *q*, 18, 2nd par.,
52.1 and 56; 2004, c. 9, ss. 2 and 3)

1. (1) The Regulation respecting the application of the Fuel Tax Act is amended by inserting the following after section 18R10:

“**18R11.** For the purposes of the second paragraph of section 18 of the Act, the fees relating to the colouring of fuel oil that must be paid by a refiner or importer shall correspond, for a quarter ending on 30 November of a particular year or on 28 February, 31 May or 31 August of the following year,

(a) where the colouring is effected in accordance with the first paragraph of section 18R3, to the total of

i. the amounts paid by the Minister for the components of the mixture, other than fuel oil, obtained by the refiner or importer during the quarter;

ii. the amount paid by the Minister for the services relating to the preparation of the mixture obtained by the refiner or importer during the quarter; and

iii. the amount that corresponds to the multiplication of the number of litres of fuel oil corrected to the reference temperature of 15 degrees Celsius, included in the mixture obtained by the refiner or importer during the quarter, by the average established from the price fixed by Bloomberg Oil Buyer's Guide – Price Supplement under the heading Bloomberg Canadian Terminal Prices (Rack Contract – Montréal), published by Bloomberg L.P., for one litre of fuel oil during the 12 months immediately preceding 1 September of the particular year; or

(b) where the colouring is effected in accordance with the second paragraph of section 18R3, to the amount paid by the Minister for the colouring obtained by the refiner or importer during the quarter.

The fees referred to in the first paragraph must be paid to the Minister within 30 days from the date of the notice from the Minister transmitted to the refiner or importer and determining those fees.”.

(2) Subsection 1 has effect from 1 July 2004.

2. (1) Section 52.1R1 of the Regulation is revoked.

(2) Subsection 1 has effect from 1 July 2004.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

6425

Gouvernement du Québec

O.C. 711-2004, 30 June 2004

An Act respecting the Ministère du Revenu
(R.S.Q., c. M-31; 2004, c. 4)

Fiscal administration — Amendments

Regulation to amend the Regulation respecting fiscal administration

WHEREAS, under the first paragraph of section 40.1.1 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), enacted by section 25 of chapter 4 of the Statutes of 2004, a judge of the Court of Québec may, on an *ex parte* application following an information laid in writing and under oath by a public servant of the Ministère du Revenu authorized by regulation, issue an authoriza-

* The Regulation respecting the application of the Tobacco Tax Act, made by Order in Council 1929-86 dated 16 December 1986 (1986, *G.O.* 2, 3156), was last amended by the regulation made by Order in Council 1282-2003 dated 3 December 2003 (2003, *G.O.* 2, 3552). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

** The Regulation respecting the application of the Fuel Tax Act (R.R.Q., 1981, c. T-1, r.1) was last amended by the regulation made by Order in Council 1282-2003 dated 3 December 2003 (2003, *G.O.* 2, 3552). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

tion in writing permitting any public servant of the Ministère du Revenu to use any investigative technique or procedure or do anything described by the judge that would, if not so authorized, constitute an unreasonable search or seizure in respect of a person or a person's property;

WHEREAS, under the first paragraph of section 93.1.18 of the Act, amended by section 39 of chapter 4 of the Statutes of 2004, a fee in the amount determined by regulation must be paid to the clerk upon the filing of a motion for appeal with the Court of Québec;

WHEREAS, under the second paragraph of section 93.13 of the Act, amended by section 44 of chapter 4 of the Statutes of 2004, a fee in the amount determined by regulation must be paid upon the filing or sending of the summary appeal form;

WHEREAS, under the first paragraph of section 96 of the Act respecting the Ministère du Revenu, the Government may make regulations to, among other things, prescribe the measures required to carry out the Act;

WHEREAS the Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was made under the Act respecting the Ministère du Revenu;

WHEREAS it is expedient to amend the Regulation respecting fiscal administration to prescribe certain measures required to carry out the Act respecting the Ministère du Revenu introduced by chapter 4 of the Statutes of 2004;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or repealed by those regulations warrants the absence of prior publication and such coming into force;

WHEREAS, under section 97 of the Act respecting the Ministère du Revenu, every regulation made under the Act shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

IT IS ORDERED, therefore, on the recommendation of the Minister of Revenue:

THAT the Regulation to amend the Regulation respecting fiscal administration, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fiscal administration*

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, ss. 40.1.1, 1st par., 93.1.18, 1st par., 93.13, 2nd par., 96, 1st par., and 97; 2004, c. 4, ss. 25, 39 and 44)

1. The Regulation respecting fiscal administration is amended by inserting the following after section 34R2:

“DIVISION V.0.1 INFORMATION IN WRITING AND UNDER OATH

40.1.1R1. For the purposes of section 40.1.1 of the Act, a public servant who holds a position of financial management officer at the Direction principale des enquêtes within the Direction générale de la législation et des enquêtes of the Ministère du Revenu is authorized to lay an information in writing and under oath.”.

2. The said Regulation is amended by inserting the following after section 69.0.0.12R1:

“DIVISION VI.0.0.1 COURT FEES

93.1.18R1. For the purposes of section 93.1.18 of the Act, the fee payable is fixed in the amount of \$90 per appeal.

Where two or more assessments are the subject of a single appeal, the fee payable is fixed in the amount of \$90 per assessment.

93.13R1. For the purposes of section 93.13 of the Act, the fee payable is fixed in the amount of \$35 per summary appeal.

* The Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was last amended by the Regulation to amend the Regulation respecting fiscal administration made by Order in Council 1282-2003 dated 3 December 2003 (2003, *G.O.* 2, 3552). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

Where two or more assessments are the subject of a single appeal, the fee payable is fixed in the amount of \$35 per assessment.”.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

6426

M.O., 2004

**Order of the Minister of the Environment dated
17 June 2004**

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Temporary protection of certain lands in the domain of the State as a proposed aquatic reserve or proposed biodiversity reserve

WHEREAS, under first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of the Environment shall, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

WHEREAS, under section 28 of the Act, the setting aside of land under section 27 is valid for a period of not more than 4 years, which may be renewed or extended; the renewals or extensions of that period may not, unless so authorized by the Government, be such that the term of the setting aside exceeds 6 years;

CONSIDERING that by reason of the ecological value the territories and watercourses represent, the Minister of the Environment has been authorized by the Government to assign temporary protection status as a proposed aquatic reserve or proposed biodiversity reserve, as the case may be, to the 8 territories whose names appear in the attached Schedule, and that the plans of those areas and the conservation plan proposed for each of them have been approved, as evidenced by Order-in-Council 484-2004 dated May 19th 2004;

THEREFORE, the Minister of the Environment orders that:

(1) the status of proposed aquatic reserve is assigned to the territory whose name appears in Schedule I, the plan of that area and the conservation plan proposed for the duration of the temporary protection status assigned to it being those approved by the Government;

(2) the status of proposed biodiversity status is assigned to the seven territories whose names appear in Schedule II, the respective plans of those areas and the conservation plans proposed for the duration of the temporary protection status assigned to them being those approved by the Government;

(3) the status assigned for a period of 4 years is to begin for each of those areas on the date on which the notice of their setting aside is published in the *Gazette officielle du Québec*.

Québec, 17 June 2004

THOMAS J. MULCAIR,
Minister of the Environment

SCHEDULE I
PROPOSED AQUATIC RESERVE

Proposed Upper Harricana aquatic reserve

SCHEDULE II
PROPOSED BIODIVERSITY RESERVES

Proposed Taibi lake biodiversity reserve

Proposed Decelles reservoir biodiversity reserve

Proposed Parent lake marshlands biodiversity reserve

Proposed Waskaganish biodiversity reserve

Proposed Piché-Lemoine forest biodiversity reserve

Proposed Opasatica lake biodiversity reserve

Proposed Des Quinze lake biodiversity reserve

6413

Draft Regulations

Draft Regulation

Dam Safety Act
(R.S.Q., c. S-3.1.01)

Dam Safety — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Dam Safety Regulation, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to revise various measures provided for in the transitional provisions or that concern applications for authorization.

Amendments to the transitional provisions are proposed to introduce distinctions to apply to the types of structural alterations made to a dam. More precisely, work that affects only part of a dam is distinguished from work that totally or substantially alters the dam. The carrying out of short-term work of a preventive or remedial nature to improve the safety of a dam poses certain problems under the current requirements, as is the case where remedial work is required for part of a dam only.

In other respects, some regulatory measures have proven inadequate in specific circumstances, for example for owners of smaller dams having low failure consequences. Additional distinctions and details are therefore proposed for certain standards, in particular as regards the documents and information to be filed with applications for authorization. The frequency of some inspections has also been revised. The proposed amendments will update the Regulation in the light of facts observed in recent years, and will ease the burden and costs arising from its application while maintaining all safety objectives. They should have no unfavourable economic impact on businesses concerned. Rather, the standards that are to apply to the factual situation will more adequately reflect the risks observed.

Further information may be obtained by contacting Michel Dolbec, Head, Service de la sécurité des barrages, Centre d'expertise hydrique du Québec, Ministère de l'Environnement, 1685, boulevard Wilfrid-Hamel, local 1.03, Québec (Québec) G1H 3Y7; telephone: (418) 643-6666, extension 222; fax: (418) 643-4609; e-mail: michel.dolbec@menv.gouv.qc.ca

Any person wishing to comment on the draft Regulation may do so by submitting written comments before the expiry of the 45-day period to the Minister of the Environment, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

THOMAS J. MULCAIR,
Minister of the Environment

Regulation to amend the Dam Safety Regulation*

Dam Safety Act
(R.S.Q., c. S-3.1.01, ss. 6, 14, 15, 16, 17, 19, 20 and 37)

1. The Dam Safety Regulation is amended in section 5 by replacing “the discharge capacity, reservoir surface area” in subparagraph 6 of the first paragraph by “discharge capacity, in the case of a high-capacity dam, reservoir surface area”.

2. Section 13 is amended by deleting the second paragraph.

3. Section 19 is amended

(1) by inserting “, such as results on full seasonal opening of the dam’s discharge facilities” before “; and” at the end of subparagraph 2 of the second paragraph;

(2) by inserting “including changes involving putting a dam back into operation or partially stopping its operation,” after “safety,” in subparagraph 3 of the second paragraph.

4. Section 23 is amended

(1) by replacing the first sentence of the second paragraph by the following:

“The incremental damages to be assessed under this section are damages likely to occur downstream of the dam. No increase in damages is attributable to a given flood, pursuant to this section, if the rise in the water level caused by the dam failure does not exceed 60 centimetres.”;

* The Dam Safety Regulation was made by Order in Council 300-2002 dated 20 March 2002 (2002, *G.O.* 2, 1647) and has not been amended since.

(2) by replacing “Very Low Consequence category in Schedule V” at the end of the second paragraph by “Low Consequence category in Schedule V”.

5. Section 32 is amended

(1) by deleting paragraph 2;

(2) by inserting “, including changes involving putting a dam back into operation or partially stopping its operation,” after “safety” in paragraph 3.

6. The table of types of inspections in the third paragraph of section 42 is amended

(1) by adding “1/5Y” in the “Regular” line in column E-II of “Dam Classification and Dam Behaviour”;

(2) by replacing “1/3Y”, “1/5Y” and “1/5Y” in the “Formal” line in columns C-II, D-II and E-II of “Dam Classification and Dam Behaviour” by “1/5Y”, “1/8Y” and “1/10Y”, respectively.

7. Section 43 is amended by adding the following sentence at the end:

“Where the operation of a dam has been temporarily stopped, subject to the conditions of the authorization issued by the Minister, the site inspections and regular monthly inspections may also be omitted for the months during which the stopping of the operation of the dam has been authorized.”.

8. Section 45 is amended by adding the following paragraph at the end:

“For the purposes of this section, “civil-engineering technician” means a person who holds a diploma in Civil Engineering Technology, or a person who has completed equivalent training. The persons who, on 11 April 2002, were already performing the duties of such a technician may also carry out site inspections under the authority of a civil-engineering technician.”.

9. Sections 50 and 51 are replaced by the following:

“**50.** A dam safety review must be conducted, and the attendant report sent to the Minister, every ten years. That frequency is increased to 15 years and 20 years for dams in the Low and Very Low Consequence category, respectively.

Where a dam undergoes a structural alteration that affects all parts of the structure or that, because of the scope of the work, is equivalent to reconstructing the dam, the schedule of reviews and reports is moved forward, the period for the next review and report being computed from the year of completion of the work.

51. Subject to the provisions of sections 78 to 80 respecting an existing dam, the first dam safety review must be conducted no later than in the tenth year following the year of dam commissioning. That deadline is postponed to the 15th year and the 20th year for dams in the Low and Very Low Consequence category, respectively.

For the purposes of section 50 and this section, the year of dam commissioning and the year of completion of the work are the years during which the Minister must be advised of the completion of the work as provided in section 10 of the Act.”.

10. Section 57 is amended by adding “or for a structural alteration that affects all parts of the structure or that, because of the scope of the work, is equivalent to reconstructing the dam” after “a dam” in the part preceding subparagraph 1 of the first paragraph.

11. Section 58 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**58.** In addition to the information and documents required by the Act, the following information and documents adapted and prepared specifically in relation to the proposed alteration must be submitted with an application for authorization for the structural alteration of a dam that is not an alteration under section 57:”.

12. Section 60 is amended

(1) by inserting “, including changes involving putting a dam back into operation or partially stopping its operation,” after “safety of the dam” in the part preceding subparagraph 1 of the first paragraph;

(2) by replacing “respecting the structural and foundation stability of the dam” in paragraph 2 of the first paragraph by “respecting the structural and foundation stability of the dam and the functionality and reliability of the discharge facilities”;

(3) by inserting the following after subparagraph 3 of the first paragraph:

“(4) the impounded water management plan summary, as revised for the purpose of the application for authorization if such a plan is required for the dam under Subdivision 1 of Division III.”;

(4) by deleting the second paragraph.

13. Section 61 is amended by replacing paragraphs 1 to 5 by the following:

“(1) if the application is for a permanent stopping :

(a) a description of the measures that will be taken to terminate the operation of the dam ;

(b) the project engineer’s recommendation respecting the dam failure consequence category under sections 17 and 18, to which is appended the dam failure analysis, rough maps or characterization required under section 18 for the consequence category the engineer considers to be appropriate for the dam once the operation has stopped; and

(c) if the dam condition is “poor or unknown” or if the dam failure consequence category reviewed under section 19 is “Moderate”, “High”, “Very High” or “Severe”, the project engineer’s certification respecting the structural and foundation stability of the dam ; and

(2) if the application is for a temporary stopping, such as results on full seasonal opening of the dam’s discharge facilities,

(a) the year or, where the stopping of the dam’s operation is recurrent, the years for which the authorization is applied for and details on the time and duration of each anticipated period of temporary stopping ; and

(b) a description of the measures that will be taken to temporarily stop the operation of the dam.”.

14. Section 65 is amended by replacing “its safety or for the permanent or temporary stopping of the operation” by “the safety”.

15. Section 75 is replaced by the following :

“**75.** Every existing high-capacity dam with characteristics that do not comply with the minimum safety standards under Division II of Chapter III on the date of coming into force of the Act must be brought into conformity with those standards

(1) when the dam undergoes a structural alteration that affects all parts of the structure or that, because of the scope of the work, is equivalent to reconstructing the dam ; or

(2) no later than by the completion date stated in the outline of remedial measures and implementation schedule approved by the Minister under section 17 of the Act.

In addition, if structural alterations other than those referred to in subparagraph 1 are made to a dam before either of those times, the dam must be brought into conformity with the various safety standards respecting the work, the parts of the dam or the characteristics of the dam being altered or affected by the alterations to the structure of the dam.”.

16. Section 76 is amended by replacing subparagraph 2 of the first paragraph by the following :

“(2) prior to authorization for

(a) a structural alteration to the dam if it affects all parts of the structure or, because of the scope of the work, the structural alteration is equivalent to reconstructing the dam ; or

(b) any change in use likely to affect dam safety, in particular a change involving putting the dam back into operation or partially stopping its operation.”.

17. Section 77 is amended by replacing subparagraph 2 of the first paragraph by the following :

“(2) prior to authorization for

(a) a structural alteration to the dam if it affects all the parts of the structure or, because of the scope of the work, the structural alteration is equivalent to reconstructing the dam ; or

(b) any change in use likely to affect dam safety, in particular a change involving putting the dam back into operation or partially stopping its operation.”.

18. The Table in Schedule III showing the points corresponding to the seismic zones is replaced by the following :

“**Seismicity**

Seismic zone	Points
1	1
2	1
3	2
4	6
5	8

”.

19. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Draft Regulation

Food Products Act
(R.S.Q., c. P-29)

Food

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting food, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to create a new permit category for dismembering plants called the composting category, to allow poultry producers to use composting as an additional means for the sanitary disposal of poultry carcasses on the farm.

To date, study of the matter has revealed no significant impact on businesses.

Further information may be obtained by contacting Daniel Tremblay, Director, Direction de la normalisation et appui à l'inspection des aliments, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6; telephone: (418) 380-2100; fax: (418) 380-2169.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

FRANÇOISE GAUTHIER,
Minister of Agriculture, Fisheries and Food

Regulation to amend the Regulation respecting food*

Food Products Act
(R.S.Q., c. P-29, s. 40, pars. c, f and g)

1. The Regulation respecting food is amended by inserting the following after section 1.3.1.12:

“1.3.1.12.1. A person applying for a dismembering plant permit in the “composting” category must be a poultry producer.”.

2. Section 1.3.4.1 is amended

(1) by replacing “8” in the introductory paragraph by “9”;

(2) by inserting the following after paragraph *h*:

“(i) dismembering plant permit, “composting” category.”.

3. The following is inserted after section 1.3.4.9:

“1.3.4.9.1. A permit of the dismembering plant “composting” category authorizes its holder, subject to section 7.4.9, to operate a dismembering plant for the purpose of composting poultry carcasses and eggs from the permit holder’s livestock exclusively, in a plant that conforms to section 7.2.11.1.”.

4. Section 1.3.6.3 is amended by inserting the following after paragraph *h*:

“(i) \$30 for a permit of the “composting” category.”.

5. Section 7.1.6 is amended by inserting the following after the first paragraph:

“Despite the first paragraph, an animal admitted, received or held in a dismembering plant in the “composting” category must be dead before it enters the composting facility.”.

6. Section 7.2.1 is amended by inserting the following after the second paragraph:

“A dismembering plant referred to in section 7.2.11.1 must be built on the site of the permit holder’s agricultural operation.”.

7. The following is inserted after section 7.2.11:

“7.2.11.1. A dismembering plant operated under a “composting” category permit must have a composting facility with

(a) an impervious concrete platform designed so that runoff from rain and snow flows outside the facility and the leachate resulting from the composting is retained inside the facility;

(b) a roof with cornices to prevent rain and snow from entering the facility;

* The Regulation respecting food (R.R.Q., 1981, c. P-29, r.1) was last amended by the regulation made by Order in Council 647-2001 dated 30 May 2001 (2001, *G.O.* 2, 2641). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

(c) primary and secondary composting areas each having a maximum height of 1.8 metres; and

(d) a structure that prevents access to the facility by live animals.”.

8. Section 7.2.15 is amended by inserting “or “composting”” after ““rendering plant””.

9. Section 7.2.18 is amended by inserting the following after the second paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

10. Section 7.2.21 is amended by inserting the following after the first paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

11. Section 7.2.23 is amended by inserting the following after the second paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

12. Section 7.4.3 is amended by inserting the following after the first paragraph:

“Despite the first paragraph, inedible meat held by the operator of a dismembering plant referred to in section 7.2.11.1 must enter the composting facility on the day of the animal’s death.”.

13. Section 7.4.4 is amended by inserting the following after the first paragraph:

“Despite the first paragraph, the operator of a dismembering plant referred to in section 7.2.11.1 who holds inedible meat and cannot treat it in accordance with section 7.4.3 must dispose of it by another authorized procedure.”.

14. Section 7.4.5 is amended by inserting “, “composting”” in the first paragraph after ““rendering plant””.

15. Section 7.4.9 is amended by inserting the following after subparagraph *l* of the first paragraph:

“(m) in the case of the dismembering plant operated under a “composting” category permit, sales, shipping and delivery operations in relation to inedible meat are prohibited.”.

16. Section 7.4.10 is amended by inserting the following after the fifth paragraph:

“In the case of a dismembering plant operated under a “composting” category permit, the operator must, for each day of operation, maintain a register indicating, for each primary composting area in operation, the name of the person in charge, the date on which carcasses enter the area and their number, approximate weight and species. The register must be kept for at least one year after the date of the last entry.”.

17. Section 7.4.15 is amended by inserting the following after the first paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

18. The following is inserted after section 7.4.16:

“7.4.16.1. The operation of a composting facility by a dismembering plant referred to in section 7.2.11.1 and the use of the compost produced by the facility must comply with the Environment Quality Act and the regulations thereunder.”.

19. Schedule 1.3.A to the Regulation is amended in section 1 of item B entitled “Information about the category of permit applied for” by inserting “Composting” in the “Dismembering plant” category under “Special preparation”.

20. Schedule 1.3.B to the Regulation is amended in section 1 entitled “Dismembering plant” by inserting “Composting” under “Special preparation”.

21. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Quality of drinking water — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the Regulation to amend the Regulation respecting the quality of drinking water, the text of which appears below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation revokes the pH and aerobic or anaerobic heterotrophic bacteria standards that have no incidence on health, relaxes the procedures for a return to compliance after standards have been exceeded, establishes posting standards that are to apply if an outdoor establishment is unable to provide drinking water that meets the standards of quality, and lastly, requires an operator's declaration to be filled out by all persons responsible for drinking water distribution systems.

The purpose of the draft Regulation is to facilitate the application of the Regulation currently in force without reducing the protection of the health of the population; consequently, it will have no new financial impact on the persons to whom it applies. On the contrary, water analysis costs will decrease for all persons responsible for distribution systems and the capital requirements of certain small operators will be considerably lower.

Further information may be obtained by contacting Didier Bicchi, Head, Service des eaux municipales, 675, boulevard René-Lévesque Est, 8^e étage, Québec (Québec) G1R 5V7; telephone: (418) 521-3885, extension 4852; e-mail: didier.bicchi@menv.gouv.qc.ca, before the expiry of the 60-day period. Additional information is also available on the website of the Ministère de l'Environnement at www.menv.gouv.qc.ca

Any person wishing to comment on the draft Regulation may do so by submitting written comments before the expiry of the 60-day period to the Minister of the Environment, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

THOMAS J. MULCAIR,
Minister of the Environment

Regulation to amend the Regulation respecting the quality of drinking water*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *e*, *h.1*, *h.2*, *j* and *l*, s. 45, s. 45.2, par. *a*, s. 46, pars. *a*, *b*, *d*, *o*, *o.1*, *o.2*, *p* and *t*, s. 86, s. 87, par. *a*, and s. 109.1)

1. The Regulation respecting the quality of drinking water is amended in section 1

(1) by striking out the paragraph numbers before the definitions and placing the definitions in alphabetical order;

(2) by inserting the following definitions in alphabetical order:

“disinfection reserve” means a constant-volume reservoir of water or a water main used explicitly for water disinfection;

“drinking water” or “water intended for human consumption” means water intended for ingestion by human beings;

“person responsible for the operation of a drinking water facility” means a person whose ordinary or occasional duties concern the operation or operating follow-up of drinking water collection, treatment or distribution equipment, including a tank truck, and includes a person responsible for repair work on mains and the person responsible for placing the distribution system into service after repair work or work to extend the system;

“variable reserve” means a variable-volume reservoir of water used for fire protection or during shortage or peak periods, or for disinfection;

(3) by replacing the second sentence of the definition of “distribution system” by “In the case of a building connected to a waterworks system, any mains supplying the building and located downstream from the shut-off valve serving the building are excluded.”;

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

“Where this Regulation requires a number of persons to be determined, the method in Schedule 0.1 must be used.”.

* The Regulation respecting the quality of drinking water, made by Order in Council 647-2001 dated 30 May 2001 (2001, *G.O.* 2, 2641), was last amended by the regulations made by Orders in Council 301-2002 dated 20 March 2002 (2002, *G.O.* 2, 1669) and 586-2004 dated 16 June 2004 (2004, *G.O.* 2, 2023).

2. Section 2 is amended by adding “or by the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)” at the end.

3. Section 3 is amended by adding the following paragraphs:

“Where the owner or operator of a campground, outfitting operation, vacation rental cottage, rest area or seasonal tourist establishment that does not offer restaurant services puts water at the disposal of users that does not comply with the standards referred to in the first paragraph and is not intended for human consumption, the owner or operator must, in order to prevent any misunderstanding or confusion on the part of the users, inform the users by means of a pictogram to that effect that must be placed at the entrance to the establishment as well as within sight of the taps for the water that is not intended for human consumption.

Where the quality of the water not intended for human consumption is likely to be altered by volatile organic substances or to contain more than 130 fecal coliform bacteria or *Escherichia coli* bacteria per 100 ml, the owner or operator of the immovable must also place a pictogram to that effect within sight of the bathtub taps and shower heads in the immovable.”.

4. Section 4 is amended by replacing “one residence” in paragraphs 1 and 3 by “20 persons or less”.

5. Section 5 is amended

(1) by replacing “Water supplied by a distribution system must have undergone, before being supplied,” in the first paragraph by “Drinking water must have undergone”;

(2) by replacing subparagraph 2 of the third paragraph by the following:

“(2) one sample of water per week is collected for at least 90 consecutive days and at least 90% of the samples have fewer than 20 fecal coliform bacteria per 100 ml of water collected;

(2.1) one sample of water is collected at least once a month for at least 90 consecutive days and none of the samples has a concentration greater than 80 µg/L of simulated trihalomethanes. The simulation must be carried out in accordance with the protocol in the document entitled Methods for taking and preserving samples for the application of the Regulation respecting the quality of drinking water, published by the Ministère de l'Environnement;”.

6. Section 6 is amended

(1) by replacing “of water supplied by a distribution system must, if it” by “for drinking water must, if the water”;

(2) by adding the following paragraph:

“Superchlorination facilities located on the distribution system are not subject to the requirements of the first paragraph.”.

7. Section 7 is amended

(1) by replacing “Water supplied by a distribution system” by “Drinking water”;

(2) by striking out “, before being supplied,”.

8. Section 8 is amended

(1) by striking out “or, where that facility has a disinfected water reservoir, at the outlet of that reservoir” in the first paragraph;

(2) by deleting the second and third paragraphs.

9. Section 9 is amended by replacing “Any distribution system that supplies disinfected water” by “Every continuous disinfection treatment facility”.

10. The following is inserted after section 10:

“**10.1.** A person in charge of a distribution system to which this Division applies is required to fill out the operator's declaration appearing in Schedule 3.”.

11. Section 12 is amended by striking out “and have as its object the analysis of facultatively aerobic or anaerobic heterotrophic bacteria, in addition to total coliform bacteria and fecal coliform bacteria or *Escherichia coli* bacteria” in the first paragraph.

12. Section 13 is replaced by the following:

“**13.** Where water supplied by a distribution system comes in whole or in part from non-continuously disinfected groundwater having a vulnerability index for the bacteriological protection area that is greater than 100 using the DRASTIC method, the person responsible for the distribution system must collect or have one sample of raw water supplying the distribution system collected at least once a month to test for the presence of fecal coliform bacteria or *Escherichia coli* bacteria and enterococci bacteria if works or activities that are likely

to alter the microbiological quality of the water are present within the bacteriological protection area of the collection site established on the basis of a 200-day groundwater migration time.

Where water supplied by a distribution system comes in whole or in part from non-continuously disinfected groundwater having a vulnerability index for the virological protection area that is greater than 100 using the DRASTIC method, the person responsible for the distribution system must also collect or have one sample of raw water supplying the distribution system collected at least once a month to test for the presence of F-specific coliphage viruses if works or human activities such as a sewer system, the spreading of septic tank sludge or a domestic waste water infiltration field that are likely to alter the microbiological quality of the water are present within the virological protection area of the collection site established on the basis of a 550-day groundwater migration time.”.

13. Section 14 is amended

(1) by replacing “nitrates” wherever it occurs by “nitrates/nitrites and nitrites”;

(2) by adding “or, if the establishment is closed between July 1st and October 1st, in any other period” at the end of the first paragraph;

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

“This section does not apply if the distribution system is supplied by a third person required to test for inorganic substances.”.

14. Section 15 is amended in the first paragraph

(1) by striking out “de désinfection” in the French text of the first paragraph;

(2) by adding “or, if the establishment is closed between July 1st and October 1st, in any other period” at the end of the first paragraph.

15. Section 17 is revoked.

16. Section 18 is amended

(1) by replacing “désinfectées avec le chlore” in the French text of the first paragraph by “chlorées”;

(2) by replacing “or a house of detention” in the second paragraph by “, a house of detention or several such establishments”;

(3) by replacing “one sampling of the water supplied per year, between July 1st and October 1st to control trihalomethanes” in the second paragraph by “one sampling of the water supplied per year to test for trihalomethanes, between July 1st and October 1st or, if the establishment is closed between July 1st and October 1st, in any other period”.

17. Section 19 is amended by adding the following paragraph at the end:

“This section does not apply if the distribution system is supplied by a third person required to test for the substances listed in Schedule 2.”.

18. Section 22 is amended

(1) by striking out “, a measure of the flow rate of the water as well as, in the case referred to in the third paragraph, a measure of the turbidity” in the first sentence of the fourth paragraph;

(2) by inserting the following in the fourth paragraph after the first sentence:

“On entering that value in the register, the owner or operator must also enter the flow rate of the water and, in the case referred to in the first paragraph, the turbidity. In addition, if the reserve is variable, the owner or operator must also enter the value of the volume of water. Where the treatment sequence depends on multiple disinfectants, the value of the parameters necessary to compute the elimination level of the parasites and viruses specified in sections 5 and 6 at the time the residual disinfectant is at its lowest level must also be entered.”;

(3) by replacing “He” in the second sentence of the fourth paragraph by “The owner or operator” and “that reservoir” by “the disinfection reserve or variable reserve”;

(4) by inserting “200 persons or less,” after “supplies only” in the first sentence of the fifth paragraph;

(5) by adding the following sentence and paragraph at the end of the fifth paragraph:

“In such cases, the person responsible must keep a daily register in which the residual chlorine value, temperature, pH and, if applicable, turbidity are entered. If the reserve is variable, the person responsible must also indicate the value of the volume of water at the time of the water quality analysis.

If the alarm is activated, the operator must specify the cause in the register and any remedial measures taken.”.

19. Section 23 is amended

(1) by replacing “disinfected” after “supplies” in the first paragraph by “chlorinated”;

(2) by deleting the last paragraph.

20. Section 24 is replaced by the following:

“24. In the case of failure of part or all of the treatment system, the person responsible for the system must immediately inform the Minister of the failure and specify the remedial measures taken. The person must also inform the public health director of the region concerned.”.

21. Section 25 is revoked.**22.** Section 26 is amended by adding the following paragraph at the end:

“In the territories located north of the 55th parallel, the samples collected pursuant to sections 11, 14, 15, 18 and 19 must be collected at the outlet of the reservoir where the owner or operator is supplied with water.”.

23. Section 27 is amended by replacing the first paragraph by the following:

“27. The owner or operator of a tank truck must fill the tank with water taken from a distribution system supplying water that complies with the standards of quality defined in Schedule 1.”.

24. Section 28 is amended by adding the following paragraph at the end:

“This section does not apply to the territories located north of the 55th parallel.”.

25. Section 30 is amended by replacing the second paragraph by the following:

“Every person who collects or has a water sample collected pursuant to this Regulation must certify that the sampling and preservation of the sample satisfy the requirements prescribed under this Regulation and that the sample was sent to a laboratory accredited under section 118.6 of the Environment Quality Act. The certification, entered on the analysis form provided by the Minister of the Environment, and the copies of the related analysis results must be preserved and be available to the Minister for at least 5 years.”.

26. Section 31 is amended

(1) by striking out “27,” in the first sentence;

(2) by replacing “reports prescribed by the Minister” in the second sentence by “forms provided by the Minister”.

27. Section 32 is amended

(1) by striking out “section 17,” in the first paragraph;

(2) by inserting “, section 27” after “section 23” in the first paragraph;

(3) by inserting “, entered on the analysis form provided by the Minister,” after “that certification” in the second paragraph.

28. Section 34 is amended by replacing “second paragraph” by “second and third paragraphs”.**29.** Section 35 is amended

(1) by replacing “does not comply with any of the standards of quality defined in Schedule 1 or contains total coliform bacteria” at the end of the first paragraph by “shows the presence of fecal coliform bacteria, *Escherichia coli* bacteria, enterococci bacteria or F-specific coliphage viruses”;

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

“Where the water does not comply with any of the other standards of quality defined in Schedule 1, contains more than 80 µg/L of trihalomethanes or shows the presence of total coliform bacteria, the laboratory must communicate that information to the persons referred to in the first paragraph as soon as possible, during working hours.”;

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

“Any result showing the presence of fecal coliform bacteria, *Escherichia coli* bacteria, enterococci bacteria or F-specific coliphage viruses must be immediately communicated by the laboratory to the Minister of the Environment and to the public health director of the region concerned. If the water does not comply with any of the other standards of quality defined in Schedule 1 or contains more than 80 µg/L of trihalomethanes, the laboratory must communicate that information to those persons as soon as possible, during working hours.”.

30. Section 37 is amended by adding the following sentence at the end:

“Where the presence of fecal coliform bacteria or *Escherichia coli* bacteria is detected, the persons responsible for those systems must, as soon as they are so informed, notify the users in the manner provided for in the second and third paragraphs of section 36.”.

31. Section 39 is amended

(1) by replacing “contains *Escherichia coli* bacteria or that it does not comply with one of the parameters set out in Schedule 1 respecting other bacteria” in the first paragraph by “does not meet the parameters set out in Schedule 1 respecting bacteria or where a distribution system is supplied by a third person under a boil water advisory”;

(2) by replacing “during 2 consecutive days” in the first paragraph by “over 2 days separated by less than 72 hours”;

(3) by replacing the first line in the table under the first paragraph by the following:

“

1 to 1,000 persons	2
1,001 to 5,000 persons	4

”;

(4) by replacing “during 2 consecutive days” in the third paragraph by “separated by at least 2 hours, for at least 1 day”;

(5) by striking out the last sentence of the fourth paragraph;

(6) by adding the following sentence at the end of the fifth paragraph:

“If the analyses revealed the presence of *Escherichia coli* bacteria or enterococci bacteria in raw groundwater collected in accordance with this section, the boil water advisory may not be lifted without the appropriate remedial measures having been taken.”.

32. Section 40 is amended

(1) by striking out “pH or” in the first paragraph;

(2) by replacing “during 2 consecutive days” in the first paragraph by “over 2 days separated by less than 72 hours”.

33. Section 42 is amended

(1) by replacing “standards of quality set out in Schedule 1” by “provisions of section 3”;

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

“If the quality of water shows a gross alpha activity greater than 0.1 Bq/L or a gross beta activity greater than 1 Bq/L, the person responsible for the distribution system or, as the case may be, the owner or operator of the tank truck must take appropriate measures as soon as possible to enable testing for the presence of radioactive substances in the water.”.

34. Section 43 is amended by replacing “one residence” in paragraphs 1 and 3 by “20 persons or less”.

35. Section 44 is amended

(1) by replacing “a distribution system, a collection facility of water supplied by that system and a filtration or disinfection treatment facility of that water” in the first paragraph by “a drinking water collection, treatment or distribution facility”;

(2) by replacing “issued in matters of drinking water purification or treatment recognized” in the first sentence of the second paragraph by “recognized for the production or distribution of drinking water”;

(3) by inserting “, certificates and attestations” after “diplomas” in the second sentence of the second paragraph;

(4) by adding the following sentence at the end of the third paragraph:

“The obligation also applies to the persons responsible for the collection of water for analysis purposes, unless they are employed by a body accredited for that purpose by the Minister under section 118.6 of the Environment Quality Act.”.

36. The following is inserted after section 47:

“**47.1.** Any offence against the provisions of sections 11, 12, 14, 17 to 19, 21, 39 and 40 makes the offender liable

(1) to a fine of \$5,000 to \$25,000 in the case of a natural person;

(2) to a fine of \$10,000 to \$160,000 in the case of a legal person.”.

37. Section 48 is amended by replacing “47” by “47.1”.

38. Schedule 0.1 appearing as Schedule I to this Regulation is inserted before Schedule 1.

39. Schedule 1 is amended

(1) by inserting “F-specific” in subparagraph *a* of paragraph 1 before “coliphage”;

(2) by deleting subparagraph *g* of paragraph 1;

(3) by inserting the following line in alphabetical order in the table in paragraph 2:

“

Copper (Cu)	1
-------------	---

”;

(4) by striking out the first two lines relating to gross alpha and beta activity in the table in paragraph 4;

(5) by deleting paragraph 5 relating to parameters respecting pH.

40. Schedule 3 appearing as Schedule II to this Regulation is added after Schedule 2.

41. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I

(s. 38)

“SCHEDULE 0.1

(s. 1)

METHOD TO DETERMINE THE POPULATION SUPPLIED

System supplying residences (single-family dwellings, mobile homes or dwellings): the average number of persons per residence in Québec is 2.5 persons; the number of residences supplied indicated by the operator on the declaration form must be multiplied by that constant to obtain the number of persons supplied. If the information is available, the operator may also indicate the number of persons residing at each address supplied. If the operator chooses to indicate that information, the sum of all the declared numbers is used rather than the aforementioned constant.

Establishment offering camping sites: the average number of persons per camping site is 2.5 persons. The number of persons supplied is determined by adding the number obtained by multiplying the number of sites in the establishment (information provided by the operator on the declaration form) by that constant to the number of employees of the establishment.

Establishment offering sleeping accommodations (examples: vacation camp, outfitting operation, hotel, etc.): the number of persons supplied is determined by adding the number of beds (in single bed equivalents) in the establishment to the number of non-residing employees of the establishment working on the premises.

Establishment offering restaurant services (including bars but excluding establishments where no drinking water is put at the disposal of patrons): the number of persons supplied is determined by adding the number of seated places in the establishment to the number of employees of the establishment working on the premises. In the case of an establishment for which the Régie des alcools, des courses et des jeux has issued a permit, the number of places is the number indicated on the permit.

Educational institution (including day care centres): the number of persons supplied is determined by adding the accommodation capacity of the establishment to the number of employees of the establishment working on the premises.

Health and social services institution or house of detention: the number of persons supplied is determined by adding the accommodation capacity of the establishment to the number of employees of the establishment working on the premises.

Public place (rest areas and tourist information centres that do not offer restaurant services are part of this category): 1,000 persons are considered to be supplied. If it is possible to consult a register, the number of persons supplied is determined by the number of visitors on the busiest day of the preceding year.

Place not accessible to the public where the employer puts drinking water at the disposal of employees through piping, the number is the number indicated by the person responsible on the declaration form.”.



Schedule 3 (s. 10.1)

Declaration form for persons responsible for a production or distribution system for water intended for human consumption

For use by the Department N° de dossier :		Direction régionale : N° de réseau :			
<table border="1"> <tr> <td style="background-color: black; color: white; text-align: center;">1</td> <td style="text-align: center;">PERSONS RESPONSIBLE</td> </tr> </table>				1	PERSONS RESPONSIBLE
1	PERSONS RESPONSIBLE				
1.1 Identification of the owner					
Systems under the responsibility of the owner					
<input type="checkbox"/> All the drinking water production and distribution systems		<input type="checkbox"/> Water intake			
<input type="checkbox"/> Treatment		<input type="checkbox"/> Distribution system			
Name of the owner (individual, municipality, body, legal person, etc.)		CIDREQ ¹ No. (if available)			
Address (No., street, post office box)					
Municipality		Province	Postal code		
Name of the representative		Mr. <input type="checkbox"/> Ms. <input type="checkbox"/>	First name		
Position		E-mail (if available)			
Telephone No.		Fax No.			
Usual name of the establishment or system					
<input type="checkbox"/> Same as indicated in section 1.1, or:					
<input type="checkbox"/> Same address as indicated in section 1.1, or:					
Address (No., street, post office box)					
Municipality		Province	Postal code		
Telephone No.		Fax No.			
1.2 Identification of the operator , if different from the owner					
Systems under the responsibility of the operator					
<input type="checkbox"/> All the drinking water production and distribution systems		<input type="checkbox"/> Water intake			
<input type="checkbox"/> Treatment system		<input type="checkbox"/> Distribution system			
Name of the operator (individual, municipality, body, legal person, etc.)		CIDREQ ¹ No. (if available)			
Address (No., street, post office box)					
Municipality		Province	Postal code		
Name of the representative		Mr. <input type="checkbox"/> Ms. <input type="checkbox"/>	First name		
Position		E-mail (if available)			
Telephone No.		Fax No.			

¹ Register of sole proprietorships, partnerships and legal persons.

1.3	Identification of the person responsible for the sampling , if different from the operator or owner																														
Name															Mr. <input type="checkbox"/> Ms. <input type="checkbox"/>					First name											
Position																															
Telephone No.															Fax No.																
				-										Ext.									-				-				
1.4	Identification of the person responsible for analysis on the premises , if different from the operator, owner or person responsible for the sampling																														
Name															Mr. <input type="checkbox"/> Ms. <input type="checkbox"/>					First name											
Position																															
Telephone No.															Fax No.																
				-										Ext.									-				-				

2 TYPE OF OPERATION AND POPULATION SUPPLIED

2.1	Operation category (N.B.: the system may supply more than one category)
-----	---

- | | | |
|-----|--------------------------|--|
| I | <input type="checkbox"/> | Educational institution (university, school, day care centre, childcare centre, vocational training centre, etc.) |
| II | <input type="checkbox"/> | House of detention (prison and correctional facility) |
| III | <input type="checkbox"/> | Health and social services institution (hospital, CLSC, infirmary, various residential centres, foster home, etc.) |
| IV | <input type="checkbox"/> | Tourist establishment (campground, outfitter, vacation camp, rest area, ski resort, golf course, marina, tourist information bureau, restaurant, bar, community hall, hotel, any other establishing offering sleeping accommodations or restaurant services, etc.) |
| V | <input type="checkbox"/> | Enterprise (business, industry and other non-tourist commercial establishment, etc.) |
| VI | <input type="checkbox"/> | Operation other than those mentioned above (private or municipal system, multiple unit building, condominium, mobile home park) |

2.2	Number of persons supplied
-----	----------------------------

Enter the information requested for all applicable items for a system. For example, for a private system that supplies residences, a multiple unit building and a restaurant, the information requested for those three items is to be indicated.

- | |
|--|
| <p>➤ For a private or municipal system (including a mobile home park):</p> <ul style="list-style-type: none"> • number of persons supplied (if available) _____ • number of dwelling units supplied _____ |
| <p>➤ For an establishment offering camping sites (campground, SÉPAQ, ZEC, etc.):</p> <ul style="list-style-type: none"> • accommodation capacity (campers) _____ • number of sites _____ • number of employees of the establishment _____ |
| <p>➤ For an establishment offering sleeping accommodations (vacation camp, outfitter, hotel, motel, inn, SÉPAQ, ZEC, etc.)</p> <ul style="list-style-type: none"> • accommodation capacity (guests) _____ • number of beds (in single bed equivalents, including residing employees' beds) _____ • number of employees of the establishment (non-residing employees only) _____ |
| <p>➤ For an establishment offering restaurant services (including bars but <u>excluding</u> establishments where no water is put at the dispositions of patrons) (specify: _____) :</p> <ul style="list-style-type: none"> • accommodation capacity (guests) _____ • number of seated places in the establishment (in the case of a bar, the accommodation capacity is specified on the permit issued by the Régie des alcools, des courses et des jeux) _____ • number of employees of the establishment _____ |
| <p>➤ For an educational institution (including day care centres and other similar establishments) (specify: _____) :</p> <ul style="list-style-type: none"> • accommodation capacity _____ • number of employees of the establishment _____ |
| <p>➤ For a health and social services institution or house of detention:</p> <ul style="list-style-type: none"> • accommodation capacity _____ • number of employees of the establishment _____ |
| <p>➤ For a public place (rest area, community hall, playground with fountain, etc.) (specify: _____) :</p> <p><input type="checkbox"/> absence of register</p> <p><input type="checkbox"/> existence of register</p> <ul style="list-style-type: none"> • number of visitors on the busiest day of the preceding year _____ |

In all cases	
--------------	--

- | | | | | |
|--|-----|-------|----|-------|
| • the total population supplied is between 21 and 1,000 persons | yes | _____ | no | _____ |
| • the total population supplied is between 1,001 and 5,000 persons | yes | _____ | no | _____ |
| • the total population supplied is between 5,001 and 8,000 persons | yes | | no | |

3	OPERATION OF THE DISTRIBUTION SYSTEM
Operation : <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="margin-top: 10px;"> <input type="checkbox"/> Yearly <input type="checkbox"/> Seasonal </div> <div style="margin-top: 10px;"> Beginning: _____ End : _____ <div style="display: flex; justify-content: space-around; width: 100%;"> month/day month/day </div> </div> </div>	

Note : In the case of a change in the information provided, you must inform your regional branch of the Ministère de l'Environnement.

Name of the signatory responsible for a production and/or distribution system for water intended for human consumption (in block letters):

SIGNATURE

DATE

6416

Draft Regulation

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Selection of foreign nationals — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the selection of foreign nationals, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to integrate new provisions as regards the investment agreement between a foreign national and the broker or trust company which require the broker or trust company to open a separate account for the investor, prohibit a change in broker or trust company, require the investment to be reimbursed to the investor on cancellation of the selection certificate or on denial of the application for visa or permanent residence, introduce a 90-day deadline for investment of the funds and require the foreign national be identified by means of various particulars.

The draft Regulation provides for a three-party agreement between the broker or the trust company, Investissement-Québec or one of its subsidiaries, and the Minister of Relations with the Citizens and Immigration to ensure compliance with the laws dealing with the laundering of proceeds of crime, the financing of terrorist activities and lobbying.

The draft Regulation also modifies the selection criteria to include the notion of management experience required of an investor.

Further information may be obtained by contacting Robert Gauthier, Director General, Direction générale de l'immigration économique, 800, place Victoria, C.P. 216, bureau 2.70, Montréal (Québec) H4Z 1E3; telephone: (514) 873-2446; fax: (514) 864-3291.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Relations with the Citizens and Immigration, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2EP.

MICHELLE COURCHESNE,
*Minister of Relations with
the Citizens and Immigration*

Regulation to amend the Regulation respecting the selection of foreign nationals*

An Act respecting immigration to Québec (R.S.Q., c. I-0.2, s. 3.3, pars. *b* and *f*)

1. The Regulation respecting the selection of foreign nationals is amended in subsection 1 of section 1

(1) by replacing “management experience” in subparagraph *e.1* by “management experience (entrepreneur)”;

(2) by adding the following after subparagraph *e.1* :

“(e.2) “management experience (investor)” : the actual assuming on a full-time basis of responsibilities and duties related to the planning, management and control of financial resources, and of human or material resources, provided that such responsibilities and duties are not assumed in the context of an apprenticeship, training or specialization process attested to by a diploma;”.

2. Section 34.1 is amended

(1) by inserting “the Minister and” in the first paragraph after “agreement with”;

(2) by replacing “his mandatory with” in the first paragraph by “the foreign national’s mandatory with the Minister and”;

(3) by replacing subparagraph *a* of the third paragraph by the following:

“(a) an undertaking by the foreign national to make an investment of at least \$400,000 with a broker or trust company which must invest the amount with Investissement-Québec or one of its subsidiaries, no later than 90 days after the issue of the notice of compliance in respect of the agreement sent to the foreign national by the Minister, for the purposes of financing

i. a program established under sections 27 and 59 of the Act respecting Investissement Québec and La Financière du Québec (R.S.Q., c. I-16.1);

ii. the exercise of the Minister’s responsibilities in accordance with section 12 of the Act respecting the Ministère des Relations avec les citoyens et de l’Immigration (R.S.Q., c. M-25.01);”;

(4) by inserting the following after subparagraph *a* of the third paragraph:

“(a.1) the opening of a separate account in the name of the foreign national by the broker or trust company;

(a.2) the establishment of the identity of the foreign national by his name, sex, date of birth, permanent address, citizenship, personal telephone number, the type of document proving the foreign national’s identity, the number of that document and the place where it was issued; any change in any of the particulars must be notified to the mandatory by the foreign national within 30 days of the change;

(a.3) a prohibition against the foreign national’s changing brokers or trust companies from the date of filing of the application for a selection certificate, except for reasons related to the broker or trust company, such as bankruptcy, cessation of management activities, an acquisition or amalgamation, or professional misconduct;”;

(5) by striking out “the Minister receives notice by Investissement-Québec or one of its subsidiaries that” in subparagraph *b* of the third paragraph and by replacing “has been” by “is” and “this agreement” by “this Regulation”;

(6) by replacing “the Programme des immigrants investisseurs pour l’aide aux entreprises” in subparagraph *c* of the third paragraph by “a program referred to in subparagraph *a*”;

(7) by replacing subparagraph *d* of the third paragraph by the following:

“(d) the agreement must be irrevocable before the end of its term, unless the selection certificate is cancelled by the Minister or the investor’s application for a visa or permanent residence within the meaning of the Immigration and Refugee Protection Act is denied and, for that purpose, it must provide that the broker or trust company is required to reimburse the investment to the investor by depositing the investor’s funds in the country from which the funds originated, in an account in the investor’s name, and file a document with the Minister attesting to the reimbursement within 30 days of the deposit;”.

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2) was last amended by the regulation made by Order in Council 351-2003 dated 5 March 2003 (2003, G.O. 2, 1274). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

3. The following is inserted after section 34.1 :

“**34.1.1.** The agreement referred to in section 34.1 must also contain at least the following provisions :

(a) a requirement for the foreign national to file with the application for a selection certificate a statement from the broker or trust company attesting to compliance with the Proceeds of Crime (Money Laundering) and Terrorist Financing Act (S.C. 2000, c. 17) and the regulations thereunder and with sections 83.1 and 83.11 of the Criminal Code (R.S.C. 1985, c. C-46);

(b) a requirement for the foreign national, the broker or trust company to provide the Minister with proof of registration, if any, of the broker or trust company in the registry of lobbyists under the Lobbying Transparency and Ethics Act (R.S.Q., c. T-11.011);

(c) a description of the procedure for the exchange of information between the parties to the agreement.”.

4. Section 38 is amended by replacing “has been transferred to his broker or his trust company in Québec” in the second paragraph by “has been invested with Investissement-Québec or one of its subsidiaries”.

5. Schedule A is amended by replacing the title of criterion “3.2 Management experience:” by “3.2 Management experience (investor) or Management experience (entrepreneur):”.

6. This Regulation comes into force on the forty-fifth day following the date of its publication in the *Gazette officielle du Québec*.

Decisions

Decision

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2)

Chief electoral officer — Performance of the duties of members of the identity verification panel on polling day

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, concerning the performance of the duties of members of the identity verification panel on polling day

WHEREAS following the registration process set out in Division II of Chapter II of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), referendum polls are being held on this day in 89 sectors;

WHEREAS section 38 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities provides that the chief electoral officer is responsible for the organization and holding of the referendum poll;

WHEREAS significant problems have been encountered in recruiting the referendum personnel required for the holding of the polls in several sectors;

WHEREAS section 81.1 of the Act respecting elections and referendums in municipalities states that an identity verification panel shall be established for every place where a polling station is located, and that the said panel shall comprise three members, including a chairman;

WHEREAS, in several sectors, the number of available referendum personnel is insufficient to allow compliance with the provisions of section 81.1 of the Act respecting elections and referendums in municipalities;

WHEREAS, pursuant to section 4 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, and by the effect of the reference in section 567 of the Act respecting elections and referendums in municipalities, the provisions of Division III of Chapter V of Title I concerning election personnel apply, adapted as required and provided they are compatible, to referendums;

WHEREAS the said provisions do not allow for measures to be taken in respect of the exceptional circumstance arising from the shortage of referendum personnel;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an exceptional circumstance, a provision of Chapters V to VII.1, Division I of Chapter XII and Chapters XIII and XIV of Title I does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object;

WHEREAS, by the effect of the reference in section 516.1 of the Act respecting elections and referendums in municipalities, section 90.5 applies to Title II of the said Act;

WHEREAS the chief electoral officer has first informed the Minister of Municipal Affairs, Sport and Recreation of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt section 81.1 of the said Act in order to authorize the person in charge of the poll in a sector in which a referendum is being held to take the following steps where he or she concludes that the number of available referendum personnel is insufficient to allow for the establishment of an identity verification panel:

1. To appoint a chairman to the identity verification panel;
2. To allow the deputy returning officer and the poll clerk to perform the duties of the other members of the identity verification panel;

This decision shall come into force on June 20, 2004.

MARCEL BLANCHET,
*Chief Electoral Officer and
Chair of the Commission de
la représentation électorale*

6427

Parliamentary Committees

Committee on Public Finance

General consultation (New deadline)

Bill 61, An Act respecting the Agence des partenariats public-privé du Québec

The Committee on Public Finance has been instructed to hold public hearings beginning on 5 October 2004 in pursuance of a general consultation on Bill 61, An Act respecting the Agence des partenariats public-privé du Québec.

Individuals and organizations who wish to express their views on this matter must submit a brief to the above Committee. The Committee will select the individuals and organizations it wishes to hear from among those who have submitted a brief.

Briefs must be received by the committees secretariat not later than 10 September 2004. Every brief must be accompanied by a concise summary of its contents, and both documents must be submitted in 25 copies printed on letter-size paper. Those who wish to have their brief forwarded to the press gallery must provide an additional 25 copies. Furthermore, the submission of an electronic version of the brief would be appreciated, in which case the forwarding of paper copies remains necessary, however.

Briefs, correspondence, and requests for information should be addressed to: Mrs. Denise Léonard, Clerk of the Committee on Public Finance, édifice Pamphile-LeMay, 1035, rue des Parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722; facsimile: (418) 643-0248
E-mail: cfp@assnat.qc.ca

Notices

Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Temporary protection status for various territories as proposed biodiversity reserve or proposed aquatic reserve

Notice is hereby given, in accordance with section 29 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01) that:

(1) the Minister of the Environment has, by Minister's Order June 17th 2004, assigned temporary protection status as a proposed aquatic reserve to the territory whose name and location appears in Schedule I for a period of four years beginning on the date of publication of this notice in the *Gazette officielle du Québec*;

(2) the Minister of the Environment has, by Minister's Order June 17th 2004, assigned temporary protection status as a proposed biodiversity reserve to the seven (7) territories whose names and location appear in Schedule II for a period of four years beginning on the date of publication of this notice in the *Gazette officielle du Québec*;

(3) a copy of the plan of the proposed aquatic reserve and of the proposed biodiversity reserves may be obtained on payment of a fee by contacting Léopold Gaudreau, Direction du patrimoine écologique et du développement durable, ministère de l'Environnement, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7; telephone: (418) 521-3907, extension 4783; fax: (418) 646-6169; e-mail: leopold.gaudreau@menv.gouv.qc.ca;

(4) the permanent protection status envisaged for the territories is respectively aquatic reserve status and biodiversity reserve status, which is consistent with the temporary status already assigned, the granting of such permanent status being governed by the Natural Heritage Conservation Act.

MADELEINE PAULIN,
Deputy Minister

SCHEDULE I

PROPOSED AQUATIC RESERVE

Proposed Upper Harricana aquatic reserve:

Location: This reserve lies in the Nord-du-Québec and Abitibi-Témiscamingue administrative regions, between 48°46' and 50°14' north latitude and 77°58' and 78°58' west longitude.

SCHEDULE II

PROPOSED BIODIVERSITY RESERVES

Proposed Taibi lake biodiversity reserve:

Location: This reserve lies in the Nord-du-Québec administrative region, between 49°20' and 49°30' north latitude and 77°16' and 77°44' west longitude.

Proposed Decelles reservoir biodiversity reserve:

Location: This reserve lies in the Abitibi-Témiscamingue administrative region, between 47°43' and 47°50' north latitude and 78°10' and 78°31' west longitude.

Proposed Parent lake marshlands biodiversity reserve:

Location: This reserve lies in the Abitibi-Témiscamingue administrative region, between 48°43' and 48°49' north latitude and 76°49' and 76°56' west longitude.

Proposed Waskaganish biodiversity reserve:

Location: This reserve lies in the Nord-du-Québec administrative region, between 51°21' and 51°38' north latitude and 77°18' and 78°52' west longitude.

Proposed Piché-Lemoine forest biodiversity reserve:

Location: This reserve lies in the Abitibi-Témiscamingue administrative region, between 47°56' and 48°06' north latitude and 77°52' and 78°02' west longitude.

Proposed Opasatica lake biodiversity reserve:

Location: This reserve lies in the Abitibi-Témiscamingue administrative region, between 47°52' and 48°10' north latitude and 79°15' and 79°31' west longitude.

Proposed Des Quinze lake biodiversity reserve:

Location: This reserve lies in the Abitibi-Témiscamingue administrative region, between 47°30' and 47°43' north latitude and 78°59' and 79°12' west longitude.

Erratum

Notice

An Act respecting industrial accidents
and occupational diseases
(R.S.Q., c. A-3.001)

Retrospective adjustment of the assessment — Amendments

Gazette officielle du Québec, Part 2, 30 June 2004,
Vol. 136, No. 26.

On page 2024, the Regulation amending the Regulation
respecting retrospective adjustment of the assessment
should be classified under heading Draft Regulations.

In the Table of Contents of this *Gazette*, the same
notice should be classified under heading Draft Regula-
tions.

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Abbreviations : **A** : Abrogated, **N** : New, **M** : Modified

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