

# Gazette officielle

<sup>DU</sup> Québec

Part

2

No. 46

17 November 2004

## Laws and Regulations

Volume 136

### Summary

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Legal deposit—1st Quarter 1968  
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## PROVINCE OF QUÉBEC

1st SESSION

37th LEGISLATURE

QUÉBEC, 1 NOVEMBER 2004

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### OFFICE OF THE LIEUTENANT-GOVERNOR

*Québec, 1 November 2004*

This day, at two minutes past three o'clock in the afternoon, Her Excellency the Lieutenant-Governor was pleased to sanction the following bill:

54      An Act to amend various legislative provisions concerning municipal affairs

To this bill the Royal assent was affixed by Her Excellency the Lieutenant-Governor.



## PROVINCE OF QUÉBEC

1st SESSION

37th LEGISLATURE

QUÉBEC, 3 NOVEMBER 2004

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### OFFICE OF THE LIEUTENANT-GOVERNOR

*Québec, 3 November 2004*

This day, at two minutes past nine o'clock in the morning, Her Excellency the Lieutenant-Governor was pleased to sanction the following bill:

45     An Act giving effect to the Budget Speech delivered on 12 June 2003 and to certain other budget statements

To this bill the Royal assent was affixed by Her Excellency the Lieutenant-Governor.





## Regulations and other acts

Gouvernement du Québec

### **O.C. 1048-2004, 9 November 2004**

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

#### **Solid waste**

##### **— Amendments**

Regulation to amend the Regulation respecting solid waste

WHEREAS, under subparagraphs *a*, *c* and *e* of the first paragraph of section 31 and paragraphs 1, 2, 4 and 5 of section 70 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations on the matters set out therein;

WHEREAS, under section 124 of the Environment Quality Act, any draft regulation prepared under that Act must be published with a notice stating that it may be made, with or without amendment, at the expiry of sixty days following the publication;

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 required by section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires 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 urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstance justifies the absence of prior publication and such coming into force of the Regulation attached to this Order in Council:

— in certain regions of Québec, several sanitary landfill sites will reach their authorized landfill capacity very shortly and be required to close;

— the provisions of the Regulation respecting solid waste provide for the disposal of residual materials in sanitary landfill sites as well as by the establishment of in-trench disposal sites for solid waste;

— section 93 of that Regulation allows for the establishment of such in-trench disposal sites in any municipality with a population of less than 2,000 inhabitants served by an organized household garbage collection service and situated more than 30 kilometres from a disposal site;

— the Québec Residual Materials Management Policy, 1998-2008, recommends limiting the number of in-trench disposal sites because of the impact that type of residual materials disposal has on water quality;

— the Regulation attached hereto amends the Regulation respecting solid waste to limit the territories in which an in-trench disposal site may be established;

— in the face of the impending closure of certain sanitary landfill sites, a number of municipalities have stated their intention to make use of in-trench sites to dispose of their residual materials;

— during the time periods inherent in the application of sections 11 and 17 of the Regulations Act, several of the municipalities affected by the closure of sanitary landfill sites will be able to avail themselves of the right to establish an in-trench disposal site for solid waste, with the serious environmental risks associated with that type of disposal;

— it is equally urgent, with a view to enabling municipalities that will no longer be authorized to establish in-trench disposal sites for solid waste to dispose of their residual materials in an environmentally safe manner, to limit a sanitary landfill site operator's power to refuse to accept residual materials from those municipalities;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting solid waste, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting solid waste\*

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *a*, *c* and *e*, s. 70,  
pars. 1, 2, 4 and 5)

**1.** Section 93 of the Regulation respecting solid waste is amended by replacing paragraphs *a* to *e* by the following :

“(1) the territory situated north of the 55th parallel, except Category I and II lands for the Cree of Great Whale River;

(2) Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent, the municipalities of Blanc Sablon, Bonne-Espérance, Gros-Mécatina and Saint-Augustin, and every other municipality constituted under the Act respecting the municipal reorganization of the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (1988, c. 55; 1993, c. 65; 1996, c. 2);

(3) every part of territory that is not organized into a local municipality and that is situated more than 100 km by a year-round road from a sanitary landfill site that is not reserved exclusively for an industrial, commercial or other establishment;

(4) the James Bay territory, as described in section 133 of the Environment Quality Act, excluding the municipalities of Chibougamau and Chapais;

(5) all territory inaccessible by a year-round road, including every island that is not connected to the mainland by a bridge or a boat service operational year-round;

(6) the regional county municipalities of Minganie and Caniapiscau;

(7) the part of the territory of Ville de la Tuque situated west of the 73rd meridian.”.

**2.** Section 94 is replaced by the following :

“**94. Maximum population :** An in-trench disposal site for solid waste may not serve more than 2,000 persons except in the municipalities of James Bay, Lebel-sur-Quévillon, Matagami, Fermont and Havre-Saint-Pierre.

The limit prescribed in the first paragraph also does not apply to in-trench disposal sites that were established prior to the date of coming into force of this section in the municipalities of Îles-de-la-Madeleine, Senneterre, Témiscaming and Ville-Marie and that are still in operation on that date.”.

**3.** Section 115 is amended by inserting “, section 115.1” after “section 114”.

**4.** The following is inserted after section 115 :

“**115.1. Acceptance of solid waste :** The operator of a sanitary landfill site is required to accept solid waste from any territory that is not organized into a local municipality and from any municipality with a population of less than 2,000 inhabitants, in the case where no other sanitary landfill site is situated closer to the municipality by a year-round road.”.

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

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\* The Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r.14) was last amended by the regulation made by Order in Council 843-2001 dated 27 June 2001 (2001, *G.O.* 2, 3518). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 September 2004.

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## Draft Regulations

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### Draft Regulation

Election Act  
(R.S.Q., c. E-3.3)

#### Elector identification

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

In a provincial, municipal or school election, an elector must present a health insurance card, a driver's licence or probationary licence or a Canadian passport in order to exercise the right to vote. The purpose of the draft Regulation is to allow a Certificate of Indian Status or a Canadian Armed Forces identification card to be produced by an elector as identification at the time of voting.

Further information on the draft Regulation may be obtained by contacting Benoit Coulombe, Direction des enquêtes, de la législation et des projets spéciaux, chief electoral officer, 3460, rue de La Pêrade, Sainte-Foy (Québec) G1X 3Y5; telephone: (418) 644-9417; fax: (418) 646-6105 or e-mail: bcoulombe@dgeq.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister for the Reform of Democratic Institutions, 875, Grande Allée Est, bureau 2.400, Québec (Québec) G1R 4Y8.

JACQUES P. DUPUIS,  
*Minister for the Reform  
of Democratic Institutions*

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### Elector Identification Regulation

Election Act  
(R.S.Q., c. E-3.3, ss. 337, 2nd par. and 549, par. 4)

**1.** An elector may produce either of the following documents as identification under the second paragraph of section 337 of the Election Act:

(1) a Certificate of Indian Status issued to persons registered in the Indian Register under the Indian Act (R.S.C. 1985, c. I-5); or

(2) a Canadian Armed Forces identification card issued under Order CFAO 26-3 of the Department of National Defence.

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

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## Decisions

### Decision

An Act respecting school elections  
(R.S.Q., c. E-2.3)

#### **Chief electoral officer — Holding of a by-election in the Estuaire School Board**

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, concerning the holding of a by-election in the Estuaire School Board

WHEREAS a by-election is to be held on November 28, 2004, in electoral division number 2 of the Estuaire School Board in accordance with sections 191 and 200 of the Act respecting school elections (R.S.Q., c. E-2.3);

WHEREAS the second paragraph of section 200 of the Act respecting school elections provides that the provisions of Chapters IV to XII of the said Act shall apply to by-elections;

WHEREAS some of the said provisions have been adapted by means of special decisions of the chief electoral officer made on October 3, 2003, pursuant to section 30.8 of the Act respecting school elections, concerning the power to swear in election staff, acceptance of nominations by an assistant to the returning officer, the ballot, the poll book and the statement of votes;

WHEREAS it is necessary for these special decisions to apply to the by-election in the Estuaire School Board;

WHEREAS section 30.8 of the Act respecting school elections allows the chief electoral officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error or an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the chief electoral officer has first informed the Minister of Education of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, has decided to adapt the provisions of the Act respecting school elections as follows:

— The following decisions made by the chief electoral officer during the election period ending on November 16, 2003, shall apply, adapted as required, to the by-election in the Estuaire School Board:

– Decision of October 3, 2003 concerning the power of election officers to administer oaths;

– Decision of October 3, 2003 concerning the ballot paper, the poll book and the statement of votes.

This decision has been in force from the time the returning officer of the Estuaire School Board first took action in respect of the by-election to which it applies.

Québec, 2 November 2004

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

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## Parliamentary Committees

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### Committee on Social Affairs

#### General consultation

#### **Vers un nouveau contrat social pour l'égalité entre les femmes et les hommes**

The Committee on Social Affairs has been instructed to hold public hearings beginning on 18 January 2005 in pursuance of a general consultation on the document entitled *Vers un nouveau contrat social pour l'égalité entre les femmes et les hommes* (For a New Social Contract of Equality between Women and Men).

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 December 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 20 copies. You may also add an electronic version of your brief by e-mailing it to the Clerk of the Committee. However, this does not exempt you from producing a written version.

Briefs, correspondence, and requests for information should be addressed to: Mrs Denise Lamontagne, lawyer, Clerk of the Committee on Social Affairs, Édifice Pamphile-Le May, 1035, rue des Parlementaires, 3<sup>e</sup> étage, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722; facsimile: (418) 643-0248  
E-mail: [dlamontagne@assnat.qc.ca](mailto:dlamontagne@assnat.qc.ca)





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

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