

Gazette
officielle

^{DU}
Québec

Part

2

No. 45

10 November 2010

Laws and Regulations

Volume 142

Summary

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Part 2 – LAWS AND REGULATIONS

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Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$9.54 per copy.

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1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
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Subscriptions

Internet: www.publicationsduquebec.gouv.qc.ca

Printed:

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
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PROVINCE OF QUÉBEC

1ST SESSION

39TH LEGISLATURE

QUÉBEC, 21 OCTOBER 2010

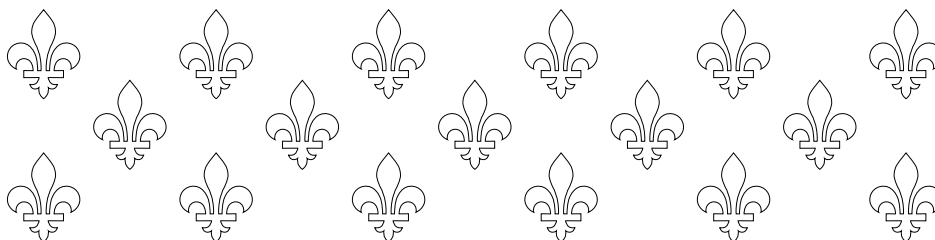
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 21 October 2010

This day, at thirty-five minutes past six o'clock in the evening, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

- 112 An Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors

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



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 112
(2010, chapter 24)

**An Act authorizing the making of
collective agreements with a term of
more than three years in the public and
parapublic sectors**

**Introduced 22 September 2010
Passed in principle 23 September 2010
Passed 20 October 2010
Assented to 21 October 2010**

**Québec Official Publisher
2010**

EXPLANATORY NOTES

Under this Act, collective agreements with a term of more than three years may be made in the public and parapublic sectors, provided that they expire no later than 31 March 2015.

Bill 112

AN ACT AUTHORIZING THE MAKING OF COLLECTIVE AGREEMENTS WITH A TERM OF MORE THAN THREE YEARS IN THE PUBLIC AND PARAPUBLIC SECTORS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Despite section 111.1 of the Labour Code (R.S.Q., chapter C-27), a collective agreement with a term of more than three years may be made in the public and parapublic sectors, provided it expires no later than 31 March 2015.
- 2.** This Act comes into force on 21 October 2010.

Coming into force of Acts

Gouvernement du Québec

O.C. 933-2010, 3 November 2010

An Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to again amend the Highway Safety Code and other legislative provisions

WHEREAS the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) was assented to on 12 June 2008;

WHEREAS, under section 141 of the Act, the provisions of the Act come in force on the date or dates to be set by the Government, except paragraph 2 of section 1, paragraph 2 of section 2, sections 3, 4, 8, paragraph 1 of section 9, sections 10, 23, 24, 28, 30, 34 to 36, 38 to 40, 43, 45 to 47, paragraph 3 of section 54, sections 55 to 57, 59 to 71, 73 to 78, 81 to 85, paragraphs 2 to 4 of section 86, sections 88 to 90, 94, 96, paragraph 2 of section 98, sections 99, 102, 117, 120 to 123, 125, 132 to 135, 137 and 138 to 140, which came into force on 12 June 2008, and the provisions of section 7, paragraph 1 of section 11, section 12, paragraphs 2 and 3 of section 49, paragraph 2 of section 50, paragraph 2 of section 51, section 52 and paragraph 2 of section 53, which came into force on 2 July 2008;

WHEREAS, under Order in Council 857-2008 dated 3 September 2008, paragraph 1 of section 98 and section 118 of the Act came into force on 3 September 2008;

WHEREAS, under Order in Council 905-2008 dated 17 September 2008, section 48 of the Act came into force on 17 September 2008;

WHEREAS, under Order in Council 1107-2008 dated 5 November 2008, section 136 of the Act came into force on 5 November 2008;

WHEREAS, under Order in Council 1109-2008 dated 5 November 2008, sections 5 and 13, paragraph 1 of section 14 and sections 31, 32, 41, 42, 87, 92, 93, 97 and 116 of the Act came into force on 7 December 2008;

WHEREAS, under Order in Council 1207-2009 dated 18 November 2009, paragraph 2 of section 11 and section 58 of the Act came into force on 6 December 2009;

WHEREAS it is expedient to set 1 December 2010 as the date of coming into force of sections 15, 16, 17 and 103 to 110 of the Act;

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

THAT sections 15, 16, 17 and 103 to 110 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) come into force on 1 December 2010.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

1115

Regulations and other Acts

Gouvernement du Québec

O.C. 894-2010, 27 October 2010

Professional Code
(R.S.Q., c. C-26)

**Specialist's certificates of professional orders
— Diplomas issued by designated educational
institutions which give access to permits**

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under that subparagraph, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the consultations;

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 Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 21 July 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des infirmières et infirmiers du Québec;

WHEREAS it is expedient to make the Regulation with-out amendment;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the diplomas issued by
designated educational institutions which
give access to permits or specialist's
certificates of professional orders***

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended in section 1.17 by adding the following after subparagraph *d* of subparagraph 4 of the second paragraph:

“(e) Maîtrise en sciences infirmières (M. Sc.) (soins de première ligne) held with the Diplôme d'études supérieures spécialisées en sciences infirmières (soins de première ligne), from the Université du Québec à Trois-Rivières;

“(f) Maîtrise en sciences infirmières (M. Sc.) (soins de première ligne) held with the Diplôme d'études supérieures spécialisées en sciences infirmières (soins de première ligne), from the Université du Québec en Outaouais.”

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

1110

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulation made by Order in Council 1046-2009 dated 30 September 2009 (2009, *G.O.* 2, 3481). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Gouvernement du Québec

O.C. 914-2010, 3 November 2010

Professional Code
(R.S.Q., c. C-26)

Medical specialties

WHEREAS, under paragraph *e* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, define the different classes of specialization within the profession and, where applicable, the conditions of practice;

WHEREAS the board of directors of the Collège des médecins du Québec made the Regulation on medical specialties;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation on medical specialties was published in Part 2 of the *Gazette officielle du Québec* of 9 June 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation on medical specialties, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting medical specialties

Professional Code
(R.S.Q., c. C-26, s. 94, par. *e*)

SECTION I
CLASSES OF SPECIALTIES

1. The Collège des médecins du Québec recognizes the following specialties:

- 1) Anatomical Pathology
- 2) Anesthesiology
- 3) Medical Biochemistry
- 4) Cardiology
- 5) Cardiac Surgery
- 6) Colorectal Surgery
- 7) General Surgery
- 8) General Surgical Oncology
- 9) Pediatric General Surgery
- 10) Orthopedic Surgery
- 11) Plastic Surgery
- 12) Thoracic Surgery
- 13) Vascular Surgery
- 14) Dermatology
- 15) Endocrinology and Metabolism
- 16) Gastroenterology
- 17) Medical Genetics
- 18) Geriatric Medicine
- 19) Hematology
- 20) Pediatric Hematology/Oncology
- 21) Clinical Immunology and Allergy
- 22) Infectious Diseases
- 23) Community Medicine
- 24) Emergency Medicine
- 25) Pediatric Emergency Medicine
- 26) Family Medicine
- 27) Adolescent Medicine
- 28) Critical care Medicine
- 29) Occupational Medicine
- 30) Internal Medicine
- 31) Maternal-Fetal Medicine
- 32) Neonatal-Perinatal Medicine
- 33) Nuclear Medicine
- 34) Physical Medicine and Rehabilitation
- 35) Medical microbiology and infectious diseases
- 36) Nephrology
- 37) Neurosurgery
- 38) Neurology
- 39) Neuropathology
- 40) Obstetrics and Gynecology
- 41) Gynecologic Oncology
- 42) Medical Oncology
- 43) Ophthalmology

- 44) Otolaryngology-Head and Neck Surgery
- 45) General Pathology
- 46) Hematological Pathology
- 47) Forensic Pathology
- 48) Pediatrics
- 49) Respiriology
- 50) Psychiatry
- 51) Radiation Oncology
- 52) Diagnostic Radiology
- 53) Rheumatology
- 54) Urology

SECTION II

TRANSITIONAL AND FINAL

2. The following specialist certificates issued by the Collège before November 25, 2010 become:

(1) for the specialist's certificate in endocrinology, the specialist's certificate in endocrinology and metabolism;

(2) for the specialist's certificate in gastro-enterology, the specialist's certificate in gastroenterology;

(3) for the specialist's certificate in obstetrics-gynecology, le specialist's certificate in obstetrics and gynecology;

(4) for the specialist's certificate in otolaryngology, the specialist's certificate in otolaryngology-head and neck surgery;

(5) for the specialist's certificate in community health, the specialist's certificate in community medicine;

(6) for the specialist's certificate in physiatry, the specialist's certificate in physical medicine and rehabilitation.

3. Becomes a holder of a specialist's certificate in family medicine on November 25, 2010, the physician who:

(1) has a permit issued in 1994 or before and is not holder of a specialist's certificate;

(2) has a permit issued after 1994 and has passed the final examination in family medicine of the Collège des médecins du Québec;

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

Gouvernement du Québec

O.C. 915-2010, 3 November 2010

Professional Code
(R.S.Q., c. C-26)

Physicians

— Professionnal acts that may be performed by persons other than physicians and the applicable terms and conditions

— Amendments

Regulation amending the Regulation respecting professional acts that may be performed by persons other than physicians and the applicable terms and conditions

WHEREAS, under paragraph h of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Collège des médecins du Québec made the Regulation amending the Regulation respecting professional acts that may be performed by persons other than physicians and the applicable terms and conditions;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation amending the Regulation respecting professional acts that may be performed by persons other than physicians and the applicable terms and conditions was published in Part 2 of the *Gazette officielle du Québec* of 9 June 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation amending the Regulation respecting professional acts that may be performed by persons other than physicians and the applicable terms and conditions, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting the professional acts that may be performed by persons other than physicians and the applicable terms and conditions

Professional Code
(R.S.Q., c. C-26, s. 94, par. h)

1. The title of the Regulation respecting the professional acts that may be performed by persons other than physicians and the applicable terms and conditions (c. M-9, r. 1) is replaced with the following:

“Regulation respecting professional activities that may be engaged in by other than physicians”.

2. Section 1 of this regulation is amended:

(1) by replacing, in the first paragraph, “the professional acts that may be performed by physicians, those” with “the professional activities that may be performed by physicians, those” and in the French version, the word “posés” by the word “exercés”;

(2) by replacing, in subparagraph (1) of the first paragraph, “diploma giving access to the permit or a specialist’s certificate” with “diploma in medicine”;

(3) by adding, at the end of the first paragraph, the following subparagraph:

“(3) residents, that is, holders of a diploma in medicine or candidates for whom the College has recognized diploma equivalence and who, being registered in a university post-doctoral program, are performing training as part of this program.”;

(4) by replacing, in the second paragraph, the words “diploma giving access to the permit or a specialist’s certificate” with “diploma in medicine”.

3. Section 3 of this regulation is amended:

(1) by replacing the first paragraph with the following:

“Medical students may perform, among the professional activities reserved for physicians, those that are required for the purposes of completing the program of study leading to a diploma in medicine, on the following conditions:”;

(2) by deleting, from subparagraph (1), “where applicable”;

(3) by replacing, in the French version of subparagraph (2) of the first paragraph, the word “pose” by the word “exerce” and “particularly those respecting ethics, prescriptions, the keeping of records and consulting rooms” with “particularly those respecting ethics, prescriptions and the keeping of records, consulting rooms or physician’s offices.”.

4. Section 4 of this regulation is amended:

(1) by replacing the first paragraph with the following:

“Fellows may perform, among the professional activities reserved for physicians, those that are required for the purposes of completing advanced training, on the following conditions:”;

(2) by adding, at the end of subparagraph (1), the words “and hold a registration certificate issued in accordance with that Act”;

(3) by replacing, in the French version, in subparagraphs (2) and (3), “pose” by “exerce”;

(4) by replacing, in subparagraph (3), “particularly those respecting ethics, the keeping of records and consulting rooms” by “particularly those respecting ethics and the keeping of records, consulting rooms or physician’s offices”.

5. Section 5 of this regulation is amended by replacing “perform a professional act” with “perform professional activities”.

6. Section 6 of this regulation is amended by replacing, in subparagraph (3), “diploma giving access to the permit or a specialist’s certificate” with “diploma in medicine”.

7. Section 7 of this regulation is amended by deleting the last sentence of the first paragraph.

8. This regulation is amended by adding, after section 9, the following division:

**“DIVISION IV
RESIDENTS**

10. Residents are authorized to perform, among the professional acts reserved for physicians, those that correspond to their level of training and are required for the purposes of completing their postdoctoral training, if they meet the following conditions:

(1) they perform them in the training setting required to achieve the objectives of their training periods in accordance with what is stated on their training card;

(2) they perform them under the supervision of competent persons and in compliance with the rules applicable to physicians, in particular those concerning the code of ethics, the issuing of a prescriptions and the keeping of records, consulting rooms or physician’s offices.

11. The Secretary of the College shall issue a training card to a resident who satisfies the following conditions:

(1) holds a registration certificate issued in application of section 2 of the Regulation respecting causes, terms and conditions for issuing and revoking registration in medicine, approved by Order-in-Council 1084-2003 of October 15, 2003 and is registered in the register maintained by the College in application of subparagraph c of section 15 of the Medical Act;

(2) provides proof of acceptance in a university postdoctoral education program in medicine;

(3) pays the amount prescribed pursuant to subparagraph (8) of section 86.0.1 of the Professional Code for the purposes of obtaining the training card.

12. The training card shows the university postdoctoral education program in which the resident is registered, the level of training and the training sites where the resident performs the training and for how long.

The training card also indicates that the training may also be done in any other training sites not indicated on the card.

For the purposes of this section, “training site” means centres operated by institutions in the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or institutions in the meaning of the Act respecting health service and social services for Cree Native Persons (R.S.Q., c. S-5) affiliated with universities that issue medical diplomas as well as offices, medical clinics or other sites proposed by the competent authorities of the university and approved by the Board of Directors.

13. The training card is valid for the period shown on it and is renewable.

However, it ends with the final expulsion of the resident from the university postdoctoral education program, when the resident abandons the postdoctoral training or the date on which the resident’s certificate of registration is revoked, according to the provisions of the Regulation respecting causes, terms and conditions for issuing and revoking registration in medicine.”

9. Sections 4 through 9 of the English version of this regulation are amended by replacing “educational card” with “training card”.

10. This regulation comes into force on the fifteenth day that follows the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 934-2010, 3 November 2010

Automobile Insurance Act
(R.S.Q., c. A-25)

**Exemptions from the obligation to hold a liability insurance contract
— Amendments**

**Certificate of financial responsibility required under the Act
— Abrogation**

Regulation to amend the Regulation respecting exemptions from the obligation to hold a liability insurance contract and to revoke the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act

WHEREAS, under paragraph c of section 196 of the Automobile Insurance Act (R.S.Q., c. A-25), the Government may, by regulation, exempt owners of the categories of automobiles it indicates from the obligation, provided for in section 84 of the Act, to have, in accordance with Division II of Chapter I of Title III of the Act, a liability insurance contract guaranteeing compensation for property damage caused by such automobiles, in whole or in part and on the conditions it determines;

WHEREAS the Government made the Regulation respecting exemptions from the obligation to hold a liability insurance contract by Order in Council 614-84 dated 14 March 1984;

WHEREAS the Government made the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act (R.R.Q., 1981, c. A-25, r. 1);

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 3 March 2010 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 without amendment;

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

THAT the Regulation to amend the Regulation respecting exemptions from the obligation to hold a liability insurance contract and to revoke the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting exemptions from the obligation to hold a liability insurance contract* and to repeal the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act**

Automobile Insurance Act
(R.S.Q., c. A-25, s. 196, subpar. c)

1. The Regulation respecting exemptions from the obligation to hold a liability insurance contract is amended by the adding the following at the end of section 1:

* The only amendments to the Regulation respecting exemptions from the obligation to hold a liability insurance contract, made by Order in Council 614-84 dated 14 March 1984 (1984, *G.O.* 2, 1289), were made by the Regulation made by Order in Council 1753-88 dated 23 November 1988 (1988, *G.O.* 2, 3938).

** The only amendments to the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act (R.R.Q., 1981, c. A-25, r. 1) were made by the Regulation made by Order in Council 1124-87 dated 22 July 1987 (1987, *G.O.* 2, 3139).

“(8) automobiles of the municipalities of Laval, Longueuil, Québec and Montréal;

(9) automobiles of the Réseau de transport de Longueuil and the Société de transport de Montréal.

The owners of the automobiles referred to in subparagraphs 8 and 9 of the first paragraph are bound by the direct compensation agreement established by the Groupement des assureurs automobiles, in the same manner as an authorized insurer, in accordance with the Automobile Insurance Act.”.

2. The Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act (R.R.Q., 1981, c. A-25, r. 1) is repealed.

3. This Regulation comes into force on 1 December 2010.

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Draft Regulations

Draft Regulation

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

Application of section 32 of the Act — Amendments

Groundwater Catchment — Amendments

Waste water disposal systems for isolated dwellings — 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, that the Regulation to amend the Regulation respecting the application of section 32 of the Environment Quality Act, the Groundwater Catchment Regulation and the Regulation respecting waste water disposal systems for isolated dwellings, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The Regulation respecting the application of section 32 of the Environment Quality Act exempts owners of certain waterworks and sewer projects from the requirement to first submit the plans and specifications to the Minister of Sustainable Development, Environment and Parks and obtain the Minister's authorization. The draft Regulation adds, under certain conditions, the following work to the list of work that is already exempt from those requirements: the reconstruction of raw water storage reservoirs and of drinking water distribution reservoirs; the installation, on a lot, of drinking water mains, reservoirs and accessories intended to supply only one building; the reconstruction of sewer mains, if the work does not result in increasing the frequency or volume of overflows; the replacement of a single sewer by separate sewers or partially-separate sewers; the installation of a storm sewer in the context of work aiming at converting a partially-separate sewer into a separate sewer; the installation or reconstruction of manholes or catch basins in an existing sewer system, and sewer work intended for the management of storm water of only one lot.

The draft Regulation also amends the Regulation in order to require the owner of certain sewer and waterworks projects to appoint a member of the Ordre des ingénieurs du Québec to supervise the work and certify that the work is carried out in accordance with the Regulation. The certification must be given to the municipality or borough concerned.

The purpose of the proposed amendments is also to exempt from the application of section 32 of the Environment Quality Act, under certain conditions, waterworks and sewer work required to serve temporary industrial camps situated in remote territories and set up by an employer for his or her employees who carry out various forest management, mining exploration, transportation or dam work. Insofar as the camps are intended to house not more than 80 persons, or are set up only for timber salvage following a forest fire, the following work is exempt from the application of section 32 of the Environment Quality Act: the installation of drinking water mains, drinking water treatment apparatus or equipment and of a drinking water intake or of sewer or wastewater treatment systems. The draft Regulation also provides for the requirement by an operator of a camp intended to house more than 20 persons to send to the Minister a prior notice, together with a certification by a member of the Ordre des ingénieurs du Québec, attesting that the treatment and discharge of wastewater will not constitute a source of contamination, and the requirement to send a new notice in case of subsequent change.

The draft Regulation also amends the Regulation in order to add penal sanctions in case of failure to comply with the requirements set by the Regulation.

In addition, the draft Regulation amends the Groundwater Catchment Regulation in order to provide that groundwater catchment projects of a capacity of less than 75 m³ per day will not be subject to the authorization of the Minister if they are intended to serve a temporary industrial camp, within the meaning of the Regulation respecting the application of section 32 of the Environment Quality Act, if the camp is intended to house not more than 80 persons, or set up only for timber salvage following a forest fire.

Lastly, the draft Regulation amends the Regulation respecting waste water disposal systems for isolated dwellings in order to exempt from the application of that Regulation an isolated dwelling that is part of a temporary industrial camp, within the meaning of the Regulation respecting the application of section 32 of the Environment Quality Act.

The proposed amendments would reduce the administrative requirements related to certain waterworks and sewer projects having little environmental impact. For municipalities, the proposed amendments would accelerate investment related to waterworks and sewer system repairs. Private institutions, businesses and industries, that own such systems, would also benefit from the proposed amendments since they would no longer be required to obtain a prior authorization to carry out certain water or sewer main replacement work. In addition, enterprises that carry out forest management, mining exploration, transportation or dam work and that must set up temporary industrial camps of 80 persons or fewer would no longer be required to submit plans and specifications to the Minister and obtain the Minister's authorization before installing waterworks and sewer systems.

Further information may be obtained by contacting Denis Martel, Head, Division des eaux usées, Service des eaux municipales, Direction des politiques de l'eau, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 8^e étage, boîte postale 42, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 7077; fax: 418 644-2003; e-mail: denis.martel@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Denis Martel.

PIERRE ARCAND,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Regulation respecting the application of section 32 of the Environment Quality Act*, the Groundwater Catchment Regulation and the Regulation respecting waste water disposal systems for isolated dwellings*****

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *e* and *m*,
s. 46, pars. *d*, *l*, *p* and *s*, and s. 87, pars. *c* and *d*)

1. The Regulation respecting the application of section 32 of the Environment Quality Act is amended by replacing section 3 by the following:

“**3.** In this Regulation,

(1) “temporary industrial camp” means all the facilities and their dependencies, that an employer temporarily sets up to house, for not more than 6 months during the 12-month period following the setting-up, the employer's employees who carry out forest management, mining exploration, transportation infrastructure and dam work if the camp is situated in one of the following territories:

(a) a territory not organized into a local municipality, including an unorganized territory amalgamated with one of the municipalities of Rouyn-Noranda, La Tuque or Senneterre, as it was delimited the day before the amalgamation;

(b) the James Bay territory as described in section 133 of the Environment Quality Act (R.S.Q., c. Q-2);

(c) the territory situated north of the 55th parallel;

(d) the territories of the municipalities of Blanc-Sablon, Bonne-Espérance, Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina and Saint-Augustin and the territory of

* The Regulation respecting the application of section 32 of the Environment Quality Act, made by Order in Council 635-2008 dated 18 June 2008 (2008, *G.O.* 2, 2561), has not been amended since it was made.

** The Groundwater Catchment Regulation, made by Order in Council 696-2002 dated 12 June 2002 (2002, *G.O.* 2, 2657), was last amended by Order in Council 875-2009 dated 12 August 2009 (2009, *G.O.* 2, 3147). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

*** The Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., 1981, c. Q-2, r. 8) was last amended by Order in Council 777-2008 dated 23 July 2008 (2008, *G.O.* 2, 3208). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

any 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; amended by 1996, c. 2);

(e) the territories that are not accessible at any time by road vehicles;

(2) “5-year waterworks and sewer plan” means a set of plans and specifications and other documents relating to the carrying out of work relating to drinking water or wastewater or storm water to improve existing infrastructures or develop the territory of a municipality;

(3) “watercourse”, “lakeshore”, “riverbank” and “floodplain” have the meaning assigned by the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, made by Order in Council 468-2005 dated 18 May 2005;

(4) every reference to a member of the Ordre des ingénieurs du Québec includes any other person legally authorized to act in that capacity in Québec.”

2. Section 4 is amended

(1) by adding the following subparagraph at the end of paragraph 2:

“(c) raw water storage reservoirs and drinking water distribution reservoirs, if the work does not result in the modification of drinking water treatment or an increase in capacity and if the reservoirs are reconstructed at the same locations;”;

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

“(6) the installation, on a lot, of water mains, reservoirs and accessories intended to supply only one building situated on that same lot;

(7) the installation of water mains and the installation of drinking water treatment apparatus or equipment or the increase in the production capacity to serve a temporary industrial camp intended to house between 21 to 80 persons, or set up only for timber salvage following a forest fire;

(8) the installation of a drinking water intake to serve a temporary industrial camp intended to house not more than 80 persons, or set up only for timber salvage following a forest fire, if

(a) the installation does not require that an impounding structure be set up in the watercourse;

(b) the quantity of water withdrawn from a watercourse or a lake does not exceed 15% of the instantaneous flow of the watercourse, or does not lower the lake level by more than 15 cm;

(c) appropriate measures, such as revegetation, will be carried out at the time of the installation of the water intake to prevent sediments from being carried into the aquatic environment from the bare or exposed soil;

(d) if applicable, the width of vegetation clearing necessary to install a main on the bank of a watercourse or the shore of a lake is not more than 5 metres and, when the camp is closed, the site will be restored with shrub vegetation; and

(e) the pumping equipment is installed outside the bank or shore.”

3. Section 5 is replaced by the following:

“5. The following projects relating to wastewater or storm water are exempt from the application of section 32 of the Act, provided that the carrying out of the work does not discharge wastewater into the environment:

(1) the reconstruction of sewer mains, if the work does not result in the increase of the frequency or volume of overflows in one of the combined sewer overflows of the sewer system;

(2) the replacement of a single sewer by separate sewers or partially-separate sewers;

(3) the installation of a storm sewer in the context of work aiming at converting a partially-separate sewer into a separate sewer, insofar as all foundation and roof drains are disconnected from the main that receives domestic wastewater;

(4) work carried out on an existing pumping station, on an existing combined sewer overflow or on an existing retention basin, if

(a) the work does not result in the modification of the wastewater pumping capacity in the mains, the regulator weir capacity of a combined sewer overflow or the frequency of overflows; and

(b) the overflow requirements for the station or combined sewer overflow published by the Minister have been met for the 2 preceding years;

(5) the installation or reconstruction of manholes or catch basins in an existing sewer system;

(6) sewer work intended for the management of storm water of only one lot, if

(a) storm water infiltrates into the soil or is discharged into a ditch or storm or single sewer operated by a municipality; and

(b) the lot is not intended for industrial use;

(7) the installation of sewer or wastewater treatment systems of a temporary industrial camp intended to house not more than 80 persons, or set up only for timber salvage following a forest fire.

5.1. For the purposes of paragraph 7 of section 5, except in the case of a temporary industrial camp intended to house not more than 20 persons, the operator of the camp must send a notice to the Minister at least 4 weeks before the installation of the sewer or wastewater treatment systems. The notice must specify

(1) the geographical coordinates of the camp;

(2) the maximum number of persons that will be housed at the same time in the camp; and

(3) the planned dates and period of time during which the camp is to be occupied.

A certification from a member of the Ordre des ingénieurs du Québec attesting that the treatment and disposal of wastewater will not constitute a source of contamination within the meaning of section 1 of the Environment Quality Act must be attached to the notice.

A new notice and a new certification must be sent to the Minister if the temporary industrial camp must be used by a larger number of persons or for a longer period of time than planned. Those documents must be sent at least 4 weeks before the planned change.”

4. The following is inserted after section 9:

“**9.1.** With the exception of work to set up a temporary industrial camp, the owner must appoint a member of the Ordre des ingénieurs du Québec to supervise the work referred to in sections 4 and 5.

The engineer must certify that the work carried out complies with this Regulation. The certification must be given to the municipality or, as the case may be, the borough, within 90 days of the end of the work.

The municipality or borough must keep the certification for 10 years after the work was carried out and provide it to the Minister on request.”

5. Section 24 is amended by replacing “16, 17” in the part preceding paragraph 1 by “5.1, 8, 9, 9.1, 16, 17, 20,”.

6. The Groundwater Catchment Regulation is amended in section 31 by adding the following at the end of subparagraph 1 of the first paragraph:

“, except if those projects are intended to serve a temporary industrial camp, within the meaning of paragraph 1 of section 3 of the Regulation respecting the application of section 32 of the Environment Quality Act, made by Order in Council 635-2008 dated 18 June 2008, and if the camp is intended to house not more than 80 persons, or set up only for timber salvage following a forest fire”.

7. The Regulation respecting waste water disposal systems for isolated dwellings is amended in section 2 by adding the following paragraph at the end:

“This Regulation does not apply to an isolated dwelling that is part of a temporary industrial camp, within the meaning of paragraph 1 of section 3 of the Regulation respecting the application of section 32 of the Environment Quality Act, made by Order in Council 635-2008 dated 18 June 2008.”

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

1108

Draft Regulation

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

Framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin

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, that the Regulation respecting the framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin, appearing below, may be made by the Government on the expiry of 60 days following this publication.

For the implementation in Québec of the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement entered into on 13 December 2005 between Québec and Ontario and the American States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, the draft Regulation defines the framework for authorizations to transfer water out of the St. Lawrence River Basin that may be issued by the Minister or the Government under the new provisions of subdivision 2 of Division V of Chapter I of the Environment Quality Act introduced by section 19 of chapter 21 of the Statutes of 2009.

For that purpose, the draft Regulation provides the method for calculating the withdrawal thresholds from which transfers of water out of the St. Lawrence River Basin become subject to the limits set in those provisions, as well as certain parameters applicable to the issue of authorizations to transfer water out of the Basin with a view to supplying municipal waterworks systems.

A restricted number of withdrawers will be governed by the Regulation since it applies only to water that is transferred out of the St. Lawrence River Basin for the purpose of supplying the public with drinking water. The impact of the Regulation lies in the obligation that will be incumbent on the withdrawers concerned to provide the additional information required so as to ensure that their applications for authorization comply with the conditions for authorization provided for in the Environment Quality Act.

Further information may be obtained by contacting Yvon Maranda, Direction des politiques de l'eau, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 8^e étage, boîte 42, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4117; fax: 418 644-2003, or e-mail: yvon.maranda@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to the Minister of Sustainable Development, Environment and Parks, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

PIERRE ARCAND,
*Minister of Sustainable Development,
Environment and Parks*

Regulation respecting the framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin

Environment Quality Act
(R.S.Q., c. Q-2, s. 31.104 and s. 46, par. s, subpars. 2.5 and 4)

DIVISION I INTERPRETATION AND SCOPE

I. For the purposes of this Regulation,

“existing withdrawal” means a withdrawal that was authorized on or before (*insert the date of coming into force of section 31.90 of the Environment Quality Act*) or, if not authorized, was lawfully commenced on or before that date; (*prélèvement existant*)

“Minister” means the Minister of Sustainable Development, Environment and Parks; (*Ministre*)

“new withdrawal” means a withdrawal that was authorized after (*insert the date of coming into force of section 31.90 of the Environment Quality Act*); (*nouveau prélèvement*)

“professional” means a professional within the meaning of section 1 of the Professional Code (R.S.Q., c. C-26), whose order governs the exercise of a professional activity referred to in this Regulation. This definition includes any person legally authorized to exercise that activity in Québec; (*professionnel*)

“St. Lawrence River Basin” means the drainage basin whose territory is described in section 31.89 of the Environment Quality Act (R.S.Q., c. Q-2); (*Bassin du fleuve Saint-Laurent*)

“transfer” means the transporting of bulk water from the St. Lawrence River Basin to another basin using any means, including a waterworks system, a pipeline, a conduit or any other main and any type of tank truck. Diverting the direction of a watercourse flow is deemed to be a transfer. Packaging water for commercial purposes in containers having a capacity exceeding 20 litres is also deemed to be a transfer; (*transfert*)

“water withdrawal” or “withdrawal” means the taking of surface water or underground water by any means including by means of works referred to in any of paragraphs 1 to 3 of section 31.74 of the Environment Quality Act, regardless of whether the water is returned or not to the environment where it was withdrawn; (*prélèvement d'eau*) (*prélèvement*)

“waterworks system” or “distribution system” means mains, a system of mains or a facility or equipment used to collect, store or supply water intended for human consumption; (*système d’aqueduc*)

“withdrawer” means a person or municipality, within the meaning of section 1 of the Environment Quality Act, that operates a withdrawal site. (*préleveur*)

The territorial boundaries of regional county municipalities as they existed on 13 December 2005 are used to determine whether the territory of a municipality is, for the purposes of subparagraph *b* of subparagraph 1 of the first paragraph section 31.91 of the Environment Quality Act, both wholly outside the St. Lawrence River Basin and wholly within a regional county municipality whose territory is partly within the Basin and partly outside the Basin. The territorial boundaries of local municipalities used for the purposes of subparagraph *a* of subparagraph 1 of that section are those existing on (*insert the date of coming into force of this Regulation*).

2. This Regulation applies to withdrawers that, for the purposes of supplying a waterworks system serving all or part of the population of a municipality referred to in subparagraph 1 of the first paragraph of section 31.91 of the Environment Quality Act, plan to withdraw water in the St. Lawrence River Basin to transfer it out of the Basin or plan to increase the volumes of water they withdraw from the Basin to be transferred out of the Basin.

This Regulation applies, in particular, in a reserved area and an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

DIVISION II

APPLICATION FOR AUTHORIZATION TO TRANSFER WATER OUT OF THE ST. LAWRENCE RIVER BASIN

3. An application for authorization referred to in section 31.75 of the Environment Quality Act concerning a transfer out of the Basin of water from a new withdrawal or from an increase in the quantity of water of an existing withdrawal from the St. Lawrence River Basin, must be addressed to the Minister in writing and include the following information and documents:

(1) the name of the municipality applying for a transfer authorization, the address of its office, the quality of the application’s signatory, the person’s telephone number and electronic mail address, and a certified true copy of the resolution or by-law authorizing the application

and its signatory; in the case of a local municipality, situated outside the St. Lawrence River Basin, the name of the regional county municipality that includes the local municipality must be indicated;

(2) if the applicant is not a municipality:

(a) the name of the local municipality whose population will be served by the waterworks system supplied by water whose transfer is planned. If the local municipality is situated outside the St. Lawrence River Basin, the name of the regional county municipality that includes the local municipality previously identified must be indicated;

(b) in the case of a natural person, the person’s name, postal address, electronic mail address and telephone number; in the case of a legal person, partnership or association, its name and the postal address and electronic mail address of its head office, the quality of the application’s signatory and a certified true copy of the act authorizing the application and its signatory;

(c) the registration number assigned to the applicant registered in the register of sole proprietorships, partnerships and legal persons;

(d) a copy of any agreement entered into with the municipality with regard to the ownership or transfer of the waterworks system supplied by water whose transfer is planned, or to the supply of the municipality’s waterworks system;

(3) a description of the project and its features;

(4) the use to be made of the water transferred out of the St. Lawrence River Basin;

(5) concerning the withdrawal site and the transfer location:

(a) the location of the withdrawal site. If the wells or pumps covered by the application are located at more than one site, the location of each site must be provided;

(b) an aerial or satellite map or photograph of the withdrawal site and of the proposed location of the transfer. Maps or photographs of the territory supplied with the proposed water transfer and of the place where the water will be discharged must also be filed;

(c) if the supply source is surface water, the name of the lake, river or watercourse must be indicated;

(d) the cadastral designation of the lots on which the project will be carried out;

(6) concerning the total volume of the water transferred from a new or increased withdrawal:

(a) the maximum volume of water transferred during the authorization period applied for, established respectively on the basis of an average for the calendar year and on the basis of the highest period of 90 consecutive days;

(b) the monthly average volume of the transfer, specifying whether the proposed use will be continuous, seasonal or temporary;

(c) the location of the equipment to measure the volume transferred and the technique used to measure the transfer flow;

(d) the total volume of any transfer that was initially declared under the Regulation respecting the declaration of water withdrawals, made by Order in Council 875-2009 dated 12 August 2009;

(7) the total volume of all the withdrawals made for the purpose of transferring water out of the St. Lawrence River Basin to supply the waterworks system covered by the application for authorization during the 10-year period preceding the application, as well as the volumes of water consumed by reason of those withdrawals;

(8) the average volume consumed per day by reason of that proposed transfer, estimated respectively on the basis of an average for the calendar year and on the basis of the highest period of 90 consecutive days;

(9) the volume of transferred water that will be returned to the St. Lawrence River Basin after use or discharged out of that Basin. The application must include a description of the means used to return the water. The description must include

(a) an indication of when the water will be returned;

(b) the total volume of water returned per day established in the form of an average during a calendar year and a percentage of the water transferred, including the proposed measurement methods;

(c) an estimate of the percentage of water transferred from the St. Lawrence River Basin that will be returned to the Basin in relation to the water that is discharged in the Basin and that comes from outside the Basin;

(d) a description of the water returned, including the water's origin, the place where it will be returned and the methods used to reduce the use of water coming from outside the Basin;

(e) a description of the location or locations where the water will be discharged.

Each time that a municipality whose population must, according to the proposed transfer, be supplied with water transferred out of the St. Lawrence River Basin is not the applicant, the application for authorization must indicate and include as a schedule any agreement entered into between the municipality and the applicant and pertaining to obligations related to measures for the efficient use or preservation of water or pertaining to the return of the water in the Basin.

All volumes of water must, for the purposes of this section, be expressed in litres.

4. If the proposed water transfer involves an average quantity of water of 379,000 litres or more per day that is intended to supply a waterworks system serving a municipality referred to in subparagraph a of subparagraph 1 of the first paragraph of section 31.91, the application must, in addition to the information and documents referred to in section 3, be accompanied by the following documents and information:

(1) a description of the measures for the preservation and efficient use of the water that the applicant undertakes to carry out, including timetables;

(2) a description of the follow-up indicators that will be used to monitor those measures for preservation and efficient use;

(3) a narrative description explaining why the water transfer is necessary. The description must also include an analysis of the efficiency of the current uses of water, including the application of preservation measures that are judicious in terms of environment protection and economically feasible with regard to existing water supplies so as to reduce as much as possible the volume of water to be transferred;

(4) a narrative description explaining why the quantities of water whose transfer is proposed are reasonable in relation to the proposed use. To that end, the application must also include a water use plan. The plan must include

(a) the proposed use of the water and the population projections supporting the daily volumes for the period covered by the application;

(b) a description of the capacity of the waterworks system in terms of water withdrawal, treatment and distribution;

(c) an evaluation of the savings resulting from an efficient use of water;

(5) a study about the impact of the transfer on the quality and quantity of water in the St. Lawrence River Basin and of the depending natural resources, including wildlife and plant species that depend for their survival on wetlands and wildlife habitats forming part of the Basin, as well as about the maintenance of water uses. That impact study must be designed and prepared according to a scientific method.

All volumes of water must, for the purposes of this section, be expressed in litres.

The information contained in the study referred to in subparagraph 5 of the first paragraph is public.

5. If the transfer of water out of the Basin is intended to supply a waterworks system serving a municipality referred to in subparagraph *b* of subparagraph 1 of the first paragraph of section 31.91 of the Act, the application for authorization must, in addition to the information and documents referred to in sections 3 and 4, be accompanied by the following documents and information:

(1) a narrative description explaining why no supply source, reasonably accessible within the basin where the local municipality concerned is situated, is capable of meeting drinking water needs;

(2) a study about the impact of the proposed transfer on the integrity of the basin's ecosystem. That impact study must be designed and prepared according to a scientific method.

The information contained in the study referred to in subparagraph 2 of the first paragraph is public.

6. Where an application for authorization is submitted, pursuant to sections 31.92, 31.93 or 31.98 of the Environment Quality Act, to the Great Lakes—St. Lawrence River Water Resources Regional Body for review or opinion, all documents or information sent to the Regional Body, including those provided by the applicant in support of the application for authorization, are public as of the date on which they are sent to the Regional Body by the Minister.

DIVISION III DETERMINATION OF QUANTITIES OF WATER TRANSFERRED OR CONSUMED FOR THE PURPOSES OF SECTION 31.92 OF THE ENVIRONMENT QUALITY ACT

7. For the purposes of the first paragraph of section 31.92 of the Environment Quality Act, the daily average quantity of water transferred out of the basin is

calculated on the basis of a period of 90 consecutive days corresponding to the period during which the volume of water transferred is at its peak.

For the purposes of the second paragraph of that section, the average daily quantity of water that is consumed is calculated on the basis of a period of 90 consecutive days corresponding to the period during which consumptive use is at its peak.

Those calculations must be made by a professional and be attached to the application for authorization.

8. To determine whether an application for authorization to make a new withdrawal or to increase an existing withdrawal in the St. Lawrence River Basin to have water transferred out of that Basin is subject to the conditions for authorization prescribed by section 31.92 of the Environment Quality Act, taking into account the quantity of withdrawn water involved, the application must also indicate, in addition to the quantities of water referred to in section 31.96 of the Act, the sum of the volumes of water withdrawn to supply a single waterworks system.

DIVISION IV MISCELLANEOUS AND TRANSITIONAL

9. Until (*insert the date of coming into force of the first paragraph of section 31.75 of the Environment Quality Act, introduced by section 19 of chapter 21 of the Statutes of 2009*), any application for authorization to transfer out of the St. Lawrence River Basin water from a new withdrawal in that Basin, or to increase the quantity of water transferred out of the Basin from such a withdrawal or an existing withdrawal, must, despite section 4 of the Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993, be addressed to the Minister under section 22 or 32, as the case may be, of the Environment Quality Act or, in the case of groundwater, under Chapter IV of the Groundwater Catchment Regulation, made by Order in Council 696-2002 dated 12 June 2002 or, as the case may be, to the Government under section 31.5 of the Act.

In addition to considering any element any relevant element under section 22, 31.5 or 21 of the Environment Quality Act or, as the case may be, under the provisions of Chapter IV of the Groundwater Catchment Regulation, the Minister or, as the case may be, the Government must, before issuing a certificate of authorization or authorization under one of those provisions for one of the activities involving the transfer of water out of the St. Lawrence River Basin referred to in the first paragraph, ensure that they comply with the provisions of subdivision 2 of Division V of the Environment Quality Act.

For that purpose, an application for authorization must be accompanied by the information and documents provided for in sections 3, 4 and 5 of this Regulation, in addition to those required under the above-mentioned statutory or regulatory provisions or under the regulation thereunder.

Certificates of authorization or, as the case may be, authorizations issued under the provisions referred to in the first paragraph are deemed to be issued under section 31.75 of the Environment Quality Act.

10. Applications for authorization filed before (*insert the date of coming into force of this Regulation*) and in the process of being evaluated on that date are governed by the provisions of this Regulation.

11. Until (*insert the date occurring 10 years after the date of coming into force of section 31.96 of the Environment Quality Act, introduced by section 19 of chapter 21 of the Statutes of 2009*), for the purposes of subparagraph 7 of the first paragraph of section 3 of this Regulation, an application for authorization must indicate, in addition to the quantity of water covered by the application, any quantity of water withdrawn or consumed on the basis of an authorization granted for the same withdrawal after (*insert the date of coming into force of section 31.96 of the Environment Quality Act*).

12. This Regulation comes into force on (*insert the date of coming into force of section 31.75 of the Environment Quality Act, introduced by section 19 of chapter 21 of the Statutes of 2009*), except section 1, the second paragraph of section 2 and section 8, which will come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1109

Draft Regulation

An Act respecting parental insurance
(R.S.Q., c. A-29.011)

Regulation — Amendment

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 under the Act respecting parental insurance, made by the Conseil de gestion de l'assurance parentale and appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The Regulation harmonizes the regulatory provisions respecting the extension of the benefit period with those of the employment insurance plan, to allow members of the armed forces who cannot be physically present with their children, due to being called back into service or having their parental leave postponed, to have their benefit period extended.

The Regulation has no negative impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Marie-Christine Bergeron, 1122, Grande-Allée Ouest, 1^{er} étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 528-8818; fax: 418 643-6738.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the president and director general of the Conseil de gestion de l'assurance parentale, 1122, Grande-Allée Ouest, 1^{er} étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 643-1009; fax: 418 643-6738.

JULIE BOULET,
*Minister of Employment and Social
Solidarity and Minister responsible
for the Mauricie region*

Regulation to amend the Regulation under the Act respecting parental insurance

An Act respecting parental insurance
(R.S.Q., c. A-29.011, s. 23)

1. The Regulation under the Act respecting parental insurance (R.R.Q., c. A-29.011, r. 2) is amended in section 34 by inserting the following after subparagraph 4 of the first paragraph:

“(5) the person is called back into service or the person’s parental leave is postponed, pursuant to the regulations made under the National Defence Act (R.S.C., c. N-5).”.

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

1111

Notice

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

Security guards

— Monthly report of the parity committee — Amendments

Notice is hereby given, in accordance with subparagraph *h* of the second paragraph of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received from the Comité paritaire des agents de sécurité an application to approve the Regulation to amend the Regulation respecting the monthly report of the Comité paritaire des agents de sécurité, and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation appearing below may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the paper form of the monthly report provided for in Schedule 1 to the Regulation, allows the use of the form in the computer format available on the parity committee's Internet site and determines their various modes of transmission.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2009 annual report of the Comité paritaire sur les agents de sécurité, the Decree respecting security guards (R.R.Q., c. D-2, r. 1) governs 182 employers and 18,321 employees.

Further information may be obtained by contacting:

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail
200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
E-mail: patrick.bourassa@travail.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Regulation to amend the Regulation respecting the monthly report of the Comité paritaire des agents de sécurité*

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

1. The Regulation respecting the monthly report of the Comité paritaire des agents de sécurité is amended in section 1 by replacing the part preceding paragraph 1 by the following:

“**1.** Professional employers governed by the Decree respecting security guards (R.R.Q., c. D-2, r. 1) must submit to the head office of the Committee a monthly report signed by the professional employer or by an authorized representative and containing the following information:”.

2. Section 2 of the French text is amended by striking out “social”.


3. Section 3 is replaced by the following:

“**3.** Professional employers may use the paper form provided for in Schedule 1 that he or she must send to the parity committee by mail, or the form in computer format that he or she must send to the Committee using the on-line monthly payroll report computer program authorized by the Committee.”.

4. Schedule 1 is replaced by the following:

* The Regulation respecting the monthly report of the Comité paritaire des agents de sécurité was approved by Order in Council 1546-85 dated 24 July 1985 (1985, *G.O.* 2, 3692) and has not been amended since its approval.

**“SCHEDULE 1
(a. 4)**



**COMITÉ PARITAIRE
des AGENTS de SÉCURITÉ**

EMPLOYER'S NAME: _____

ADDRESS: _____

TEL.: _____

MONTHLY PAYROLL REPORT

MONTH OF: _____

EMPLOYER'S NO.: _____

WEEKS ENDING: _____

1	2	3	4
5	6	7	8
9	10	11	12

FOR EMPLOYEES

CLASS	RATE	REG. HRS.	OT HRS.
1			
2			
3			
4			
5			
6			

TOTAL WAGES PAID: _____

CLASSIFICATION

A	REG. EMPLOYEE	11	12
B	PART. EMPLOYEE	13	14
C	TRIAL EMPLOYEE		
D	CASUAL EMPLOYEE		

TOTAL MONTHLY REG. WAGES: \$ _____

LEVY 0.35 OF %A EMPLOYEE: \$ _____

TOTAL MONTHLY SUPPL. WAGES: \$ _____

LEVY 0.35 OF %A EMPLOYEE: \$ _____

GRAND TOTAL: \$ _____

TOTAL 0.65% DUE TO P.C.: \$ _____

AUTHORIZED SIGNATURE: _____

DATE: _____

NEW CONTRACT INFORMATION

EFFECTIVE DATE: _____

NEW CONTRACT INFORMATION

EFFECTIVE DATE: _____

IDENTIFICATION

Surname: _____

Given name: _____

Street No.: _____

Street: _____

City: _____

Postal Code: _____

Friday address: _____

Union No./No.: _____

Gender/MP: _____

IDENTIFICATION

Surname: _____

Given name: _____

Street No.: _____

Street: _____

City: _____

Postal Code: _____

Friday address: _____

Union No./No.: _____

Gender/MP: _____

CATEGORY	TYPE	DATE	AMOUNT
HOLIDAY	01		
SEVERANCE PAY	02		
ANNUAL VACATION	03		
ANNUAL VACATION BALANCE	33		
PERSONAL HOLIDAY	04		
SICK LEAVE	05		
SICK LEAVE BALANCE	55		
WAGE ADJUSTMENTS ONLY			
	P		
	P		
	P		
	P		
	P		
	P		
	P		

CATEGORY	TYPE	DATE	AMOUNT
HOLIDAY	01		
SEVERANCE PAY	02		
ANNUAL VACATION	03		
ANNUAL VACATION BALANCE	33		
PERSONAL HOLIDAY	04		
SICK LEAVE	05		
SICK LEAVE BALANCE	55		
WAGE ADJUSTMENTS ONLY			
	P		
	P		
	P		
	P		
	P		
	P		
	P		

WE DECLARE AND CERTIFY THAT THIS DOCUMENT IS A TRUE AND ACCURATE REPORT OF OUR PAY REGISTER AND RECORDS

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

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