

Gazette
officielle
^{DU}**Québec**

Part

2

No. 11

16 March 2011

Laws and Regulations

Volume 143

Summary

Table of Contents
Regulations and other Acts
Draft Regulations
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2011

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (R.S.Q., c. C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (Order in Council 1259-97 dated 24 September 1997), amended by the Regulation to amend the Regulation respecting the *Gazette officielle du Québec* (Order in Council 264-2004 dated 24 March 2004 (2004, G.O. 2, 1176). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 will be available on the Internet at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

Contents

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;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (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.

French edition

In addition to the documents referred to in paragraphs 1 to 7 above, the French version of the *Gazette officielle du Québec* contains the orders in council of the Government.

Rates *

1. Annual subscription:

	Printed version	Internet
Partie 1 “Avis juridiques”:	\$189	\$166
Partie 2 “Lois et règlements”:	\$258	\$223
Part 2 “Laws and Regulations”:	\$258	\$223

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$9.72 per copy.

3. Downloading of documents from the Internet version of the *Gazette officielle du Québec* Part 2: \$6.87.

4. Publication of a notice in Partie 1: \$1.31 per agate line.

5. Publication of a notice in Part 2: \$0.87 per agate line. A minimum rate of \$190 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call:

Gazette officielle du Québec
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

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
Toll free: 1 800 463-2100
Fax: 418 643-6177
Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Regulations and other Acts

100-2011 Québec residual materials management policy	671
Conditions governing the accreditation of manufacturers and wholesalers of medications (Amend.)	680

Draft Regulations

Collective agreement decrees, An Act respecting... — Automotive services industry – Lanaudière-Laurentides	681
Collective agreement decrees, An Act respecting... — Cartage industry – Montréal	682
Conservation and development of wildlife, An Act respecting the... — Hunting and fishing controlled zones	683
Health services and social services, An Act respecting... — Information that institutions must provide to the Minister of Health and Social Services and to revoke the Regulation respecting the transmission of information on users who are major trauma patients	685

Regulations and other Acts

Gouvernement du Québec

O.C. 100-2011, 16 February 2011

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

Québec residual materials management policy

Québec residual materials management policy

WHEREAS, under the first paragraph of section 53.4 of the Environment Quality Act (R.S.Q., c. Q-2), the Minister of Sustainable Development, Environment and Parks is to propose a residual materials management policy to the Government in order to prevent or reduce the production of residual materials, promote the recovery and reclamation of residual materials, reduce the volume of residual materials to be eliminated and ensure safe management of elimination facilities, and ensure that product manufacturers are conscious of the effects their products have on the environment and of the costs involved in their management at the end of their useful life;

WHEREAS, in accordance with the second paragraph of section 53.4 of the Act, a draft of the Politique québécoise de gestion des matières résiduelles was published in Part 2 of the *Gazette officielle du Québec* of 25 November 2009 with a notice inviting all interested persons to make their point of view known within 90 days of that publication;

WHEREAS, under the third paragraph of section 53.4 of the Act, every policy adopted by the Government pursuant to the section is to be published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to approve the policy with amendments;

WHEREAS it is advisable that the Québec Residual Materials Management Policy be accessible to all citizens of Québec;

WHEREAS, under paragraph 6 of section 4 of the Regulation respecting the *Gazette officielle du Québec*, made by Order in Council 1259-97 dated 24 September 1997 and amended by Order in Council 264-2004 dated 24 March 2004, the Government may order that a document published in the French Edition of Part 2 also be published in English;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Québec Residual Materials Management Policy, attached to this Order in Council, be approved and published in the English Edition of the *Gazette officielle du Québec*.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

ENVIRONMENT QUALITY ACT

QUÉBEC RESIDUAL MATERIALS MANAGEMENT POLICY

TABLE OF CONTENTS

FOREWORD

FIRST PART: BACKGROUND

SECOND PART: PRINCIPLES

THIRD PART: PURPOSE

FOURTH PART: SCOPE

FIFTH PART: ACTION PLAN

SIXTH PART: GOALS

SEVENTH PART: INTERVENTION STRATEGIES

- 7.1 Maintain the 4R-D hierarchy
- 7.2 Prevent and reduce the production of residual materials
- 7.3 Discourage and monitor disposal
- 7.4 Ban the disposal of organic material
- 7.5 Make producers more responsible
- 7.6 Support regional planning and performance
- 7.7 Stimulate the performance of the ICI and CRD sectors
- 7.8 Choose the most efficient collection system
- 7.9 Know, inform raise awareness, and educate
- 7.10 Reporting on results

EIGHTH PART: FUNDING

CONCLUSION

FOREWORD

The purpose of this publication is to make public the government policy on residual materials management made pursuant to Section 53.4 of the Environment Quality Act.

1. BACKGROUND

In recent years, Québec has made a firm commitment to sustainable development by adopting a series of policies and implementing programs and measures that are based on the Sustainable Development Act and are a part of the 2008-2013 Government Sustainable Development Strategy. This new approach promotes the emergence of a green economy based on economic development that respects the environment and citizens' quality of life. Implementation of the Climate Change Action Plan and the Québec Energy Strategy, and adoption of a development strategy for Québec's environmental and green technology industry, entitled *Pour un Québec vert et prospère*, are some compelling examples.

Development of this green economy relies on recourse to renewable energy sources—notably hydroelectricity and wind energy—and to technology and innovation. The Residual Materials Management Policy will be an additional tool to build this new economy by helping Québec take full advantage of its resources.

The 13 million-odd tons of residual materials produced in Québec annually hold undeniable potential to be used both in manufacturing goods and products and energy production. To illustrate this point, it should be noted that the 2.5 million tons of the most commonly recycled residual materials recovered in Québec in 2006 (metal, paper, cardboard, plastic, and glass) were valued at \$550 million and generated over 10,000 direct jobs. Recycling and reintroducing these materials into the production cycle also yielded significant gains with respect to the economy, resource protection, and greenhouse gas emissions reduction.

Based on the government's desire to build a green economy and on the collective and individual commitment of Quebecers to sustainable development, this Policy aims to encourage behaviors that are more respectful of the environment as well as better residual materials management and consumption practices. It aims to create a zero-waste society that maximizes added value through sound residual materials management, and its main goal is for end waste to be the only residual material sent for disposal in Québec.

To help meet this goal, the Policy includes measures that will address the three main challenges of residual materials management:

— Ending resource waste

— Promoting the achievement of the goals of the Climate Change Action Plan and of the Québec Energy Strategy

— Making all stakeholders involved responsible for residual materials management

Challenge 1: Ending resource waste

Large quantities of raw materials are used to produce goods, which, once consumed, increase the volume of residual materials to be managed. Part of these materials can be reduced at the source to take pressure off natural resources and reduce the ecological footprint associated with extracting them. The remainder, however, will remain in the management cycle. Québec produced nearly 13 million tons of residual materials in 2008. Although the measures implemented under the 1998-2008 Québec Residual Materials Management Policy helped increase the amount of recycled residual materials from 3.4 million to 6.8 million tons between 1998 and 2008, nearly half the residual materials that Québec generates continue to be sent to disposal sites without any value being recovered. A total of 810 kilograms of waste per capita were sent for disposal in Québec in 2008. It is essential to stop wasting these resources and to recover them. They may then be used to stimulate job creation and contribute to social progress by fostering the growth of wealth in Québec.

Challenge 2: Promoting achievement of the goals of the Climate Change Action Plan and of the Québec Energy Strategy

Climate change is a major issue for our society. From a residual materials management perspective, it concerns first and foremost the management of organic material. Currently, most residual organic material in Québec is landfilled or incinerated. Approaches to managing this material must, however, seek to add value to it, to improve our greenhouse gas balance and contribute to the Québec Energy Strategy, which seeks to put new technology to good use. In large quantities, organic waste has great potential in the creation of a new green energy industry by means of biomethanation, a process that produces biogas as an alternative to fossil fuels.

Challenge 3: Making all stakeholders involved responsible for residual materials management

A sustainable residual materials management model assumes that all actors affected assume the responsibilities and costs incumbent upon them. This approach is founded on the "polluter pays" principle and the principle of responsible production and consumption.

Businesses that market products must be responsible for them throughout their lifecycle, including the post-consumer stage. Consumer participation is also a key factor in the success of this model and the government intends to reach out to them and design tools that will guide them in their choices.

Residual materials management in Québec is based on a regional planning approach for all waste produced in municipal territories, whether it is of domestic, industrial, commercial, or institutional origin or is generated by the construction, renovation, or demolition sector. Regional municipalities are responsible for such planning and must ensure that their management plan covers all generators of residual materials within their boundaries.

Lastly, those who generate residual materials—citizens, businesses, and institutions alike—are not sufficiently aware of the importance of managing these materials effectively and of taking part in the various programs set up to reduce resource waste. They do not receive enough encouragement. The government has an important role to play in this regard.

2. PRINCIPLES

Residual materials management is based on a principle of action that gives priority to management methods that will have the least impact on the environment. Known as the 4R-D, this principle is defined as follows in Québec:

4R-D

Unless an environmental analysis based on a goods and services life cycle approach indicates that a deviation is justified, residual materials management must give priority to source reduction, reuse, recycling (including by biological treatment or landspreading), other forms of material reclamation, energy production, and disposal, in that order.

Based on the 4R-D, the Québec Residual Materials Management Policy subscribes to sustainable development arising from the idea that things cannot continue as before and that the shortfalls of development models focused solely on economic growth must be remedied by reconsidering our methods in light of our new priorities. We must aim at economic efficiency to create an innovative, prosperous, and environmentally and socially responsible economy—in short, a green economy.

The measures recommended under the Policy support this vision and the principles set forth in the Sustainable Development Act, particularly social equity and solidarity, environmental protection, economic efficiency, partici-

pation and commitment, access to knowledge, subsidiarity, prevention, responsible production and consumption, the “polluter pays” principle, and internalization of costs.

Social equity and solidarity

Development must be undertaken in a spirit of intra- and inter-generational equity and social ethics and solidarity.

Environmental protection

To achieve sustainable development, environmental protection must be an integral part of the development process.

Economic efficiency

Québec and its regions must have a strong economy conducive to innovation and prosperity that leads to social progress and respects the environment.

Participation and commitment

The participation and commitment of citizens and citizens’ groups are needed to define a concerted vision of development and ensure its environmental, social, and economic sustainability.

Access to knowledge

Measures to promote education, access to information, and research must be encouraged in order to spur innovation and improve public awareness and effective participation in the implementation of sustainable development.

Subsidiarity

Powers and responsibilities must be delegated at the appropriate level of authority. Decision-making venues must be properly distributed, with a view to ensuring they are as close as possible to the citizens and communities concerned.

Prevention

Preventive, mitigative, and corrective measures must be put in place in the presence of a known risk, preferably at the source.

Responsible production and consumption

Production and consumption patterns must be changed in order to make production and consumption more viable and more socially and environmentally responsible, in particular through an ecoefficient approach that avoids waste and optimizes the use of resources.

Polluter pays

Those who generate pollution or whose actions otherwise degrade the environment must bear their share of the cost of measures to prevent, reduce, control, and mitigate environmental damage.

Internalization of costs

The value of goods and services must reflect all the costs they generate for society during their whole life cycle, from their design to their final consumption and disposal.

3. PURPOSE

The current residual materials management approach does not generate maximum value from these materials, as nearly half of the residual materials produced are disposed of. Efficient management of these materials will foster the development of a new industry that creates jobs and wealth.

The goal of the Québec Residual Materials Management Policy is to implement various measures that not only help improve our environment and help reduce economic losses associated with simple disposal of residual materials, but also foster the growth of the recycling and energy production industries. These measures aim to:

1° Prevent or reduce the production of residual materials, particularly by targeting product manufacturing and marketing;

2° Promote recycling and reclamation of residual materials;

3° Reduce the quantity of residual materials sent for disposal and ensure the safe management of disposal sites;

4° Require producers to take into consideration the environmental effects of their products and the costs associated with the recycling, reclamation, and disposal of the residual materials generated by these products.

4. SCOPE

The Policy applies to all residual materials generated in Québec by households, industries, businesses, and institutions, including those produced by construction, renovation, and demolition activities and waste from

primary industry that is transported outside of production sites to disposal sites or to residual materials reclamation facilities. These residual materials also include municipal and industrial sludge and out-of-service vehicles and their waste. The Policy does not apply, however, to hazardous materials (except for household and similar products), animal dung, uncollected logging residues, biomedical waste, mine tailings, soil containing contaminants in quantities or concentrations exceeding the level set by regulation, and gaseous substances, except for those contained in another residual material or arising from the treatment of such a material.

5. ACTION PLAN

The goal of the Policy is to implement measures for the creation of a zero-waste society that seeks to maximize added value through sound residual materials management, thereby making it perpetual. It is accompanied by a five-year action plan that sets intermediate goals for the period concerned.

Each plan describes initiatives, sets deadlines, and identifies the goals or other performance indicators to be met. It may also include goals specific to certain industries or sectors.

During its execution, the action plan may be subject to an assessment and review, if necessary. The assessment is made public by the Minister. Before the plan expires, the Minister makes recommendations on the future action plan and for the revision of the Policy, if required.

6. GOALS

The main goal of the Policy is as follows:

— Make end waste the only residual material sent for disposal in Québec

End waste is the waste that results after residual materials have been sorted, processed, and reclaimed and cannot be processed any further under existing technical and economic conditions to extract reclaimable content or reduce its polluting or hazardous character.

The intermediate quantitative goals of the first action plan are as follows:

By the end of 2015:

— Reduce the quantity of residual materials sent for disposal to 700 kilograms per capita, 110 kilograms less per capita than in 2008;

— Recycle 70% of paper, cardboard, plastic, glass, and metal waste;*

— Process 60% of organic putrescible waste;

— Recycle or reclaim 80% of concrete, brick, and asphalt waste;

— Sort at the source or send to a sorting center 70% of construction, renovation, and demolition waste from the building segment.

These goals represent a national average to which everyone must contribute. The first one, expressed in kilograms per capita, takes into account source reduction, reuse, recycling, and other forms of waste reclamation.

Each residual materials management plan must include measures compatible with achieving all goals in the area covered by the plan.

Other goals specific to materials or products—notably those under extended producer responsibility—are set by regulation or agreement.

7. INTERVENTION STRATEGIES

The Policy's ten intervention strategies aim to address the three main residual materials management challenges:

— Ending resource waste

— Promoting achievement of the goals of the Climate Change Action Plan and of the Québec Energy Strategy

— Making all stakeholders involved responsible for residual materials management

7.1 Maintain the 4R-D hierarchy

Within the meaning of the 4R-D principle, reclamation refers to the processing of residual materials to recover useful substances or products or energy, while the Environment Quality Act (EQA) defines it as “any operation the purpose of which is to obtain usable substances or products, or energy, from residual materials through reuse, recycling, composting, regeneration, or any other process that does not constitute elimination.” The EQA therefore assigns the same value to each operation. Underlying the 4R-D principle, however, is the notion that prioritizing source reduction, reuse, recycling, and other forms of reclamation in that order—certain exceptions aside—yields the greatest benefit in residual materials management.

* This does not concern product materials or categories for which recovery and reclamation goals are set by regulation.

To ensure that residual materials are subject to the most sustainable management methods, any waste management plan or program developed by the Minister will give priority to source reduction and, in treating these materials, will respect the following order: reuse, recycling (including by biological treatment or landspreading), any other form of reclamation by which residual materials are treated for use as a substitute for raw materials, energy production, and disposal. However, deviating from this order will be possible when an analysis demonstrates this is justified based on a goods and services life cycle approach.

The government also plans to establish criteria specific to Québec that will serve as a framework for recognizing reclamation activities. For example, in the case of thermal processing, apart from complying with residual materials management plans (RMMPs), the government wants to ensure that energy performance, greenhouse gas balance, the final destination of waste, and compliance with air emission standards are taken into account so that this activity can be recognized as reclamation within the meaning of the Policy.

7.2 Prevent and reduce the production of residual materials

In accordance with the 4R-D hierarchy, priority should be given to prevention through source reduction to decrease the quantity and toxicity of residual materials to be managed. Businesses responsible for marketing products can intervene at the design stage to make products more eco-friendly.

The government considers it essential that producers take greater responsibility and intends to adopt measures that prompt businesses to reduce the amount of residual materials derived from the consumption of their products. Voluntary agreements with businesses regarding reductions in packaging and improvements to packaging properties to facilitate recycling are among the measures that will be proposed. These measures will be the subject of discussions between the various actors concerned and, if the results of their implementation prove unsatisfactory, stricter measures can be adopted.

The government wishes to call on stakeholders for their assistance in tackling the major challenge of choosing concrete, effective measures to reduce waste at the source.

In addition, the government will continue to collaborate with social economy enterprises working in residual materials management—particularly those oriented toward reuse—and maintain its support for them. In a complementary fashion, community social organizations will be called on to implement public education and awareness projects on source reduction and reuse.

To set an example, the government wants to commit itself to reducing residual materials generated by its activities at the source and putting in place mechanisms that allow it to give preference to businesses with similar practices when contracts or subsidies are awarded. It also intends to evaluate a variety of methods that would allow it to promote products with a long life cycle. In light of this evaluation, concrete measures can be proposed and adopted.

The government also wishes to take advantage of the issuing of authorizations by the Minister of Sustainable Development, Environment and Parks to make businesses aware of the need to reduce at the source the raw materials they use and respect the hierarchy of residual materials management methods.

To take into account source reduction, the Policy sets a quantitative goal expressed as kilograms of disposed waste per capita. While respecting the 4R-D principle, this approach solicits the equitable participation of all key societal stakeholders, from producers to consumers of goods and services.

7.3 Discourage and monitor disposal

One conclusion drawn from the situation over the last twenty years is that despite major recovery and reclamation efforts, too many residual materials are sent for disposal. To counter this problem, the government intends to take measures to discourage the disposal of residual material and avoid the waste of resources.

Implementation of the Regulation respecting the landfilling and incineration of residual materials and the imposition of charges payable for the disposal of residual materials in 2006 promoted the recovery and reclamation of these materials by increasing disposal costs. However, disposal still costs less overall than recovering and reclaiming residual materials, particularly near large urban centers. The government wants to make reclamation more competitive by increasing disposal charges and investing the money in programs that promote recovery and reclamation.

If these recovery objectives are not reached, the government will assess whether it is appropriate to further raise the fees.

Although we can discourage the disposal of residual materials, we cannot eliminate it entirely, and the government intends to make sure that this activity is safe for human health and the environment.

The government also wishes to ensure that any new waste incinerator with a capacity of more than two metric tons an hour must comply with both the 4R-D hierarchy and recycling objectives. These new incinerators must be designed to recover the energy generated by the combustion process.

7.4 Ban the disposal of organic material

In 2008, 12% of table scraps and yard waste generated by the municipal sector in Québec was recovered and reclaimed. The remainder was largely landfilled. The same year, 31% of municipal wastewater sludge and 26% of paper mill sludge was landfilled. When landfilled this waste decomposes, leading to a variety of harmful impacts on the environment, including greenhouse gas emission. Recycling these materials helps prevent these impacts while creating jobs and providing useful products as well as energy. The same is true of the rest of organic materials such as paper and cardboard, which mostly end up in landfills if not collected and recycled. To ensure that organic materials are managed with greater respect for the environment and in a way that spurs economic activity and helps meet the objectives of the Climate Change Action Plan and the Québec Energy Plan, the government wants to ban disposal of organic waste.

First, the necessary collection services and treatment facilities must be available. As paper, cardboard, and wood recycling is already well established, the government intends to begin by banning the disposal of these materials and follow up with other putrescible organic material, such as leaves, grass clippings, table scraps, and sludge. It will develop a timetable for implementing measures to speed up the establishment of the required collection systems and treatment facilities, as well as the terms of a ban, taking into account the features of certain methods for managing putrescible organic materials, including industrial and municipal sludge.

At the same time, the government wants to ensure that waste organic material diverted from disposal sites is handled in such a way as to maximize its value. Leaving grass clippings in place and household or community composting, both of which reduce at source the amount of putrescible organic materials to be managed, should be encouraged first. Non-putrescible organic material such as paper, cardboard, and wood should preferably be returned to the production cycle for these materials rather than used for other forms of reclamation, including energy production. Moreover, recycling of putrescible organic material by landspreading, composting and biomethanation with a view to enrich soils, must be favoured over other forms of reclamation such as energy recovery.

The government will help fund the necessary infrastructures to foster the recycling of putrescible organic materials. This financial support will encourage the development of biological treatment technologies that help reduce greenhouse gas emissions. It will take action to ensure that landspreading is permitted when conditions are safe for health and the environment, and it is beneficial agronomically. It will also promote the development of new uses and markets for compost and digester sludge. In addition, the government will ensure that treatment facilities for organic matter are properly managed.

The government also wants to make sure that treatment of residual organic matter produces energy to replace fossil fuels whenever environmental, social, and economic conditions permit.

7.5 Make producers more responsible

Containers, packaging, printed material, and written media represent a significant proportion of the residual materials generated by households. Municipalities provide services for recovering and reclaiming these products. Under the Environment Quality Act (EQA), the industry must pay up to 50% of the net costs borne by the municipalities for these services. To bring this more in line with sustainable development principles, the government intends to make companies assume the entire cost of recovering and reclaiming containers, packaging, printed material, and written media.

Once companies have to pay the full cost, the government intends to assess whether they should also bear full responsibility for managing the program according to the principle of extended producer responsibility.

Municipal curbside collection services are often poorly adapted to materials that require special handling because of their hazardous nature, size, weight, or reclamation potential. Producers can more easily take charge of these materials at the end of their useful life and find appropriate management solutions. They can also design them to be more environmentally friendly. In keeping with the approach of extended producer responsibility, the government intends to gradually transfer responsibility for recovering and reclaiming residual materials from municipalities to producers.

Used tires are one of the products that require special handling. Because of the danger tires present, the government imposed a \$3 environmental fee on the purchase of new tires and on the retail sale or lease of road vehicles equipped with new tires. This fee serves to fund the Québec Integrated Used Tire Management Program and the Program for the Emptying of Scrap Tire Storage Sites in Québec.

The government will maintain these two programs as well as the environmental fee on new tires until the storage sites are completely empty. Subsequently, the responsibility for managing used tires, including over-size and off-road vehicle tires, will be entrusted to producers based on to the extended producer responsibility approach.

7.6 Support regional planning and performance

The regionalization of residual materials management is one of the major achievements of the 1998-2008 Québec Residual Materials Management Policy. It was given concrete expression through an amendment to the EQA requiring regional municipalities to develop residual materials management plans (RMMPs) and by the establishment of a government funding program for regional municipalities. The EQA also gave these municipalities a regional management role by requiring the RMMPs to cover all residual materials produced within their territory, including household, industrial, commercial, institutional, and other types of waste. Given that the RMMPs are one of the pillars of residual materials management, the government intends to ensure, after consulting partners, that they comply with this Policy and EQA requirements.

The EQA does not contain residual materials management provisions for Northern Québec, a vast region inhabited by approximately 40,000 people. Local and regional governments are well aware of the fragility of northern ecosystems and the importance of the sound management of residual materials for their development, and they have expressed their desire to manage them better. The government wants to support these governments in order to improve the management of residual materials in northern areas.

Though regional municipalities are responsible for planning residual materials management, the industrial, commercial and institutional (ICI), as well as the construction, renovation and demolition (CRD) sectors remain responsible for the waste they generate in a given area covered by a RMMP. They must support the cost of managing these wastes in accordance with the rules and activities provided for in the concerned RMMP.

In enforcing regulations, the government can support regional municipalities in planning residual materials management by giving the industrial, commercial, and institutional (ICI) sector obligations aimed at promoting achievement of Policy and action plan objectives. However, municipalities can also take action with industrial, commercial and institutional stakeholders to promote achievement of these objectives. For example, they can adopt regulations, impose conditions on the granting of permits, or provide or share services.

In implementing their RMMPs, some local and regional municipalities have worked harder than others to achieve the Policy's objectives. The government should take these efforts into account when redistributing funds to municipalities to encourage regional performance. Consequently, the Program of Redistribution to Municipalities of Charges Payable for the Disposal of Residual Materials will consider the global performance of all sectors in a given area and include criteria to enable to grouping of comparable regional municipalities. Based on this criteria, during the first five years of Policy implementation, the goal of reducing to 700 kilograms per capita the amount of waste sent for disposal throughout Québec will serve as a basis for calculating performance.

In order to encourage performance, government would like to recognize municipalities that achieve the best results and share this information with the public.

Residual materials recovered by municipalities should be transported to facilities that maximize their value and send the smallest amount possible on to disposal sites. The government wants to ensure that the sorting centers for recyclable materials are efficient and can appropriately meet market needs. To this end it intends to work in concert with various stakeholders to study the problems encountered in the sorting centers, including the standardization of accepted materials and the markets.

7.7 Stimulate the performance of the ICI and CRD sectors

Over 40% of residual materials in Québec are generated by the industrial, commercial and institutional (ICI) sector. Nearly half of these materials went to landfill sites in 2006. This shows that the Policy objectives cannot be met without major changes to how residual materials generated by the ICI sector are managed.

Although the construction, renovation and demolition (CRD) sector has generally surpassed the objectives of the 1998-2008 Québec Residual Materials Management Policy, this is largely due to the recycling of concrete, brick, asphalt, and stone, and to a lesser degree, wood. However, various materials produced by the building segment of the construction industry, such as wood, drywall, metals, asphalt shingles, carpets, insulation, and cardboard too often end up in disposal sites. We need to promote the recycling of these materials with high reclamation potential.

An increase in fees for the disposal of residual materials and the gradual ban on disposing of organic materials are measures that are likely to change how the ICI and CRD sectors manage their residual materials. The government also intends to earmark some of the income

generated by these fees for making recycling in the ICI and CRD sectors more efficient. This support will mainly target measures for improving recycling outside the home, including putrescible organic materials, funding the development of technologies for reusing recovered materials, setting up and optimizing CRD recycling centers, and developing markets.

In the CRD sector, the government also wants to encourage municipalities to require, at the time permits are granted, that residual materials be sorted onsite or taken to a sorting center or to adopt regulations to this effect. For its part, the government intends to provide businesses with information on ways to meet the Policy requirements.

The government, which itself is a member of the institutional network, intends to model residual material management by implementing the 2008-2013 Government Sustainable Development Strategy.

The government should also use its purchasing power as an effective economic instrument for residual materials management to encourage ICI providers of goods and services to the government to manage their residual materials in an eco-responsible manner.

7.8 Choose the most efficient collection system

Up until now, the public system of charging a deposit on single use containers—which targets the sale and distribution of beer and soft drinks—allowed for the recycling of a greater proportion of this type of container than municipal recovery programs. However, data from the last few years indicate that the latter could soon achieve the same results. Given equal performance levels, a number of factors weigh in favor of municipal recovery programs, particularly the lower cost and the recovery of materials apart from the containers. It is also a system already widely available to Québec households.

If it is shown that municipal recovery programs meet the Policy's intermediary objectives, that its performance is equivalent to the deposit system for similar products, and that recovery services for soft drink containers outside the home are easily available and well distributed throughout the area, the government will consider abolishing the public deposit system.

However, the government wants to ensure that at least 70% of the containers on deposit are recycled. Above all, it wants to avoid a situation where municipal recovery programs performances match that of the deposit system at a level below a 70% recovery rate for containers of the same type. If during two successive years fewer than 70% of single use soft drink containers are recovered, the government will consider raising the deposit.

The beer industry, for its part, put a private deposit system in place, which enables it to recover and reuse its bottles. Single-use beer containers are governed, however, by the public deposit system. Abolishing the deposit on this type of container could lead the consumer to prefer them to returnable reusable bottles. Therefore, to promote the use of returnable reusable bottles, the deposit on single-use beer containers will be maintained if the deposit on soft drink containers is eliminated.

7.9 Know, inform, raise awareness, and educate

The RMMPs and various programs that promote recovery and reclamation have improved our knowledge of the residual materials generated in Québec in recent years. Life cycle analysis, whose benefits include educating us about the pressure on natural resources such as water and about greenhouse gas emissions, also enables us to draw more accurate conclusions from information gathered. Our knowledge is sometimes incomplete however, especially as concerns many products, certain ICI segments, and the construction sector, and must therefore be improved. Accordingly, the government wants to add to its knowledge of various aspects of residual materials management, including secondary material markets, treatment methods, economic instruments like municipal collection incentives, and environmental fees.

The situation in northern environments is also very poorly understood, which limits the possibility of helping local communities better manage their residual materials. The government wants to prioritize knowledge acquisition in order to be able to support the development and implementation of residual materials management plans in Northern Québec.

The government intends to focus on the need to inform, raise awareness, and educate all stakeholders involved in residual materials management, including local residents, elected officials, workers, business owners, and managers. Few people are fully aware of how their residual materials impact the environment, notably in terms of greenhouse gas emissions and the depletion of natural resources. Using revenues from landfill fees, the government will fund activities aimed at encouraging the population to better manage its residual materials. However, the diversity of target audiences means that messages must be tailored and priorities clearly established. Source reduction is a priority of the Policy. In this respect consumers must be addressed first since they are the ones who can take the right steps in this direction, for example by consuming less, choosing more durable and less harmful products, repairing instead of purchasing, using reusable and recyclable bags, leaving grass clippings on the lawn or composting at home.

In addition, the Policy aims to prevent organic matter from ending up in disposal sites. The main challenge in the coming years will be to get individuals to recover this waste. Information, awareness, and educational activities must be carried out. It will also be necessary to encourage industries and businesses to recover and reclaim organic matter, especially at restaurants and in food distribution companies and the agrifood industry.

7.10 Reporting on results

Managing residual matter is everyone's concern and it is important that Quebecers stay informed about the results of such management efforts. The report on residual materials management in Québec published every two years is an indispensable tool that the government plans to keep. This report will help us maintain up-to-date knowledge on the various materials and provide the information necessary to monitor Policy and action plan objectives.

Furthermore, the report on residual materials management must contain reliable data. The government wants to ensure it has access to all information that may be useful in assessing the situation. Disposal site operators must therefore continue producing the data they are required to send to the government and must make this data easier to process. In addition those who recover, sort, process, recycle, or reclaim residual materials must report these materials.

Online information tools will make it possible to evaluate the progress of local and regional municipalities in residual materials management.

In addition, the vision of the partners working with the government to manage residual materials is important for optimizing Policy implementation. With this in mind, the government wants to promote discussion forums.

8. FUNDING

Without appropriate funding, the Policy objectives could be compromised, depriving Québec of significant economic benefits in addition to harming the environment and social development. To ensure better funding, the government intends to improve its economic instruments for residual materials management, notably the Regulation respecting the charges payable for the disposal of residual materials and Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, and to amend the EQA in this regard.

The Program of Redistribution to Municipalities of Charges Payable for the Disposal of Residual Materials will remain the preferred method to support RMMP implementation. The government wants, however, to provide better funding of recovery and reclamation activities. For this purpose, the Policy recommends that businesses bringing products to market assume the full amount of this funding. The government intends to support the funding of action plans arising from the Policy and to collect fees earmarked for program implementation for determined periods.

CONCLUSION

To ensure that all of Québec's regions benefit from the economic spinoffs arising from the sound management of residual materials, the Policy proposes putting a halt to waste and maximizing the added value of our residual materials in an environmentally responsible manner. Given that Québec is resolutely fighting against climate change, the Policy invites all Quebecers to join together in managing our residual materials for the benefit of current and future generations, therefore contributing to sustainable development.

1310

M.O., 2011

Order number 2011-006 of the Minister of Health and Social Services dated 7 March 2011

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01)

MAKING the Regulation to amend the Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 80 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01);

CONSIDERING that it is necessary to amend the Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications, made by Minister's Order 92-06 dated 6 July 1992, to modify the maximum limit of the profit margin for wholesalers of medications;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 12 January 2011, in accordance to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), of a draft Regulation to amend the Regulation respecting the conditions governing the accreditation of

manufacturers and wholesalers of medications, with a notice that it could be made by the undersigned on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make such a regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications, the text of which appears as a Schedule, is hereby made.

Québec, 7 March 2011

YVES BOLDDUC,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications*

An Act respecting prescription drug insurance (R.S.Q., c. A-29-01, s.80)

1. The Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications is amended in section 1 of Schedule I by replacing "6%" in subparagraph 2 of the second paragraph by "6.25%. As of 1 April 2012, the difference may not exceed 6.50%."

2. Section 2 of Schedule II is amended by replacing "6% in relation to the package size purchased" in the first paragraph by "6.25% in relation to the package size purchased. As of 1 April 2012, the increase may not exceed 6.50%."

3. This Regulation comes into force on 1 April 2011.

1332

* The Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications, made by the Minister of Health and Social Services by Order 92-06 dated 6 July 1992 (1992, *G.O.* 2, 3263), was last amended by the regulation made by Minister's Order 2008-001 dated 8 January 2008 (2008, *G.O.* 2, 143). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Draft Regulations

Notice

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

Automotive services industry – Lanaudière-Laurentides — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour received from the contracting parties an application for amendments to the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., c. D-2, r. 9) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree mainly increases the minimum hourly rates of the various employment categories covered by the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions.

The consultation period will specify the extent of the impacts of the amendments applied for. According to the 2009 annual report of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides, 1,031 employers, 5,441 employees and 384 artisans are subject to the Decree.

Further information may be obtained by contacting:

Louis-Philippe Roussel
Direction des politiques du travail
Ministère du Travail
200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 644-2206
Fax: 418 643-9454
Email: louis-philippe.roussel@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree 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

Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., c. D-2, r. 9) is amended in section 1.01 by striking out “parts man,” in paragraph 5.

2. Section 4.03 is amended by replacing “\$0.50” by “\$0.80”.

3. Section 6.05 is amended by replacing “15 days” by “3 weeks”.

4. Section 9.01 is replaced by the following:

“**9.01.** The minimum hourly wage rates are as follows:

Trades	As of (insert the date of coming into force of this Decree)	As of (insert the date that corresponds to 12 months following the date of coming into force of this Decree)	As of (insert the date that corresponds to 24 months following the date of coming into force of this Decree)
1. Apprentice			
1st grade	\$11.14	\$11.47	\$11.82
2nd grade	\$11.80	\$12.15	\$12.52
3rd grade	\$13.11	\$13.50	\$13.91
2. Journeyman			
A	\$20.12	\$20.72	\$21.35
B	\$17.37	\$17.89	\$18.43
C	\$15.73	\$16.20	\$16.69
D	\$13.77	\$14.18	\$14.61
3. Parts clerk			
1st grade	\$10.34	\$10.65	\$10.97
2nd grade	\$10.62	\$10.94	\$11.27
3rd grade	\$11.43	\$11.77	\$12.13
4th grade	\$12.11	\$12.47	\$12.85
4th class	\$13.23	\$13.63	\$14.04
3rd class	\$14.22	\$14.65	\$15.09
2nd class	\$14.70	\$15.14	\$15.60
1st class	\$15.15	\$15.60	\$16.07

4. Messenger \$10.07 \$10.37 \$10.68

5. Dismantler

1st grade \$12.12 \$12.48 \$12.86
2nd grade \$12.48 \$12.86 \$13.24
3rd grade \$12.86 \$13.24 \$13.64

6. Washer \$9.87 \$10.17 \$10.47

7. Semiskilled worker

1st grade \$12.12 \$12.48 \$12.86
2nd grade \$12.48 \$12.86 \$13.24
3rd grade \$12.86 \$13.24 \$13.64

8. Pump attendant \$9.75 \$10.04 \$10.34

9. Service attendant

1st grade \$10.55 \$10.87 \$11.19
2nd grade \$11.23 \$11.57 \$11.91
3rd grade \$11.90 \$12.26 \$12.62
4th grade \$12.58 \$12.97 \$13.36.”

5. Section 9.01.1 is amended by replacing the third paragraph by the following:

“They are entitled to the following wage rates:

Trades	As of (insert the date of coming into force of this Decree)	As of (insert the date that corresponds to 12 months following the date of coming into force of this Decree)	As of (insert the date that corresponds to 24 months following the date of coming into force of this Decree)
Service attendant			
2nd class	\$13.61	\$14.01	\$14.44
1st class	\$14.75	\$15.20	\$15.66”.

6. The following is inserted after section 9.01.1:

“**9.01.2.** The wage rates provided for in sections 9.01 and 9.01.1 may not be less than the minimum wage provided for in section 3 of the Regulation respecting labour standards (c. N-1.1, r. 3), increased by \$0.25.”.

7. Section 12.01 is amended

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

“**12.01.** When an employee wears a uniform or special clothing, identified or not with the employer’s establishment, the uniform or clothing must be supplied at no cost by the employer.”;

(2) by inserting “rental,” in the second paragraph after “purchase,”.

8. Section 13.01 is amended by replacing “2001” wherever that number appears by “2013”.

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

1324

Notice

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

**Cartage industry – Montréal
— Amendment**

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application by the contracting parties to amend the Decree respecting the cartage industry in the Montréal region (R.R.Q., c. D-2, r. 2) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting the cartage industry in the Montréal region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree increases the monthly group insurance premium rate.

The consultation period will specify the extent of the impacts of the amendments applied for. According to the 2010 annual report of the Comité paritaire du camionnage de la région de Montréal, 67 employers, 384 employees and 51 artisans are subject to the Decree.

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
Email: patrick.bourassa.@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree 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

Decree to amend the Decree respecting the cartage industry in the Montréal region

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting the cartage industry in the Montréal region (R.R.Q., c. D-2, r. 2) is amended in section 9.01 by replacing the third, fourth and fifth paragraphs by the following:

“The monthly premium payable by the employer for each insurable employee in the plan is \$155 and the monthly premium payable by each insurable employee is \$121.49 to which an amount corresponding to 50% of the increase required by the insurer is added, respectively, for 2011.

For each subsequent increase, the monthly premium is determined in accordance with the third paragraph by replacing the amounts of \$155 and \$121.49 by the amounts of the premium calculated pursuant to the third paragraph. The monthly premiums payable by the employer and by each employee may not exceed \$200 and \$160, respectively.

For the insurable employee who works less than 40 hours during the month and receives less than \$500, the monthly premium payable by the employer for the employee is \$145.93 and the monthly premium payable by the employee is \$38.94 to which an amount corresponding to 50% of the increase required by the insurer is added, respectively, for 2011.

For each subsequent increase, the monthly premium is determined in accordance with the fifth paragraph by replacing the amounts of \$145.93 and \$38.94 by the amounts of the premium calculated pursuant to the fifth paragraph.”.

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

Draft Regulation

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

Hunting and fishing controlled zones — 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 respecting hunting and fishing controlled zones, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow agencies managing hunting and fishing controlled zones

— to regulate camping in ZECs;

— to better control the use of all-terrain vehicles not covered by the current Regulation;

— to update the management of registration of users by allowing remote registration;

— to assign a number of hunters and fishers in the territory of a ZEC for promotional purposes.

The draft Regulation also clarifies certain conditions required to be exempted from paying travel fees on roads in a ZEC.

Study of the matter has shown that the amendments are necessary to allow agencies managing hunting and fishing controlled zones to deal with new issues resulting from the development of activities carried on in the territory of ZECs. It also shows that the amendments have no negative impact on enterprises, including small and medium-sized businesses, the general public or Native persons.

Further information on the draft Regulation may be obtained by contacting Sophie Bussièrès, Service de la réglementation, de la tarification et des permis, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 521-3888, extension 7393; fax: 418 646-5179; e-mail: sophie.bussieres@mrfn.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nathalie Camden, Associate Deputy Minister, Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*

NATHALIE NORMANDEAU,
*Minister of Natural
Resources and Wildlife*

Regulation to amend the Regulation respecting hunting and fishing controlled zones

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, pars. 1, 2 and 9, and s. 162, par. 14)

1. The Regulation respecting hunting and fishing controlled zones (c. C-61.1, r. 78) is amended by inserting the following definition after “agency” in section 1:

““campground” means an area in the territory of a ZEC offering camp sites developed for leasing to the public, managed by an agency and authorized by the Minister; (*terrain de camping*)”.

2. Section 3 is amended by replacing the second and third paragraphs by the following:

“Such person must comply with the following registration procedure:

(1) identify himself or herself with the person’s name and address, an identification number and, where applicable, the number of the person’s hunting or fishing licence;

(2) specify a single location or, as the case may be, a single sector in which the person will be hunting or fishing and the date of the activity, for each day of hunting or fishing;

(3) specify a location or, as the case may be, a sector where the person will carry on a recreational activity that is part of a development plan approved by the Minister in accordance with section 106.0.1 of the Act and the date of each day on which the activity will be carried on;

(4) obtain proof of registration and place it on the dashboard of the person’s vehicle so that it may be read from the outside or carry and produce it upon request from

a wildlife protection officer, a wildlife protection assistant or an area warden; the duly completed registration is to be returned to the registration officer on leaving the controlled zone; and

(5) pay the fees payable.

Subject to the fourth paragraph, a person may have the choice of location or sector for hunting, fishing or a recreational activity referred to in subparagraph 3 of the second paragraph modified by a registration officer by paying the difference if the person requests to be transferred to a location or sector for which the fees are higher. If there are no additional fees to be paid, the person may also have it done by a wildlife protection officer, a wildlife protection assistant or an area warden if they are able to immediately notify the registration officer. This paragraph does not apply to a person who hunts in a limited access sector.”.

3. Section 4 is amended by inserting “and the person is unable to register by a remote registration service” after “on duty”.

4. Section 7 is amended

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

“The location or sector specified on the registration does not grant any exclusive hunting or fishing right in that part of the territory.”;

(2) by replacing “species taken” in the second paragraph by “species caught and kept and”.

5. Section 19 is amended

(1) by adding “and showing proof to the officer at the reception centre” at the end of subparagraph 1 of the second paragraph;

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

“(2) a person who travels in a ZEC solely to reach a private property located in the territory of the ZEC but not forming part of the ZEC;”;

(3) by adding the following after subparagraph 2 of the second paragraph:

“(2.1) a person who travels in a ZEC solely to reach a principal residence or private property and come back from there, if there is no other practicable road possible;”.

6. Section 25.1 is replaced by the following:

“**25.1.** An agency may, by by-law, prohibit or authorize a recreational activity on the conditions determined by the agency in a sector it has established for recreational activities, provided that the activity is part of a development plan approved by the Minister in accordance with section 106.0.1 of the Act.

Regarding camping, an agency must reserve 25% of the sites situated outside a campground for three-week stays or shorter and it may not prohibit tent camping in its territory.”.

7. The following is inserted after section 25.2:

“**25.3.** A person authorized to camp in the territory of a ZEC must comply with the following conditions:

(1) use equipment that is mobile, transportable, temporary and not attached to the ground; and

(2) with the exception of campgrounds and storage sites set up by the agency, remove the person’s camping equipment from the territory of the ZEC from the later of the following dates, November 30 or 48 hours after the end of big game hunting in the territory of the ZEC, to the first of the following dates, April 15 or the third Saturday of April.

DIVISION IV.2

ASSIGNMENT FOR PROMOTIONAL PURPOSES

25.4. Despite Division III, an agency may assign a number of hunters and fishers to any sector of the ZEC for promotional purposes and according to the procedure it determines by by-law; however, that number may not exceed the maximum provided for in Division III and the annual value of that assignment must not exceed \$1,000.”.

8. Section 27 is replaced by the following:

“**27.** An agency may, by by-law, prohibit the recreational use of vehicles during the moose or white-tailed deer hunting season determined by the Regulation respecting hunting (c. C-61.1, r. 12), except where the vehicle is used to retrieve the carcass of such animal.”.

9. Section 29 is replaced by the following:

“**29.** Any person who contravenes any of sections 3, 4, 7, 9, 14, 17, 19, 19.1, 25.2, 25.3, 27.1, 27.2 and 28 or any section of a by-law made by an agency pursuant to sections 6, 25.1, 26 and 27, commits an offence.”.

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

1325

Draft Regulation

An Act respecting health services and social services (R.S.Q., c. S-4.2)

**Minister of Health and Social Services
— Information that institutions must provide
— Amendment**

**Transmission of information on users who are major trauma patients
— Revocation**

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 information that institutions must provide to the Minister of Health and Social Services and to revoke the Regulation respecting the transmission of information on users who are major trauma patients, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines which information on users who are trauma patients and concerning needs for and utilization of services must be provided by certain institutions to the Minister of Health and Social Services in order for the Minister to exercise the functions provided in the Act respecting health services and social services (R.S.Q., c. S-4.2). The draft Regulation revokes the Regulation respecting the transmission of information on users who are major trauma patients, which was to the same effect, in order to incorporate the updated information of that Regulation into the new Regulation respecting the information that institutions must provide to the Minister of Health and Social Services, which provides for the transmission of information concerning needs for and utilization of services for many types of patients.

The draft Regulation will have no impact on the public and enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting France Laverdière, assistant to the national director of emergencies, prehospital emergency services and trauma – Traumatology, 1075, chemin Sainte-Foy, Québec (Québec) G1S 2M1; telephone: 418 266-4530; fax: 418 266-4605; e-mail: france.laverdiere@msss.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 Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

YVES BOLDUC,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services* and revoke the Regulation respecting the transmission of information on users who are major trauma patients**

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 505, par. 26)

1. The Regulation respecting the information that institutions must provide to the Minister of Health and Social Services is amended by inserting the following after section 5:

“**5.1.** An institution operating a hospital of the general and specialized class of hospitals and a trauma centre must provide the Minister with the information in Schedule V in respect of a user who is a trauma patient and is admitted to or dies in the emergency department.”.

2. The following is added after Schedule IV:

“SCHEDULE V

1. An institution referred to in section 5.1 of the Regulation must provide the following information:

(1) concerning the user and the traumatic event:

(a) the name and number, on the institution’s permit, of the facility that provides the data;

(b) the sequence number assigned to the traumatic event;

(c) the code of the municipality where the user’s residence is located;

(d) the geographic code of the user’s residence;

(e) the reason for which the health insurance number cannot be provided, where applicable;

(f) the date and time of the trauma;

(g) the code of the municipality where the trauma occurred;

(h) the geographic code of the place where the trauma occurred;

(i) the cause of the trauma;

(j) the place where the trauma occurred;

(k) an indication that the trauma occurred when the user was at work;

(l) the external cause responsible for the trauma according to ICD-10-CA;

(m) the activity carried on by the user when the trauma occurred, according to ICD-10-CA;

(n) the type of medical insurance under which the user is compensated;

(o) the user’s role at the time of the trauma;

(p) the safety equipment used or worn by the user at the time of the trauma, where applicable;

(2) concerning the delivery of prehospital services to the user or prehospital services collected during delivery:

(a) the method of transportation to the first facility of the institution where the user was received;

(b) the date and time of arrival of the ambulance at the scene of the trauma;

(c) the date and time of departure of the ambulance from the scene of the trauma;

(d) an indication that the user had to be extricated from a vehicle that had been in an accident;

* The Regulation respecting the information that institutions must provide to the Minister of Health and Social Services, made by Order in Council 103-2009 dated 11 February 2009 (2009, G.O. 2, 194), has not been amended since its coming into force.

** The Regulation respecting the transmission of information on users who are major trauma patients, made by Order in Council 981-2000 dated 16 August 2000 (2000, G.O. 2, 4411), has not been amended since its coming into force.

- (e) the PHI (Prehospital Index) score;
- (f) an indication that there was a high-velocity impact during the traumatic event;
- (g) the user's level of consciousness at the scene of the trauma according to the AVPU (Alert, Verbal, Pain, Unresponsive) assessment tool;
- (h) the user's respiratory rate;
- (i) the user's pulse;
- (j) the user's systolic blood pressure;
- (k) an indication that oxygen was used;
- (l) the user's percentage of oxygen saturation;
- (m) the name and number, on the institution's permit, of the first facility where the user was received;
- (n) the date and time of arrival at that facility;
- (o) the number of the user's medical record at the first facility where the user was received;
- (3) concerning the user's visits to any emergency department and any consultation requested therein:
- (a) the method of transportation to the emergency department;
- (b) the user's origin upon arrival in the emergency department;
- (c) the name and number, on the institution's permit, of the facility of origin upon arrival in the emergency department, where applicable;
- (d) the name and number, on the institution's permit, of the facility where emergency care was provided to the user;
- (e) the date and time of the user's arrival in the emergency department;
- (f) an indication that the user was alive or dead upon arrival in the emergency department;
- (g) the sequence number assigned to the consultation;
- (h) the field of consultation;
- (i) the date and time of the request for consultation;
- (j) the date and time of the consultation;
- (k) the date and time of the user's departure from the emergency department;
- (l) the user's destination upon departure from the emergency department;
- (m) the name and number, on the institution's permit, of the facility that is the user's destination upon departure from the emergency department, where applicable;
- (4) concerning the user's admission to and departure from the institution that provides the data:
- (a) the method of transportation to the institution where the user was admitted;
- (b) the user's origin upon admission;
- (c) the name and number, on the institution's permit, of the user's facility of origin upon admission, where applicable;
- (d) the date and time of the user's admission;
- (e) an indication that the user was transferred to an institution in the user's region of origin for continuity of care;
- (f) the sequence number assigned to any service the user was registered for;
- (g) the code and description of any service the user was registered for;
- (h) the date and time of registration of the user for any service;
- (i) an indication that the user was brought directly to the surgical suite upon admission;
- (j) the sequence number assigned to any physical care unit in which the user stayed;
- (k) a description of the physical care unit in which the user stayed;
- (l) the date and time of the user's arrival at any physical care unit in which the user stayed;
- (m) the date and time of the user's departure from any physical care unit in which the user stayed;
- (n) the date of any application for the user's transfer to another institution operating a hospital of the general and specialized class of hospitals;

- (o) the date and time of the user's departure from the institution;
- (p) the user's destination upon departure from the institution;
- (q) the name and number, on the institution's permit, of the facility that is the user's destination upon departure from the institution, where applicable;
- (5) concerning any taking of the user's vital signs in any emergency department or during the user's stay in the institution:
- (a) the date and time the user's vital signs were taken;
- (b) the degree of eye opening;
- (c) the user's verbal response;
- (d) the user's motor response;
- (e) the score on the GCS (Glasgow Coma Scale);
- (f) an indication that the user's level of consciousness was artificially modified;
- (g) the type of modification of the user's level of consciousness;
- (h) the user's type of respiration;
- (i) the user's number of respiratory cycles per minute;
- (j) the user's pulse;
- (k) the user's systolic blood pressure;
- (l) the user's diastolic blood pressure;
- (m) an indication that oxygen was administered to the user;
- (n) the user's percentage of oxygen saturation;
- (o) the user's body temperature;
- (p) the score on the RTS (Revised Trauma Score) physiological scale;
- (q) the user's intracranial pressure;
- (6) concerning any examination requested for the user or any intervention carried out for the user in any emergency department or during the user's stay in the institution:
- (a) an indication that a radiographic assessment of the user was conducted;
- (b) an indication that alcohol intoxication was suspected;
- (c) the result of an alcohol intoxication test;
- (d) the result of a drug intoxication test;
- (e) the date and time a chest drain was inserted;
- (f) the date and time of a FAST (Focused Assessment with Sonography in Traumatology);
- (g) the date and time an intravenous line was inserted;
- (h) the date and time of an intubation;
- (i) the date and time of a gasometry;
- (j) the date and time of a lactate measurement;
- (k) the sequence number assigned to a medical imaging test;
- (l) the type of medical imaging test requested for the user;
- (m) the part of the user's body for which a medical imaging test was requested;
- (n) the date and time of the request for a medical imaging test;
- (o) the date and time a medical imaging test was conducted;
- (p) the sequence number assigned to an intervention;
- (q) the code and description of an intervention according to the CCI;
- (r) the codes of the status, location and extent attributes of an intervention according to the CCI;
- (s) the number of interventions carried out for the user;
- (t) the date and time of an intervention;
- (u) the place where an intervention was carried out;
- (v) the date and time of the user's departure from the operating room, where applicable;

- (w) the sequence number assigned to mechanical ventilation treatment;
- (x) the date and time of the start of mechanical ventilation treatment;
- (y) the date and time of the end of mechanical ventilation treatment;
- (z) the paramedical consultations conducted for the user;
- (aa) the date and time of the first paramedical consultation;
- (7) concerning any diagnosis established for the user, as well as the user's death, where applicable:
- (a) the sequence number assigned to the AIS (Abbreviated Injury Scale) code;
- (b) the AIS code identifying each injury that was diagnosed;
- (c) the diagnoses established according to ICD-10-CA;
- (d) an indication that there was penetrating trauma and the part of the body affected;
- (e) the result of the computation of the ISS (Injury Severity Score);
- (f) the result of the computation of the PS_ISS (Probability of Survival Injury Severity Score);
- (g) the result of the computation of the NISS (New Injury Severity Score);
- (h) the presence of craniocerebral trauma (CCT) and the severity of that trauma;
- (i) the presence, in the user, of a medullary injury and the type of medullary injury;
- (j) the sequence number assigned to the complications presented by the user;
- (k) the code and description of a complication according to ICD-10-CA;
- (l) the sequence number assigned when comorbidity was registered for the user;
- (m) the nature of the comorbidity;
- (n) an indication that an autopsy of the user was conducted;
- (o) an indication that it is a coroner's case where there is reason to notify the coroner under the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2);
- (p) an indication that organs were removed for donation;
- (8) concerning users who are serious burn victims:
- (a) the circumstances surrounding the user's burn or burns;
- (b) the type of burns and a description of the burns;
- (c) the user's race;
- (d) the user's occupation;
- (e) the user's weight upon arrival at the facility and upon departure from that facility;
- (f) an indication that the user has inhaled fumes that may be made of corrosive or toxic gases;
- (g) the user's carboxyhaemoglobin level;
- (h) an indication that the use of a cell culture was necessary;
- (i) an indication that the user had already suffered burns prior to the traumatic event;
- (j) an indication that the user underwent a skin graft during the user's stay at the facility;
- (k) an indication that the user was infected with MRSA (methicillin-resistant *Staphylococcus aureus*);
- (l) an indication that the user was infected with VRE (vancomycin-resistant *Enterococci*);
- (m) an indication that an agent was used to increase pressure in the user's blood vessels (vasopressor);
- (n) specific interventions carried out for the user."
- 3.** Section 4 is amended by striking out “, unless the user visits the emergency department for a diagnostic test or to receive outpatient services”.

- 4.** Section 6 is amended by replacing “5” by “5.1”.
- 5.** The Regulation respecting the transmission of information on users who are major trauma patients, made by Order in Council 981-2000 dated 16 August 2000, is revoked.
- 6.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Index

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

	Page	Comments
Automotive services industry – Lanaudière-Laurentides (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	681	Draft
Cartage industry – Montréal (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	682	Draft
Collective agreement decrees, An Act respecting... — Automotive services industry – Lanaudière-Laurentides (R.S.Q., c. D-2)	681	Draft
Collective agreement decrees, An Act respecting... — Cartage industry – Montréal (R.S.Q., c. D-2)	682	Draft
Conditions governing the accreditation of manufacturers and wholesalers of medications (An Act respecting prescription drug insurance, R.S.Q., c. A-29.01)	680	M
Conservation and development of wildlife, An Act respecting the... — Hunting and fishing controlled zones (R.S.Q., c. C-61.1)	683	Draft
Environment Quality Act — Québec residual materials management policy (R.S.Q., c. Q-2)	671	N
Health services and social services, An Act respecting... — Minister of Health and Social Services — Information that institutions must provide (R.S.Q., c. S-4.2)	685	Draft
Health services and social services, An Act respecting... — Transmission of information on users who are major trauma patients (R.S.Q., c. S-4.2)	685	Draft
Hunting and fishing controlled zones (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	683	Draft
Minister of Health and Social Services — Information that institutions must provide (An Act respecting health services and social services, R.S.Q., c. S-4.2)	685	Draft
Prescription drug insurance, An Act respecting... — Conditions governing the accreditation of manufacturers and wholesalers of medications (R.S.Q., c. A-29.01)	680	M
Québec residual materials management policy (Environment Quality Act, R.S.Q., c. Q-2)	671	N
Transmission of information on users who are major trauma patients (An Act respecting health services and social services, R.S.Q., c. S-4.2)	685	Draft

