

Gazette
officielle

DU
Québec

Part

2

No. 36

5 September 2012

Laws and Regulations

Volume 144

Summary

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Contents

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- (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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Partie 1 “Avis juridiques”:	\$469
Partie 2 “Lois et règlements”:	\$641
Part 2 “Laws and Regulations”:	\$641

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.03 per copy.

3. Publication of a notice in Partie 1: \$1.61 per agate line.

4. Publication of a notice in Part 2: \$1.07 per agate line. A minimum rate of \$236 is applied, however, in the case of a publication of fewer than 220 agate lines.

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Québec (Québec) G1V 3V9
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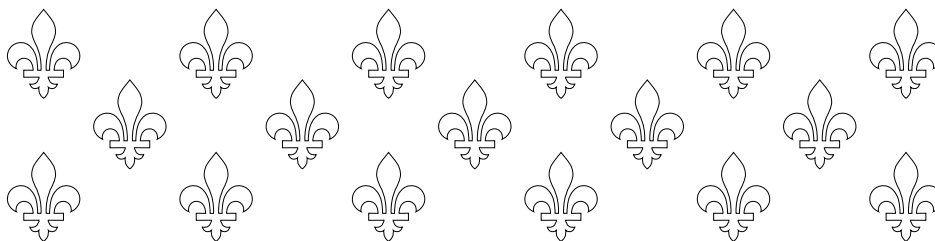
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NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 216

(Private)

An Act respecting Dixville Home Inc.

Introduced 29 May 2012

Passed in principle 15 June 2012

Passed 15 June 2012

Assented to 15 June 2012

**Québec Official Publisher
2012**

Bill 216

(Private)

AN ACT RESPECTING DIXVILLE HOME INC.

AS Dixville Home Inc. is a public institution constituted as a legal person on 22 March 1965 under Part III of the Companies Act (R.S.Q., 1964, chapter 271) and its mission is to operate a rehabilitation centre of the class of rehabilitation centres for mentally impaired persons or persons with a pervasive developmental disorder, in accordance with section 84 and paragraph 1 of section 86 of the Act respecting health services and social services (R.S.Q., chapter S-4.2);

AS Dixville Home Inc. is a legal person designated by the Minister of Health and Social Services under section 139 of the Act respecting health services and social services;

AS, by a deed registered on 23 July 1974 at the registry office of the registration division of Coaticook under number 49 704, Dixville Home Inc. acquired the immovable summarily designated as lots number 110, 111, 112, 117 and 118 of the cadastre of the village of Dixville in the registration division of Coaticook and parts of lots number 108 and 117 of the cadastre of the village of Dixville in the registration division of Coaticook, identified as the Old Mill;

AS, by a deed registered on 23 July 1974 at the registry office of the registration division of Coaticook under number 49 705, Dixville Home Inc. acquired the immovable summarily designated as part of lot number 120 of the cadastre of the village of Dixville in the registration division of Coaticook, identified as the Village Store;

AS, by a deed registered on 2 December 1977 at the registry office of the registration division of Coaticook under number 53 617, Dixville Home Inc. acquired the immovable designated as lots number 114, 115 and 116 of the cadastre of the village of Dixville in the registration division of Coaticook;

AS, by a deed registered on 6 April 1978 at the registry office of the registration division of Coaticook under number 54 037, Dixville Home Inc. acquired the immovable summarily designated as parts of lots number 101, 102, 152 and 153 of the cadastre of the village of Dixville in the registration division of Coaticook;

AS, contrary to section 44 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, Dixville Home Inc. failed to obtain the authorization of the Lieutenant-Governor in Council to acquire lots number 110, 111, 112, 117 and 118 as well as parts of lots number 108 and 117, part of lot number 120, lots number 114, 115 and 116 and parts of

lots number 101, 102, 152 and 153 of the cadastre of the village of Dixville in the registration division of Coaticook, and its deeds of acquisition are therefore null under section 48 of that Act;

AS, by a notarial deed made on 1 June 1986 before John Everett Todd, notary in Westmount, and registered on 8 June 1987 at the registry office of the registration division of Coaticook under number 66 522, Dixville Home Inc. acquired the immovable summarily designated as part of lot number 132 of the cadastre of the village of Dixville in the registration division of Coaticook, identified as the Thomas Markey Building;

AS, contrary to section 72 of the Act respecting health services and social services (R.S.Q., chapter S-5) applicable at the time, Dixville Home Inc. failed to obtain the authorization of the Government or consult the regional council concerned to acquire the lot, and its deed of acquisition is therefore null under section 75 of that Act;

AS, by a deed registered on 7 November 1991 at the registry office of the registration division of Coaticook under number 72 840, Dixville Home Inc. acquired the immovable designated as part of lot number 133 of the cadastre of the village of Dixville in the registration division of Coaticook, identified as the Parking Area;

AS, contrary to section 72 of the Act respecting health services and social services (R.S.Q., chapter S-5) applicable at the time, Dixville Home Inc. failed to obtain the authorization of the Conseil du trésor or consult the regional council concerned to acquire the lot, and its deed of acquisition is therefore null under section 75 of that Act;

AS, by a deed registered on 9 May 2003 at the registry office of the registration division of Coaticook under number 10 391 008, Dixville Home Inc. acquired the immovable designated as lot number 208 of the cadastre of the village of Dixville in the registration division of Coaticook, identified as Church Street;

AS, contrary to section 260 of the Act respecting health services and social services (R.S.Q., chapter S-4.2) applicable at the time, Dixville Home Inc. failed to obtain the authorization of the Minister and the Conseil du trésor or the advice of the regional board concerned to acquire the lot, and its deed of acquisition is therefore null under section 264 of that Act;

AS Dixville Home Inc. acquired all of those immovables to carry out the mission of the institution and used them for that purpose for many years;

AS it is in the interest of Dixville Home Inc. that its failure to obtain the required authorizations at the time it acquired the immovables, and the resulting defects of title affecting them, be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite sections 44 and 48 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, the deed of sale registered under number 49 704 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as lots number 110, 111, 112, 117 and 118 of the cadastre of the village of Dixville in the registration division of Coaticook and parts of lots number 108 and 117 of the cadastre of the village of Dixville in the registration division of Coaticook (the Old Mill), the cadastral designation of which, as established at the time, appears in Schedule I, may not be annulled on the grounds that the authorization of the Lieutenant-Governor in Council was not obtained, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

2. Despite sections 44 and 48 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, the deed of sale registered under number 49 705 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as part of lot number 120 of the cadastre of the village of Dixville in the registration division of Coaticook (the Village Store), the cadastral designation of which, as established at the time, appears in Schedule II, may not be annulled on the grounds that the authorization of the Lieutenant-Governor in Council was not obtained, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

3. Despite sections 44 and 48 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, the deed of sale registered under number 53 617 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as lots number 114, 115 and 116 of the cadastre of the village of Dixville in the registration division of Coaticook, the cadastral designation of which, as established at the time, appears in Schedule III, may not be annulled on the grounds that the authorization of the Lieutenant-Governor in Council was not obtained, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

4. Despite sections 44 and 48 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, the deed of sale registered under number 54 037 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as parts of lots number 101, 102, 152 and 153 of the cadastre of the village of Dixville in the registration division of Coaticook, the cadastral designation of which, as established at the time, appears in Schedule IV, may not be annulled on the grounds that the authorization of the Lieutenant-Governor in Council was not obtained, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

5. Despite sections 72 and 75 of the Act respecting health services and social services (R.S.Q., chapter S-5) applicable at the time, the deed of sale registered under number 66 522 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as part of lot number 132 of the cadastre of the village of Dixville in the registration division of Coaticook (Thomas Markey Building), the cadastral designation of which, as established at the time, appears in Schedule V, may not be annulled on the grounds that the authorization of the Government was not obtained or the regional council concerned was not consulted, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

6. Despite sections 72 and 75 of the Act respecting health services and social services (R.S.Q., chapter S-5) applicable at the time, the deed of sale registered under number 72 840 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as part of lot number 133 of the cadastre of the village of Dixville in the registration division of Coaticook (Parking Area), the cadastral designation of which, as established at the time, appears in Schedule VI, may not be annulled on the grounds that the authorization of the Conseil du trésor was not obtained or the regional council concerned was not consulted, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

7. Despite sections 260 and 264 of the Act respecting health services and social services (R.S.Q., chapter S-4.2) applicable at the time, the deed of sale registered under number 10 391 008 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable summarily designated as lot number 208 of the cadastre of the village of Dixville in the registration division of Coaticook (Church Street), the cadastral designation of which, as established at the time, appears in Schedule VII, may not be annulled on the grounds that the authorization of the Minister and the Conseil du trésor or the advice of the regional board concerned was not obtained, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

8. This Act must be registered at the registry office of the registration division of Coaticook and the appropriate entries registered against lots 101, 102, 108, 110, 111, 112, 114, 115, 116, 117, 118, 120, 132, 133, 152, 153 and 208 of the cadastre of the village of Dixville in the registration division of Coaticook.

9. This Act comes into force on 15 June 2012.

SCHEDULE I

(Section 1)

LOTS NUMBER 110, 111, 112, 117 AND 118 AND PARTS OF LOTS
NUMBER 108 AND 117 (THE OLD MILL):

DESIGNATION [In French and English in the original]

[Translation of original French]

1. An immovable situated in the village of Dixville and comprising pieces of land known and designated as lots number ONE HUNDRED AND TEN, ONE HUNDRED AND ELEVEN, ONE HUNDRED AND TWELVE and ONE HUNDRED AND SEVENTEEN (110, 111, 112 and 117) of the official plan and book of reference of the village of Dixville;

With the house, saw mill and other buildings thereon erected.

2. Another immovable situated in the village of Dixville, being the piece of land known and designated as lot number ONE HUNDRED AND EIGHTEEN (118) of the official plan and book of reference of the village of Dixville;

With the servitudes, active or passive, apparent or unapparent, attached to said immovable;

[Original English]

“A certain piece of land of irregular figure, with ex-powthouse and penstock erected thereon, situated in the village of Dixville known and designated as beign part of lot number ONE HUNDRED AND SEVENTEEN (Ptie 117) of the official cadastral plan and book of reference for the village of Dixville, County of Stanstead, comprising all that part of said lot between the river and the private road limited to the south-west by a straight line at ten (10) feet North-east of the foundation wall of the old flour mill and containing a superficial area of about three thousand and one hundred and forty (3140') square feet and bounded to the North-west by the Coaticook River, to the North-east by part of lot number ONE HUNDRED AND EIGHT (108) to the South-east by a private road and to the South-west by another part of lot number ONE HUNDRED AND SEVENTEEN (117).

In as far as the Coaticook River is considered nonnavigable and with out warranty of possession, the Vendor cedes, grants the river bed fronting said parts of lots number ONE HUNDRED AND EIGHT AND ONE HUNDRED AND SEVENTEEN (108 & 117) of said cadastre for half its normal with following all its sinuosities and containing an approximate area of twelve thousand five hundred (12,500) square feet, which area the Vendor will not be liable for.

The penstock (water, pipe) leading to the Power house from the dam together with the rights for its installation, maintenance and access to, across that northern part of lot number ONE HUNDRED AND EIGHTEEN (N.P. 118) and the part of lot number ONE HUNDRED AND SEVENTEEN (Ptie 117) bounded to toe North-west by the Coaticook River to the North-east by another part of lot number ONE HUNDRED AND SEVENTEEN (117) to the south-east by a private road and to the South-west by said northern part of lot number ONE HUNDRED AND EIGHTEEN (118).

The purchaser agrees and accepts the above mentioned descriptions of properties and shall not pretend to limitation of such properties with iron bornes or request technical descriptions, the Purchaser shall not contest and mentioned areas wich were rendered on good faith, by the Vendor.

As the property now subsists with all its rights, memberts and appurtenances, and without any exception or reserve from the vendor, except as hereinafter mentioned.”

[Translation of original French]

The whole without guarantee as to measurements, “bornes” (boundary posts) or other superficial areas, the Vendor intending only to cede the rights, titles and interests in said lands.

AS the whole now subsists, with all the servitudes, active or passive, apparent or unapparent, attached to said properties, the Purchaser declaring to know the whole and to be satisfied with it.

SCHEDULE II
(Section 2)

PART OF LOT NUMBER 120 (VILLAGE STORE):

DESIGNATION [Translation of original French]

A property including a store and dwellings situated in the village of Dixville, known and designated as part of lot number one hundred and twenty (Pt. 120) of the official plan and book of reference of the cadastre of the village of Dixville, bounded and described as follows:

Commencing at the southeast corner of said lot, thence westerly along Chamberland Street to a point sixteen feet (16') east of the southwesterly corner of the property that the Vendor acquired from Wilfrid J. Vanasse; and from that point, northerly, at right angles, a distance of fifty-nine feet (59'), said line running between the store and the garage building reserved by the Vendor; thence, westerly, a distance of ten feet (10'), to a point; thence again northerly, at right angles, a distance of ninety-nine feet (99'), that is, to the north line of said lot one hundred and twenty; thence, easterly along the north line of said lot one hundred and twenty, a distance of seventy and a half feet (70.5'); and finally, thence southerly, along the west side of Mill Road, a distance of one hundred and eighty-eight and a half feet (188.5') to the point of commencement, the measurements being more or less and the north line being bounded by the property of one Buzzell.

The whole with the buildings thereon erected and appurtenances.

As the property now subsists, subject to all the servitudes, active or passive, apparent or unapparent, attached to said property, the purchaser declaring to know the whole and to be satisfied with it.

SCHEDULE III

(Section 3)

LOTS NUMBER 114, 115 AND 116:

DESIGNATION [Translation of original French]

Certain immovables known and designated as lots number ONE HUNDRED AND FOURTEEN, ONE HUNDRED AND FIFTEEN and ONE HUNDRED AND SIXTEEN (114, 115 and 116) of the official plan and book of reference of the village of Dixville.

SCHEDULE IV

(Section 4)

PARTS OF LOTS NUMBER 101, 102, 152 AND 153:

DESIGNATION [In French and English in the original]

[Translation of original French]

1. Of the part of the pieces of land known and designated as lots number ONE HUNDRED AND ONE and ONE HUNDRED AND TWO (Pt. 101 and 102) of the official plan and book of reference of the village of Dixville, which is described as follows in the Vendor's deed of acquisition cited below:

[Original English]

“a) A piece of land in the Village of Dixville composed of cadastral lot number ONE HUNDRED AND ONE and ONE HUNDRED AND TWO (L. 101 & 102) SAVE AND EXCEPT that part thereof that has been sold to E. G. Willis by deed before Me. G.A. Normandin, the 22nd November, 1922, SAVE AND EXCEPT also parts of said two lots that have been of August, 1945, registered at Coaticook in reg. “B” Vol. 51, no 26043, that part sold to said Grady being described as follows: That certain residence property in the Village of Dixville, measuring seventy-two feet in front on Main Street by two hundred feet (200') in depth on School Street, composed of parts of cadastral lots ONE HUNDRED AND ONE and ONE HUNDRED AND TWO (101 & 102) bounded and described as follows: South by Main Street, East by School Street, North by remaining part of lot number ONE HUNDRED AND TWO (102) belonging to Maxime Bégin or representatives, and West by the remaining part of lot number ONE HUNDRED AND TWO and ONE HUNDRED AND ONE (102 & 101) remaining to Maxime Bégin or representatives; commencing at the south-east corner of lot number ONE HUNDRED AND ONE (101) at the corner of Main and School Street, thence towards North following the West side of said School Street, the whole length of lot number ONE HUNDRED AND ONE (101) and about eight feet in lot ONE HUNDRED AND TWO (102) thence at right angle towards West on the lot number ONE HUNDRED AND TWO (102) seventy-two feet to a point thence at right angle towards south about eight feet to the North line of lot number ONE HUNDRED AND ONE (101) and thence across lot number ONE HUNDRED AND ONE (101) to the North side of said Main Street, to a point seventy-two feet to the South east corner of said lot number ONE HUNDRED AND ONE (101) thence towards east following the North side of said Main Street seventy-two feet to the point of beginning.

With the right to leave and repair a cesspool from said property across lot number ONE HUNDRED AND ONE and ONE HUNDRED AND TWO (101 & 102) as by actual installation, without any damage to the property of Maxime Bégin or representatives:

And with the house and other buildings thereon erected;”

[Translation of original French]

AND SAVE AND EXCEPT the site sold to Charles Duteau by deed before Me. G.A. Normandin, N.P., the seventh of May, nineteen hundred and forty-eight (1948) registered under lot number 28448 and described as follows: A piece of land in the village of Dixville taken from the northeast corner of cadastral lot number ONE HUNDRED AND TWO (Pt. 102) being a strip of land six feet (6') wide by one hundred and forty-eight feet (148') deep, bounded to the north by the property belonging to the purchaser, to the east by School Street, to the south by the property belonging to Maxime Bégin or representatives, and to the west by part of the property belonging to Maxime Bégin, the land here sold being the extension towards the south of the property belonging to the purchaser with all its rights and privileges.

AND SAVE AND EXCEPT the piece of land sold to one Lefebvre, measuring fifty feet by one hundred feet and described as follows: composed of part of lot number ONE HUNDRED AND TWO and part of lot number ONE HUNDRED AND THREE (Pt. 102 and 103) of said village of Dixville, taken from the west part of those two lots, bounded to the north by part of lot ONE HUNDRED AND TWO (Pt. 102), to the east by part of lots number ONE HUNDRED AND TWO and ONE HUNDRED AND THREE (Pt. 102 and 103), to the south by Main Street, and to the west by another street running north to south and more fully described in said deed to which reference is made.

AND SAVE AND EXCEPT another piece of land sold to Madam Rose Nadeau, spouse of A. Désindes, also measuring fifty feet by approximately one hundred feet deep.

AND SAVE AND EXCEPT another piece of land reserved by (Maxime Bégin) sixty feet wide by one hundred feet deep, bordering the property of Madam Désindes on the east side.

SAVE AND EXCEPT THE PARTS OF SAID LOTS NUMBER 101, 102 AND 103 that were expropriated by the Government of Canada for the construction of a post office as it appears in the deed registered at Coaticook under number 43515;

2. Another immovable composed of part of the pieces of land known and designated as lots number ONE HUNDRED AND FIFTY-TWO and ONE HUNDRED AND FIFTY-THREE (Pt. 152 and 153) of the official plan and book of reference of the village of Dixville, said part of lot number ONE HUNDRED AND FIFTY-TWO (Pt. L. 152) being bounded as follows: to the south by the old road to the Dixville railway station, to the west by the new provincial highway 22, to the north and to the east by part of the same lot remaining to Alphonse Meunier or representatives, measuring two hundred and ninety feet (290') along its east and west lines; three hundred feet (300') along its north and south lines; commencing on the east side of the new provincial highway 22, thence easterly along the old road to the railway station three hundred feet (300') to a point; thence northerly at right angles, two hundred and ninety feet (290') to a point; thence westerly at right angles, three hundred

feet (300') to the east side of the new provincial highway 22; thence southerly along the east side of the new provincial highway 22, two hundred and ninety feet (290') to the point of commencement, the land being fenced and the fence being included in the sale; the purchaser being required however to continue the upkeep and maintenance of the fenced property at the purchaser's expense, and said part of lot number ONE HUNDRED AND FIFTY-THREE (Pt. 153) being the whole part of that lot situated to the southeast of the new provincial highway 22.

With the servitudes, active or passive, apparent or unapparent, attached to said immovables.

This description was provided by the parties herein, who declare being satisfied with it.

SCHEDULE V
(Section 5)

PART OF LOT NUMBER 132 (THOMAS MARKEY):

DESIGNATION [Original English]

“1. That certain parcel of land and premises formerly situated and being in the Township of Barford, known and distinguished as part of original lot number FOURTEEN (14), RANGE FIVE (5), as described in a Deed of Sale drawn before witnesses on the thirteenth day of February, one thousand eight hundred and eighty-nine (1889), and registered in the Coaticook Division Registry Office in Register B, Volume 16, under No. 3615 on the eighth day of November, one thousand eight hundred and eighty-nine (1889), and which lot of land is presently known and designated on the Cadastral Plan and in the Book of Reference for the Village of Dixville as part of Cadastral lot number ONE HUNDRED AND THIRTY-TWO (Pt. 132) of the Ville de Dixville, and described as follows:

Commencing twenty (20) feet easterly from low-water mark of the Coaticook River, at a point about eight (8) rods North of the Northerly end of the Baptist Church Building formerly known as the Methodist Church, as there now stands; thence easterly ten and three-quarters (10-3/4) rods; thence Southerly twenty (20) rods; thence Westerly, four end three-quarters (4-3/4) rods, to a point twenty (20) feet Easterly from low-water mark on the said river; thence Northerly along a line twenty (20) feet Easterly from low-water mark of said river, to the place of beginning, by the same, more or less.

2. That certain parcel of land situate in the Village of Dixville formerly being a part of original lot number FOURTEEN (14) in the FIFTH (5th) RANGE, of the Township of Barford as described in Deed of Sale drawn before John Fraser, Notary Public, on the twenty-second day of January, one thousand eight hundred and ninety (1890), and registered in the Coaticook Division Registry Office in Register B, Volume 16, under number 3853, on the twenty-eighth day of March, one thousand eight hundred and ninety (1890), and which lot is presently known and designated on the Cadastral Plan and Book of Reference for the Village of Dixville as part of lot number ONE HUNDRED AND THIRTY-TWO (Pt. 132) of the Village of Dixville, and described as follows:

Commencing at a point on the South-Easterly side of the Street leading to the Baptist Church in the said Village of Dixville, distant ten (10) rods and eight (8) feet from the North-Easterly corner of the said Baptist Church; thence South-Easterly at right angles to said Street eight (8) rods more or less to a post on the North-Westerly line of land formerly owned by Joseph Mayhew; thence South-Westerly along the said North-Westerly line of said land of Joseph Mayhew until it strikes the Easterly line of the lot known as the Baptist Church lot heretofore conveyed in Deed above cited in Paragraph 1; thence Northerly along the said Easterly line of the said Baptist Church lot to the South-Easterly side of the said Street, thence North-Easterly along the South-Easterly side of

the Street to the place of beginning, the said parcel of land adjoining the Baptist Church lot above described in paragraph 1, and situated on the Easterly side of same.

With the building thereon erected.

As the said immovable property now subsists with all its rights, members and appurtenances, without exception or reserve of any kind on the part of the Vendor.”

SCHEDULE VI

(Section 6)

PART OF LOT NUMBER 133 (PARKING AREA):

DESIGNATION [Translation of original French]

An immovable situated in Municipalité du Village de Dixville, known and designated as being part of lot number ONE HUNDRED AND THIRTY-THREE (Pt. 133) in the official plan and book of reference of the cadastre of the village of Dixville and more fully described as follows:

Commencing at a point situated seventy feet (70') from the corner of Main Street and Alexandre Street, on the northwest side of said Alexandre Street; and from that point, fronting said Alexandre Street, on its northwest side, a distance of seventy feet (70') southwesterly, by the depth between said Alexandre Street and the river; the southwest and northeast lines being parallel to Main Street; said property being bounded to the southeast by Alexandre Street, to the northwest by the river, to the southwest and to the northeast by other parts of said lot number ONE HUNDRED AND THIRTY-THREE (Pts. 133) of the cadastre of the village of Dixville.

The whole without buildings.

SCHEDULE VII
(Section 7)

LOT NUMBER 208 (CHURCH STREET):

DESIGNATION [Translation of original French]

An immovable situated in Municipalité de DIXVILLE, known and designated as lot number TWO HUNDRED AND EIGHT (208) in the official plan and book of reference of the cadastre of the VILLAGE OF DIXVILLE, in the registration division of COATICOOK.

The whole WITHOUT buildings thereon erected.

Regulations and other Acts

Agreement

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

CONCERNING THE TESTING OF NEW
POLLING FORMALITIES

BETWEEN

MR. JEAN CHAREST, LEADER OF THE QUEBEC
LIBERAL PARTY, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MS. PAULINE MAROIS, LEADER OF THE PARTI
QUÉBÉCOIS, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. FRANÇOIS LEGAULT, LEADER OF
COALITION AVENIR QUÉBEC-L'ÉQUIPE
FRANÇOIS LEGAULT, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. RÉGENT SÉGUIN, LEADER OF QUÉBEC
SOLIDAIRE, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. JEAN-MARTIN AUSSANT, LEADER OF
OPTION NATIONALE, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. JACQUES DROUIN, IN HIS CAPACITY AS
THE CHIEF ELECTORAL OFFICER OF QUÉBEC

WHEREAS the Election Act prescribes a model ballot
that must be used during provincial elections;

WHEREAS the model does not provide for candidates'
photographs to appear on the ballot;

WHEREAS, following agreements reached in October 2010
and in April 2012 between the Chief Electoral Officer
and the leaders of the authorized parties represented at
that time in the National Assembly, a new type of ballot
bearing photographs was produced for the by-elections
of December 5, 2011, in the electoral division of Bonaventure,
and of June 11, 2012, in the electoral divisions of Argenteuil
and LaFontaine.

WHEREAS the Chief Electoral Officer wishes to avail
himself of section 489 of the Election Act in order to
recommend to the leaders of the authorized parties
represented in the National Assembly that a new type of
ballot bearing photographs be tested during any general
election or by-election to be held after July 31, 2012;

WHEREAS the recommendation of the Chief Electoral
Officer has been accepted by the five leaders of autho-
rized parties represented at the National Assembly;

WHEREAS section 489 of the Election Act states that
when the recommendation of the Chief Electoral Officer
is accepted by the party leaders, an agreement must be
signed in this respect by these party leaders and the
Chief Electoral Officer;

WHEREAS this agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS:

1. PREAMBLE

The preamble to this agreement forms an integral part
of this agreement.

2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test a new model
ballot during any general election or by-election ordered
after July 31, 2012.

The amendments to the current model are as follows:

1. The circle currently measuring 3 mm is enlarged
to 9 mm;
2. The size of the font used to write the candidates'
names and political affiliations is enlarged from 16 pt
to 18 pt;

3. Photographs of the candidates are added to the stub of the ballot.

3. AMENDMENTS TO THE ELECTION ACT

3.1 Section 241 of the Election Act is amended by adding the following paragraph at the end:

“The photograph contemplated in the first paragraph shall be reproduced on the ballot opposite the candidate’s name. The candidate may submit another photograph in accordance with the standards prescribed by regulation, before 2:00 p.m. on the sixteenth day preceding polling day.”

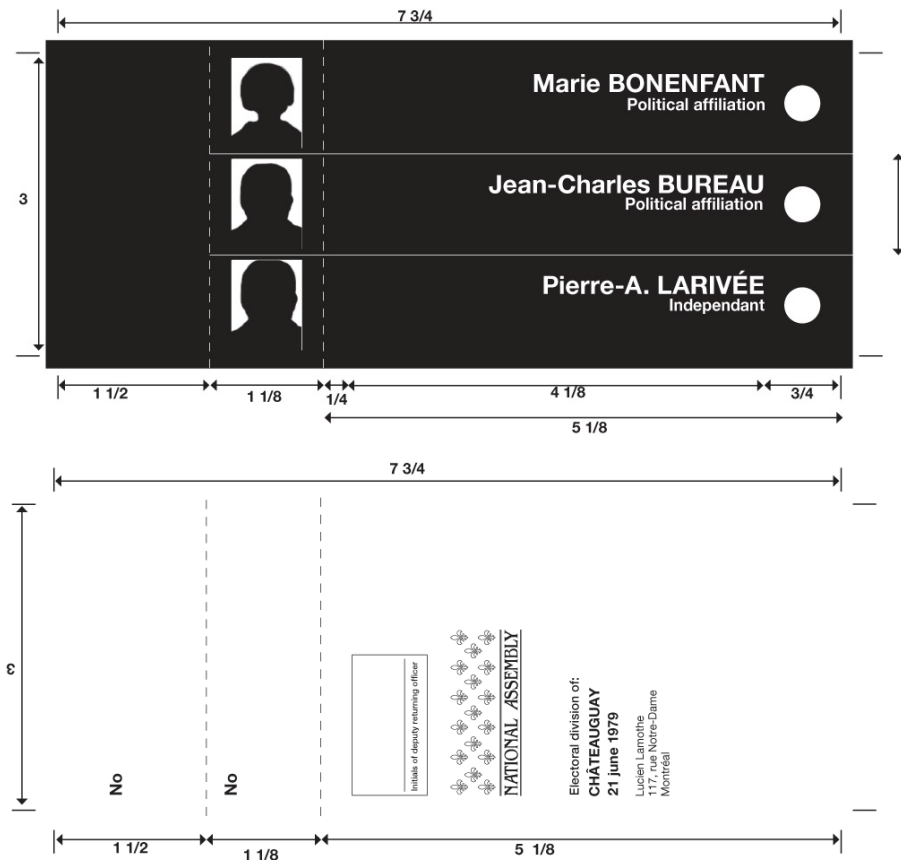
3.2 Section 323 of the Election Act is amended by adding the following paragraph at the end:

“The photograph contemplated in section 241 shall be reproduced in black and white on the stub of the ballot, opposite the candidate’s name.”

3.3 Section 490 of the Act is amended by adding the following paragraph:

“The present section applies to an agreement made between the leaders of the authorized parties represented in the National Assembly and the chief electoral officer in accordance with section 489.”

3.4 Schedule III of the Act is replaced by the following schedule:



4. AMENDMENTS TO ELECTION REGULATIONS

4.1 Section 6 of the Nomination Regulation is replaced by the following section:

“6. The photograph attached to the nomination papers shall show a full face view or slightly offset view of the candidate from the shoulders, bareheaded, against a plain light background and be printed on single-thickness paper measuring approximately 13 cm x 18 cm.”

5. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer and the returning officer of each electoral division in which the present agreement will be applicable are responsible for its application.

6. EVALUATION REPORT

Within 90 days following the date of any general election or by-election referred to in the present agreement, the Chief Electoral Officer shall transmit to the leaders of the political parties represented at the National Assembly, a report covering the following points:

— election preparations related to the present agreement;

— the advantages and disadvantages encountered in applying the present agreement;

— recommended amendments to the provisions of the Election Act, if any.

7. EFFECT OF THE AGREEMENT

The present agreement takes effect on the date on which the last signature is affixed on this agreement.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED, IN SIX COPIES,

In Québec, on 1 August 2012

JEAN CHAREST,
Leader of the Quebec Liberal Party

In Montréal, on 5 August 2012

PAULINE MAROIS,
Leader of the Parti Québécois

In Montréal, on 8 August 2012

FRANÇOIS LEGAULT,
*Leader of Coalition Avenir Québec—
Équipe François Legault*

In Montréal, on 11 August 2012

RÉGENT SÉGUIN,
Leader of Québec Solidaire

In Nicolet, on 15 August 2012

JEAN-MARTIN AUSSANT,
Leader of Option Nationale

In Québec, on 17 August 2012

JACQUES DROUIN,
Chief Electoral Officer of Québec

2247

M.O., 2012**Order of the Minister of Education, Recreation and Sports dated August 10, 2012**

General and Vocational Colleges Act
(R.S.Q., c. C-29)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

WHEREAS in and by section 18.1 of the General and Vocational Colleges Act (R.S.Q., c. C-29);

WHEREAS the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges was made by the Minister's Order dated 17 June 2005 and approved by the Conseil du trésor on 21 June 2005 (C.T. 202573) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 18.1 of the General and Vocational Colleges Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges, herewith attached, be made.

The Minister of Education, Recreation and Sports,
MICHELLE COURCHESNE

Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges*

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 18.1)

1. The Regulation respecting certain conditions of employment of senior executives of general and vocational colleges is amended by replacing, in section 12, the words “are found in” by the words “and the salary increases are found in”.

2. The Regulation is amended by inserting, after section 14, the following:

“**14.1** The salary of a senior executive with a successfully completed master’s degree in a recognized institution and whose field of study is pertinent or related to the position is equivalent to 102.5% of the maximum of the salary scale for the class of his position, if the senior executive has been at the maximum of the salary scale for at least one year.

The salary of a senior executive with a successfully completed doctoral degree in a recognized institution and whose field of study is pertinent or related to the

position is equivalent to 105% of the maximum of the salary scale for the class of his position, if the senior executive has been at the maximum of the salary scale for at least one year.

The senior executive who has master’s and doctoral degrees cannot receive both salary rates prescribed in the preceding paragraphs.

The additional remuneration applies as of 25 April 2012 and is part of the salary defined in section 10.

The senior executive who receives the salary prescribed in any of the preceding paragraphs is not considered as overscale.”

3. The Regulation is amended by replacing Schedule II by the following:

“SCHEDULE II

SALARY INCREASES AND SALARY SCALES ACCORDING TO JOB CLASSIFICATIONS OF SENIOR EXECUTIVES

1. A senior executive’s salary scales and salary shall be increased by:

- (1) 0.5% from 1 April 2010 to 31 March 2011;
- (2) 0.75% from 1 April 2011 to 31 March 2012;
- (3) 1% from 1 April 2012 to 31 March 2013;
- (4) 1.75% from 1 April 2013 to 31 March 2014;
- (5) 2% from 1 April 2014 to 31 March 2015.

2. The percentage determined in subparagraph 3 of section 1 shall be increased on 1 April 2012 by 1.25 times the difference between the cumulative growth of Québec’s nominal gross domestic product (GDP) based on the Statistics Canada data for 2010 and 2011 and the projected cumulative growth of Québec’s nominal GDP for the same years, set at 3.8% for 2010 and at 4.5% for 2011. However, the increase thus calculated cannot exceed 0.5%.

3. The percentage determined in subparagraph 4 of section 1 shall be increased on 1 April 2013 by 1.25 times the difference between the cumulative growth of Québec’s nominal gross domestic product (GDP) based on the Statistics Canada data for 2010, 2011 and 2012 and the projected cumulative growth of Québec’s nominal GDP for the same years, set at 3.8% for 2010, 4.5% for 2011 and 4.4% for 2012. The increase thus calculated shall be reduced by the increase granted on 1 April 2012 under section 2. However, the sum of the increase granted on 1 April 2012 under section 2 and the increase granted on 1 April 2013 under this section cannot exceed 2.0%.

* The Regulation respecting certain conditions of employment of senior executives of general and vocational colleges made by the Minister’s Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202573 on 21 June 2005 (2005, G.O. 2, 2423) was amended by the Regulation made by the Minister’s Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203754 (2006, G.O. 2, 1708), the Regulation made by the Minister’s Order dated 18 November 2008 approved by the Conseil du trésor, C.T. 207141 (2008, G.O. 2, 5545), the Regulation made by the Minister’s Order dated 18 June 2009 approved by the Conseil du trésor, C.T. 207980 (2009, G.O. 2, 2111), the Regulation made by the Minister’s Order dated 6 June 2011 (2011, G.O. 2, 1398) and the Regulation made by the Minister’s Order dated 11 July 2012 (2012, G.O. 2, 4128).

4. The percentage determined in subparagraph 5 of section 1 shall be increased on 1 April 2014 by 1.25 times the difference between the cumulative growth of Québec's nominal gross domestic product (GDP) based on the Statistics Canada data for 2010, 2011, 2012 and 2013 and the projected cumulative growth of Québec's nominal GDP for the same years, set at 3.8% for 2010, 4.5% for 2011, 4.4% for 2012 and 4.3% for 2013. The increase thus calculated shall be reduced by the increase granted on 1 April 2012 under section 2 and the increase granted on 1 April 2013 under section 3. However, the sum of the increase granted on 1 April 2012 under section 2, the increase granted on 1 April 2013 under section 3 and the increase granted on 1 April 2014 under this section cannot exceed 3.5%.

5. The salary scales and salary of a senior executive in effect on 30 March 2015 shall be increased, on 31 March 2015, by a percentage equal to the difference between

the sum of the annual variations of the Consumer Price Index for Québec based on the Statistics Canada data for the annual periods prescribed in section 1 and the sum of the salary parameters determined in that section, including the adjustments resulting from the growth in Québec's nominal gross domestic product. However, the increase thus calculated cannot exceed 1%.

6. Payment of the increases prescribed in sections 2 to 4 shall be made on a senior executive's pay within 60 days of the publication of the Statistics Canada data on Québec's nominal gross domestic product for the calendar year preceding the period concerned.

Payment of the increase prescribed in section 5 shall be made on a senior executive's pay within 60 days of the publication of the Statistics Canada data on the Consumer Price Index for Québec for March 2015.

7. Salary scales as of 1 April 2010

Classes	Rates 2010-04-01 to 2011-03-31 \$		Rates 2011-04-01 to 2012-03-31 \$		Rates 2012-04-01 to 2013-03-31 \$	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
15	107 173	142 898	107 977	143 970	109 057	145 410
14	101 245	134 993	102 004	136 005	103 024	137 365
13	95 643	127 524	96 360	128 480	97 324	129 765
12	90 353	120 469	91 031	121 373	91 941	122 587
11	85 355	113 805	85 995	114 659	86 855	115 806
10	80 632	107 511	81 237	108 317	82 049	109 400
9	76 172	101 564	76 743	102 326	77 510	103 349

Classes	Rates 2013-04-01 to 2014-03-31 \$		Rates 2014-04-01 to 2015-03-31 \$	
	Minimum	Maximum	Minimum	Maximum
15	110 965	147 955	113 184	150 914
14	104 827	139 769	106 924	142 564
13	99 027	132 036	101 008	134 677
12	93 550	124 732	95 421	127 227
11	88 375	117 833	90 143	120 190
10	83 485	111 315	85 155	113 541
9	78 866	105 158	80 443	107 261

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

M.O., 2012**Order of the Minister of Education, Recreation and Sports dated August 10, 2012**

Education Act
(R.S.Q., c. I-13.3)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

WHEREAS in and by section 451 of the Education Act (R.S.Q., c. I-13.3);

WHEREAS the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 18 November 2004 and approved by the Conseil du trésor on 30 November 2004 (C.T. 201768) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 451 of the Education Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal, herewith attached, be made.

The Minister of Education, Recreation and Sports,
MICHELLE COURCHESNE

Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal*

Education Act
(R.S.Q., c. I-13.3, s. 451)

1. The Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal is amended by replacing section 33 by the following:

“**33.** A senior executive's salary scales and salary shall be increased by:

- (1) 0.5% from 1 April 2010 to 31 March 2011;
- (2) 0.75% from 1 April 2011 to 31 March 2012;
- (3) 1% from 1 April 2012 to 31 March 2013;
- (4) 1.75% from 1 April 2013 to 31 March 2014;
- (5) 2% from 1 April 2014 to 31 March 2015.

The salary scales are found in Schedule 3.”

2. The Regulation is amended by adding, after section 33, the following:

“**33.1** The percentage determined in subparagraph 3 of section 33 shall be increased on 1 April 2012 by 1.25 times the difference between the cumulative growth of Québec's nominal gross domestic product (GDP) based on the Statistics Canada data for 2010 and 2011 and the projected cumulative growth of Québec's nominal GDP for

* The Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal made by the Minister's Order dated 18 November 2004 approved by the Conseil du trésor (C.T. 201768) on 30 November 2004 (2004, *G.O.* 2, 3529) was amended by the Regulation made by the Minister's Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202756 (2005, *G.O.* 2, 2483), the Regulation made by the Minister's Order dated 6 October 2005 approved by the Conseil du trésor, C.T. 202857 (2005, *G.O.* 2, 4715), the Regulation made by the Minister's Order dated 5 December 2005 approved by the Conseil du trésor, C.T. 203161 (2006, *G.O.* 2, 246), the Regulation made by the Minister's Order dated 2 December 2005 approved by the Conseil du trésor, C.T. 203163 (2006, *G.O.* 2, 318), the Regulation made by the Minister's Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203753 (2006, *G.O.* 2, 1698), the Regulation made by the Minister's Order dated 18 June 2009 approved by the Conseil du trésor, C.T. 207979 (2009, *G.O.* 2, 2110), the Regulation made by the Minister's Order dated 6 June 2011 (2011, *G.O.* 2, 1399) and the Regulation made by the Minister's Order dated 11 July 2012 (2012, *G.O.* 2, 4137).

the same years, set at 3.8% for 2010 and at 4.5% for 2011. However, the increase thus calculated cannot exceed 0.5%.

33.2 The percentage determined in subparagraph 4 of section 33 shall be increased on 1 April 2013 by 1.25 times the difference between the cumulative growth of Québec's nominal gross domestic product (GDP) based on the Statistics Canada data for 2010, 2011 and 2012 and the projected cumulative growth of Québec's nominal GDP for the same years, set at 3.8% for 2010, 4.5% for 2011 and 4.4% for 2012. The increase thus calculated shall be reduced by the increase granted on 1 April 2012 under section 33.1. However, the sum of the increase granted on 1 April 2012 under section 33.1 and the increase granted on 1 April 2013 under this section cannot exceed 2.0%.

33.3 The percentage determined in subparagraph 5 of section 33 shall be increased on 1 April 2014 by 1.25 times the difference between the cumulative growth of Québec's nominal gross domestic product (GDP) based on the Statistics Canada data for 2010, 2011, 2012 and 2013 and the projected cumulative growth of Québec's nominal GDP for the same years, set at 3.8% for 2010, 4.5% for 2011, 4.4% for 2012 and 4.3% for 2013. The increase thus calculated shall be reduced by the increase granted on 1 April 2012 under section 33.1 and the increase granted on 1 April 2013 under section 33.2. However, the

sum of the increase granted on 1 April 2012 under section 33.1, the increase granted on 1 April 2013 under section 33.2 and the increase granted on 1 April 2014 under this section cannot exceed 3.5%.

33.4 The salary scales and salary of a senior executive in effect on 30 March 2015 shall be increased, on 31 March 2015, by a percentage equal to the difference between the sum of the annual variations of the Consumer Price Index for Québec based on the Statistics Canada data for the annual periods prescribed in section 33 and the sum of the salary parameters determined in that section, including the adjustments resulting from the growth in Québec's nominal gross domestic product. However, the increase thus calculated cannot exceed 1%.

33.5 Payment of the increases prescribed in sections 33.1 to 33.3 shall be made on a senior executive's pay within 60 days of the publication of the Statistics Canada data on Québec's nominal gross domestic product for the calendar year preceding the period concerned.

Payment of the increase prescribed in section 33.4 shall be made on a senior executive's pay within 60 days of the publication of the Statistics Canada data on the Consumer Price Index for Québec for March 2015."

3. The Regulation is amended by replacing Schedule 3 by the following:

“SCHEDULE 3

SALARY SCALES CORRESPONDING TO CLASSIFICATION PLAN

Salary scales from 1 April 2010 to 31 March 2015

Class	Rates 2010-04-01 to 2011-03-31 \$		Rates 2011-04-01 to 2012-03-31 \$		Rates 2012-04-01 to 2013-03-31 \$	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
18	127 118	169 502	128 071	170 773	129 352	172 481
17	120 093	160 126	120 994	161 327	122 204	162 940
16	113 450	151 267	114 301	152 402	115 444	153 926
15	107 173	142 898	107 977	143 970	109 057	145 410
14	101 245	134 993	102 004	136 005	103 024	137 365
13	95 643	127 524	96 360	128 480	97 324	129 765
12	90 353	120 469	91 031	121 373	91 941	122 587
11	85 355	113 805	85 995	114 659	86 855	115 806
10	80 632	107 511	81 237	108 317	82 049	109 400
9	76 172	101 564	76 743	102 326	77 510	103 349
8	71 958	95 944	72 498	96 664	73 223	97 631
7	67 017	89 356	67 520	90 026	68 195	90 926

Class	Rates 2013-04-01 to 2014-03-31 \$		Rates 2014-04-01 to 2015-03-31 \$	
	Minimum	Maximum	Minimum	Maximum
18	131 616	175 499	134 248	179 009
17	124 343	165 791	126 830	169 107
16	117 464	156 620	119 813	159 752
15	110 965	147 955	113 184	150 914
14	104 827	139 769	106 924	142 564
13	99 027	132 036	101 008	134 677
12	93 550	124 732	95 421	127 227
11	88 375	117 833	90 143	120 190
10	83 485	111 315	85 155	113 541
9	78 866	105 158	80 443	107 261
8	74 504	99 340	75 994	101 327
7	69 388	92 517	70 776	94 367

”.

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

2241

M.O., 2012

Order of the Minister of Education, Recreation and Sports dated August 10, 2012

General and Vocational Colleges Act
(R.S.Q., c. C-29)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

WHEREAS in and by section 18.1 of the General and Vocational Colleges Act (R.S.Q., c. C-29);

WHEREAS the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges was made by the Minister's Order dated 17 June 2005 and approved by the Conseil du trésor on 21 June 2005 (C.T. 202574) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 18.1 of the General and Vocational Colleges Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges, herewith attached, be made.

The Minister of Education, Recreation and Sports,
MICHELLE COURCHESNE

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges*

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 18.1)

1. The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges is amended by replacing, in the second paragraph of section 17, the words “are found in” by the words “and the salary increases are prescribed in”:

2. The Regulation is amended by inserting, after section 19, the following:

“**19.1** The salary of a senior staff member with a successfully completed master’s degree in a recognized institution and whose field of study is pertinent or related to the position is equivalent to 102.5% of the maximum of the salary scale for the class of his position, if the senior staff member has been at the maximum of the salary scale for at least one year.

The salary of a senior staff member with a successfully completed doctoral degree in a recognized institution and whose field of study is pertinent or related to the position is equivalent to 105% of the maximum of the salary scale for the class of his position, if the senior staff member has been at the maximum of the salary scale for at least one year.

The senior staff member who has master’s and doctoral degrees cannot receive both salary rates prescribed in the preceding paragraphs.

The additional remuneration applies as of 25 April 2012 and is part of the salary defined in section 16.

The senior staff member who receives the salary prescribed in any of the preceding paragraphs is not considered as overscale.”

* The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges made by the Minister’s Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202574 dated 21 June 2005 (2005, *G.O.* 2, 2449) was amended by the Regulation made by the Minister’s Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203752 (2006, *G.O.* 2, 1688), the Regulation made by the Minister’s Order dated 16 June 2009 approved by the Conseil du trésor, C.T. 207978 (2009, *G.O.* 2, 2108), the Regulation made by the Minister’s Order dated 6 June 2011 (2011, *G.O.* 2, 1400) and the Regulation made by the Minister’s Order dated 11 July 2012 (2012, *G.O.* 2, 4119).

3. Schedules II and III of the Regulation are replaced by the following:

“SCHEDULE II SALARY INCREASES AND SALARY SCALES ACCORDING TO CLASSES OF SENIOR STAFF POSITIONS

Salary increases

1. A senior staff member’s salary scales and salary shall be increased by:

- (1) 0.5% from 1 April 2010 to 31 March 2011;
- (2) 0.75% from 1 April 2011 to 31 March 2012;
- (3) 1% from 1 April 2012 to 31 March 2013;
- (4) 1.75% from 1 April 2013 to 31 March 2014;
- (5) 2% from 1 April 2014 to 31 March 2015.

2. The percentage determined in subparagraph 3 of section 1 shall be increased on 1 April 2012 by 1.25 times the difference between the cumulative growth of Québec’s nominal gross domestic product (GDP) based on the Statistics Canada data for 2010 and 2011 and the projected cumulative growth of Québec’s nominal GDP for the same years, set at 3.8% for 2010 and at 4.5% for 2011. However, the increase thus calculated cannot exceed 0.5%.

3. The percentage determined in subparagraph 4 of section 1 shall be increased on 1 April 2013 by 1.25 times the difference between the cumulative growth of Québec’s nominal gross domestic product (GDP) based on the Statistics Canada data for 2010, 2011 and 2012 and the projected cumulative growth of Québec’s nominal GDP for the same years, set at 3.8% for 2010, 4.5% for 2011 and 4.4% for 2012. The increase thus calculated shall be reduced by the increase granted on 1 April 2012 under section 2. However, the sum of the increase granted on 1 April 2012 under section 2 and the increase granted on 1 April 2013 under this section cannot exceed 2.0%.

4. The percentage determined in subparagraph 5 of section 1 shall be increased on 1 April 2014 by 1.25 times the difference between the cumulative growth of Québec’s nominal gross domestic product (GDP) based on the Statistics Canada data for 2010, 2011, 2012 and 2013 and the projected cumulative growth of Québec’s nominal GDP for the same years, set at 3.8% for 2010, 4.5% for 2011, 4.4% for 2012 and 4.3% for 2013. The increase thus calculated shall be reduced by the increase granted on 1 April 2012 under section 2 and the increase granted on 1 April 2013 under section 3. However, the sum of the increase granted on 1 April 2012 under section 2, the increase granted on 1 April 2013 under section 3 and the increase granted on 1 April 2014 under this section cannot exceed 3.5%.

5. The salary scales and salary of a senior staff member in effect on 30 March 2015 shall be increased, on 31 March 2015, by a percentage equal to the difference between the sum of the annual variations of the Consumer Price Index for Québec based on the Statistics Canada data for the annual periods prescribed in section 1 and the sum of the salary parameters determined in that section, including the adjustments resulting from the growth in Québec's nominal gross domestic product. However, the increase thus calculated cannot exceed 1%.

6. Payment of the increases prescribed in sections 2 to 4 shall be made on a senior staff member's pay within 60 days of the publication of the Statistics Canada data on Québec's nominal gross domestic product for the calendar year preceding the period concerned.

Payment of the increase prescribed in section 5 shall be made on a senior staff member's pay within 60 days of the publication of the Statistics Canada data on the Consumer Price Index for Québec for March 2015.

7. Salary scales as of 1 April 2010

Classes	Rates 2010-04-01 to 2011-03-31 \$		Rates 2011-04-01 to 2012-03-31 \$		Rates 2012-04-01 to 2013-03-31 \$	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
10	80 632	107 511	81 237	108 317	82 049	109 400
9	76 172	101 564	76 743	102 326	77 510	103 349
8	71 958	95 944	72 498	96 664	73 223	97 631
7	67 017	89 356	67 520	90 026	68 195	90 926
6	62 416	83 221	62 884	83 845	63 513	84 683
5	58 129	77 504	58 565	78 085	59 151	78 866
4	54 137	72 183	54 543	72 724	55 088	73 451
3	48 313	64 417	48 675	64 900	49 162	65 549
2	43 118	57 489	43 441	57 920	43 875	58 499
1	38 478	51 303	38 767	51 688	39 155	52 205

Classes	Rates 2013-04-01 to 2014-03-31 \$		Rates 2014-04-01 to 2015-03-31 \$	
	Minimum	Maximum	Minimum	Maximum
10	83 485	111 315	85 155	113 541
9	78 866	105 158	80 443	107 261
8	74 504	99 340	75 994	101 327
7	69 388	92 517	70 776	94 367
6	64 624	86 165	65 916	87 888
5	60 186	80 246	61 390	81 851
4	56 052	74 736	57 173	76 231
3	50 022	66 696	51 022	68 030
2	44 643	59 523	45 536	60 713
1	39 840	53 119	40 637	54 181

SCHEDULE III**EVENING SHIFT, WEEKEND AND NIGHT SHIFT PREMIUMS (managers)**

	Rates 2010-04-01 to 2011-03-31	Rates 2011-04-01 to 2012-03-31	Rates 2012-04-01 to 2013-03-31	Rates 2013-04-01 to 2014-03-31	Rates 2014-04-01 to 2015-03-31
Evening shift premium	\$0.68/hour	\$0.69/hour	\$0.70/hour	\$0.71/hour	\$0.72/hour
Weekend premium	\$2.78/hour	\$2.80/hour	\$2.83/hour	\$2.88/hour	\$2.94/hour
Night shift premium (years of seniority)					
0 to 5 years	11%	11%	11%	11%	11%
5 to 10 years	12%	12%	12%	12%	12%
10 years or more	14%	14%	14%	14%	14%

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

2242

M.O., 2012

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

**Mandatory reporting of certain emissions of
contaminants into the atmosphere
— Amendment**

Regulation to amend the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND PARKS,

CONSIDERING section 2.2 of the Environment Quality Act (R.S.Q., c. Q-2), according to which the Minister of Sustainable Development, Environment and Parks may make regulations determining what information a person or a municipality is required to provide regarding an enterprise, a facility or an establishment that the person or municipality operates;

CONSIDERING section 46.2 of the Act which also allows the Minister to determine, by regulation, the emitters required to report their greenhouse gas emissions and the related information and documents that must be provided to the Minister;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 8 June 2012, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) as well as the fifth paragraph of section 2.2 and the second paragraph of section 46.2 of the Environment Quality Act, of a draft of the Regulation to amend the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere with a notice that it could be made by the Minister of Sustainable Development, Environment and Parks on the expiry of 60 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere, attached to this Order, is hereby made.

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

Regulation to amend the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere

Environment Quality Act
(R.S.Q., c. Q-2, ss. 2.2 and 46.2)

1. The Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (R.R.Q., c. Q-2, r. 15) is amended in section 6.1

- (1) by replacing the second and third paragraphs by the following:

"Every person or municipality operating an enterprise that purchases electricity produced outside Québec for its own consumption or for sale in Québec must also report the emissions attributable to the production of that electricity, under the first paragraph. For such an emitter, and for an emitter that exports, transports or distributes electricity, an enterprise that transports or distributes natural gas, or an enterprise that carries on gas or oil exploration or production, the reporting threshold provided for in the first paragraph applies to the enterprise as a whole.

Every person or municipality operating an enterprise that, during a calendar year, distributes fuel and is referred to in section 85.33 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01) is required, if the greenhouse gas emissions attributable to the combustion or use of the fuel distributed, calculated in accordance with protocol QC.30 in Schedule A.2, are equal to or exceed 25,000 metric tons CO₂ equivalent, to report the emissions to the Minister in accordance with this Division until the emissions have been below the reporting threshold for 4 consecutive years.

For the purposes of this Division, an enterprise operated by an emitter referred to in the second and third paragraphs is considered to be an establishment.

When an establishment referred to in the first paragraph has more than one facility, the data for each facility must be identified separately.";

- (2) by replacing "first or third" in the fifth paragraph by "first, second or third".

2. Section 6.2 is amended by inserting the following after subparagraph 2 of the first paragraph:

"(2.1) in the case of a person or municipality operating an establishment that distributes fuel, the quantity of greenhouse gas emissions attributable to the combustion or use of the fuel distributed;"

3. Section 6.3 is amended

- (1) by replacing "using one of the calculation methods" in the first paragraph by "using the protocols";

- (2) by replacing "calculation method" in subparagraph 2 of the second paragraph by "protocol";

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

"The emitter must use the same calculation method and perform 100% of the data sampling and measurement in accordance with that method for each report year."

4. The following is inserted after section 6.3:

"6.3.1.When an emitter, as part of its sampling activities, is unable to obtain analytical data, it must replace the missing data.

For that purpose, the emitter must apply the applicable method for the estimation of missing data specified in the calculation method prescribed by the applicable protocol in Schedule A.2 or, if the emitter uses a method of calculation or assessment referred to in the second paragraph of section 6, the emitter must demonstrate that everything has been done to capture 100% of the data and then apply the following method:

- (1) when the missing data concern carbon content, temperature, pressure or any other data that is sampled or analyzed, the emitter must analyze again, using the prescribed method, the original sample, a backup sample or a replacement sample for the same measurement and sampling period. If it is not possible to obtain valid data, the emitter must use replacement data established
 - (a) by determining the sampling or measurement rate using the following equation:

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter using the calculation or assessment method used by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required to be obtained by the emitter using that method;

- (b) for data that require sampling or analysis, the emitter must
 - (i) if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data is available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - (ii) if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;

- (iii) if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (2) when the missing data concern a quantity of raw materials, such as fuel consumption, a quantity of material, a production quantity or a quantity of reference units, the replacement data must be estimated on the basis of all the data relating to the processes used;
 - (3) when the missing data are data from a continuous emission monitoring and recording system, the emitter must determine the replacement data using the procedure indicated in protocol SPE 1/PG/7 entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or applying to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6 of Schedule A.2."
- 5. Section 6.6 is amended
 - (1) by replacing "An emitter" in the first paragraph by "An emitter referred to in section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (c. Q-2, r. 46.1)";
 - (2) by replacing "31 December 2012" in subparagraph 6 of the second paragraph by "31 December 2014";
 - (3) by inserting the following after subparagraph 3 of the second paragraph:
 - "(3.1) CO₂, CH₄ and N₂O emissions attributable to pulp and paper mill residual materials landfill;"
- 6. Section 6.9 is amended by inserting the following after paragraph 7:
 - "(7.1) the total quantity of reference units relating to the emitter's activities, referred to in Table B of Part I of Schedule C to the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (c. Q-2, r. 46.1), for the report year;"
- 7. Section 7.1 is amended by adding the following paragraph at the end:
 - "In addition, unless otherwise provided for in one of the protocols in Schedule A.2, the equipment used to measure the parameters required to calculate greenhouse gas emissions or the quantity of reference units must be calibrated according to the manufacturer's instructions in order to maintain accuracy of plus or minus 5%."
- 8. Schedule A.2 is amended
 - (1) by inserting, before QC.1, the following:
 - "PROTOCOLS"**;
 - (2) by replacing subparagraphs 1 and 2 of QC.1.5.6 by the following:

- "(1) when, in sampling fuels, an emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period;
- (2) when it is not possible to obtain valid data, the emitter must use replacement data established using the calculation method in QC.1.6.";
- (3) by striking out QC.1.5.7;
- (4) by replacing QC.1.6 by the following:

"QC.1.6. Methods for estimating missing data

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods specified in QC.1.3.1 to QC.1.3.3, QC.1.3.5, QC.1.3.6, QC.1.4.1, QC.1.4.2 and QC.1.4.3 must,
 - (a) when the missing data concern high heat value, carbon content, molecular mass, CO₂ concentration, water content or any other data sampled to calculate greenhouse gas emissions,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 1-19

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.1.5;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;

- if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern stack gas flow rate, fuel consumption or the quantity of sorbent used, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses one of the calculation methods specified in QC.1.3.4 and QC.1.4.4 must determine the replacement data for the CO₂ concentration using the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or applying to the missing parameters the following method:
- (a) when the missing data are data measured by the continuous emission monitoring and recording system, determine the sampling or measurement rate using the following equation:

Equation 1-20

$$R = \frac{H_{S Act}}{H_{S Required}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$H_{S Act}$ = Hours of actual samples or measurements obtained by the emitter during the year;

$H_{S Required}$ = Hours of samples or measurements required during the year to cover the period of operation;

- (b) for data that require sampling or analysis,
- (i) if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data from before that period are available, the emitter must use the first available data from after the period for which the data is missing;
 - (ii) if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;

- (iii) if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (5) by replacing QC.2.5 by the following:

"QC.2.5. Methods for estimating missing data

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods specified in QC.2.3.2 must,
 - (a) when the missing data concern high heat value, carbon content, molecular mass or any other data sampled to calculate greenhouse gas emissions,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 2-2

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.2.4;

- (ii) for data requiring sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;

- (b) when the missing data concern gas consumption, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (6) by replacing QC.3.7 by the following:

"QC.3.7. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbon content, sulphur content, ash content, hydrogen content, water content, BSM emissions, pitch content, carbon present in skimmed dust from electrolysis cells, volatiles content, data for slope calculations, frequency and duration of anode effects, overvoltage, SF₆ concentration or data to calculate current efficiency,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 3-11

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.3.6;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern net anode consumption, anode paste consumption, packing material consumption, green anode or cathode consumption, quantity of tar recovered, green coke consumption, liquid aluminum production, aluminum hydrate production, baked anode or cathode production, calcinated and under-calcinated coke production, coke dust quantity or SF₆ quantity, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (7) by replacing QC.4.5 by the following:

"QC.4.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbon content, calcium oxide content or magnesium oxide content,

- (i) determine the sampling or measurement rate using the following equation:

Equation 4-5

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.4.4;

- (ii) for data that require sampling or analysis,
- if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern clinker production, the emitter must use the first data estimated after the period for which the data is missing or use the maximum daily production capacity and multiply it by the number of days in the month;
- (c) when the missing data concern raw material consumption, the emitter must use the first data estimated after the period for which the data is missing or use the maximum rate of raw materials entering the kiln and multiply by the number of days in the month ;
- (d) when the missing data concern the quantity of dust, the quantity of gypsum or the quantity of limestone, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal

power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph *a* of paragraph 2 of QC.1.6.";

- (8) by inserting the following paragraph before the first paragraph of QC.5.5:

"The emitter must demonstrate that everything has been done to capture 100% of the data.";

- (9) by replacing QC.6.5 by the following:

"QC.6.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbon content or molecular mass,
- (i) determine the sampling or measurement rate using the following equation:

Equation 6-4

$$R = \frac{Q_{S\ Act}}{Q_{S\ Required}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S\ Act}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S\ Required}$ = Quantity of samples or measurements required under QC.6.4;

- (ii) for data that require sampling or analysis,

- if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first

- available data from after the period for which the data is missing;
- if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern raw material consumption or hydrogen production, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (10) by replacing QC.7.6 by the following:

"QC.7.6. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbon content or sampled data,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 7-10

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S\ Act}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S\ Required}$ = Quantity of samples or measurements required under QC.7.5;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (b) when the missing data concern the consumption of carbon-containing raw material, consumption of ferrous scrap, annual consumption of molten iron, consumption of coking coal, consumption of flux material, consumption of direct reduced iron pellets, consumption of carbon electrodes, consumption of ore, quantity of slag produced, consumption of greenball pellets, production of fired pellets, production of coke oven gas, production of metallurgical coke, quantity of air pollution control residue collected, quantity of other coke oven by-products, production of steel, quantity of gas from basic oxygen furnaces transferred, the production of sinter, the production of iron or the quantity of non-metallic by-products, the replacement data must be estimated on the basis of all the data relating to the processes used;
 - (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (11) by replacing QC.8.5 by the following:

"QC.8.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-

analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern calcium oxide content or magnesium oxide content,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 8-3

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.8.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern lime production or the production of calcined by-products and waste, the replacement data must be estimated on the basis of all the data relating to the processes used;

- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";

- (12) by inserting the following before QC.9.4.1 in the French text:

"QC.9.4. Exigences d'échantillonnage, d'analyse et de mesure";

- (13) by replacing QC.9.5 by the following:

"QC.9.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbon content, molecular mass, molar fraction, molecular fraction, high heat value, CO₂ concentration, CO concentration, O₂ concentration, temperature, pressure, nitrogen content or biochemical oxygen demand,
- (i) determine the sampling or measurement rate using the following equation:

Equation 9-28

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.9.4;

- (ii) for data that require sampling or analysis,

- if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern coke burn, volumetric gas flow, gas volume, number of hours of operation, quantity of bituminous product blown, quantity of crude oil and intermediate products, quantity of wastewater treated, quantity of coke, quantity of coke dust or number of vessels openings in a coking unit, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (14) by replacing QC.10.5 by the following:

"QC.10.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbonate content in raw materials or in carbonate-based material output, use the default value of 1.0;
 - (b) when the missing data concern carbon content or high heat value,

- (i) determine the sampling or measurement rate using the following equation:

Equation 10-1

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.10.4;

- (ii) for data that require sampling or analysis,
- if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (c) when the missing data concern the quantity of spent pulping liquor, the mass flow of spent pulping liquor, the annual production of each pulp and paper product manufactured or the quantity of carbonate material, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";

- (15) by replacing QC.11.5 by the following:

"QC.11.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern the hourly concentration of CO₂, the volumetric gas flow rate or the process vent average mass flow rate of gas in the water stripper/evaporator during a performance test, conduct a new performance test;
 - (b) when the missing data concern carbon content,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 11-6

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.11.4;

- (ii) for data that require sampling or analysis:
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;

- if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (c) when the missing data concern the ore quantity, process vent mass flow rate of gas in the water stripper/evaporator or quantity of sodium carbonate, estimate the replacement data on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (16) by replacing QC.12.5 by the following:

"QC.12.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbon content, molecular mass, molar fraction, molecular fraction, high heat value, CO₂ concentration, CO concentration, O₂ concentration, temperature, pressure, nitrogen content or biochemical oxygen demand,
- (i) determine the sampling or measurement rate using the following equation:

Equation 12-3

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S\ Act}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S\ Required}$ = Quantity of samples or measurements required under QC.12.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern coke burn, volumetric gas flow, gas volume, number of hours of operation, quantity of raw materials, quantity of product, quantity of steam or quantity of wastewater treated, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (17) by replacing QC.13.5 by the following:

"QC.13.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when data determined on the basis of the performance test provided for in QC.13.4 is missing, conduct a new performance test;
 - (b) when the missing data concern carbon content, temperature, pressure or gas concentration, other than data prescribed in the performance test,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 13-5

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.13.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (c) when the missing data concern adipic acid production or gas flow rate, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal

power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph *a* of paragraph 2 of QC.1.6.";

(18) by replacing QC.14.5 by the following:

"QC.14.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbon content or other sampled data,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 14-2

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.14.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;

- if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern raw material consumption or lead production, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (19) by replacing QC.15.5 by the following:

"QC.15.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbon content or other sampled data,
- (i) determine the sampling or measurement rate using the following equation:

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

Q_S Required = Quantity of samples or measurements required under QC.15.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern raw material consumption, zinc production or by-product production, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (20) by replacing QC.16.7 by the following:

"QC.16.7. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern sampled data,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 16-4

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.16.6;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern the quantity of energy transferred or a quantity of HFC, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (21) by replacing QC.18.5 by the following:

"QC.18.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbon content or carbonate content,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 18-7

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.18.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (b) when the missing data concern raw material consumption, carbonate consumption, reducing agent consumption, carbon electrode consumption, recycled material consumption or copper production, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance

specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph *a* of paragraph 2 of QC.1.6.";

(22) by replacing QC.19.6 by the following:

"QC.19.6. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbon content or carbonate content,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 19-3

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.19.5;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;

- if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern raw material consumption, carbonate consumption, reducing agent consumption, flux material consumption, carbon electrode consumption, ferroalloy production or by-product production, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (23) by replacing the part of QC.20.5 preceding subparagraph 1 of the first paragraph by the following:
- "When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.
- When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:";
- (24) by adding the following after paragraph 2 of QC.20.5:
- "(3) when the missing data concern magnesium production, the replacement data must be estimated on the basis of all the data relating to the processes used.";
- (25) by replacing QC.21.5 by the following:

"QC.21.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when data determined on the basis of the performance test provided for in QC.21.4 is missing, conduct a new performance test;
 - (b) when the missing data concern carbon content, temperature, gas pressure or gas concentration, other than data prescribed in the performance test,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 21-5

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.21.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (c) when the missing data concern nitric acid production or a gas flow rate, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply

to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";

- (26) by replacing QC.22.5 by the following:

"QC.22.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
- (a) when the missing data concern carbon content,
- (i) determine the sampling or measurement rate using the following equation:

Equation 22-2

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.22.4;

- (ii) for data that require sampling or analysis,
- if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;

- if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern phosphate rock consumption or phosphoric acid production, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.;
- (27) by replacing QC.23.5 by the following:

"QC.23.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbon content or molecular mass,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 23-6

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.23.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (b) when the missing data concern raw material quantity, ammoniac production or waste gas consumption, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (28) by replacing QC.24.5 by the following:

"QC.24.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) when the missing data concern sampled data,
 - (a) determine the sampling or measurement rate using the following equation:

Equation 24-9

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S\ Act}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S\ Required}$ = Quantity of samples or measurements required under QC.24.4;

(b) for data that require sampling or analysis,

- (i) if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - (ii) if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - (iii) if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (2) when the missing data concern gas quantity, the replacement data must be estimated on the basis of all the data relating to the processes used;
 - (3) when the missing data concern equipment capacity, the replacement data must be estimated on the basis of an equivalent nominal SF₆ and PFC gas capacity, and on repair, replacement and maintenance data for similar pieces of equipment.";
- (29) by replacing QC.25.5 by the following:

"QC.25.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to obtain 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbonate content in raw materials or in carbonate-based material output, use the default value of 1.0;

- (b) when the missing data concern carbon content,
- (i) determine the sampling or measurement rate using the following equation:

Equation 25-3

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.25.4;

- (ii) for data that require sampling or analysis,
- if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (c) when the missing data concern raw material consumption or carbonate consumption, the replacement data must be estimated on the basis of all the data relating to the processes used;
- (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";

(30) by replacing QC.26.5 by the following:

"QC.26.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern carbonate content in raw materials or in carbonate-based material output, use the default value of 1.0;
 - (b) when the missing data concern carbon content,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 26-2

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.26.4;

- (ii) for data requiring sampling and/or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;

- if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (c) when the missing data concern raw material consumption, glass production or carbonate consumption, the replacement data must be estimated on the basis of all the data relating to the processes used;
 - (2) an emitter who uses a continuous emission monitoring system must use the procedure in the SPE 1/PG/7 protocol entitled Protocols and performance specifications for continuous monitoring of gaseous emissions from thermal power generation published in November 2005 by Environment Canada or apply to the missing parameters the method specified in subparagraph a of paragraph 2 of QC.1.6.";
- (31) by replacing the heading of QC.27.6 by the following:

"QC.27.6. Methods for estimating missing data

The emitter must demonstrate that everything has been done to capture 100% of the data.

When the missing data concern fuel consumption, the replacement data must be estimated on the basis of all the data relating to the processes used.

QC.27.7. Tables";

- (32) by replacing QC.28.5 by the following:

"QC.28.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) an emitter who uses one of the calculation methods provided for in this Protocol must,
 - (a) when the missing data concern volumetric fraction or fluid density,
 - (i) determine the sampling or measurement rate using the following equation:

Equation 28-10

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.28.4;

- (ii) for data that require sampling or analysis,
 - if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
 - if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
 - if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
 - (b) when the missing data concern gas quantity or substrate quantity, the replacement data must be estimated on the basis of all the data relating to the processes used;
 - (c) when one or more values used to calculate the emissions attributable to heat transfer fluids using equation 28-5 is missing, the emitter must estimate greenhouse gas emissions using the arithmetic average of the emission rates for the previous year and for 2 months following the missing data period. When those emission rates cannot be obtained, the emitter must estimate the greenhouse gas emissions using data from the suppliers of the heat transfer fluids.";
- (33) by replacing QC.29.5 by the following:

"QC.29.5. Methods for estimating missing data

When, as part of an emitter's sampling activities, the emitter is unable to obtain analytical data, the emitter must, using the methods prescribed in this Protocol, re-analyze the original sample, a backup sample or a replacement sample for the same measurement and sampling period.

When sampling or measurement data required by this Protocol for the calculation of emissions is missing, the emitter must demonstrate that everything has been done to capture 100% of the data. The emitter must then use replacement data, established as follows:

- (1) when the missing data concern carbon content, high heat value, molecular mass, molar fraction, temperature, pressure or sampled data,

- (a) determine the sampling or measurement rate using the following equation:

Equation 29-17

$$R = \frac{Q_{S \text{ Act}}}{Q_{S \text{ Required}}}$$

Where:

R = Actual sampling or measurement rate, expressed as a percentage;

$Q_{S \text{ Act}}$ = Quantity of actual samples or measurements obtained by the emitter;

$Q_{S \text{ Required}}$ = Quantity of samples or measurements required under QC.29.4;

- (b) for data that require sampling or analysis,

- (i) if $R \geq 0.9$: replace the missing data by the arithmetic mean of the sampling or measurement data from immediately before and after the period for which the data is missing. If no data are available from before that period, the emitter must use the first available data from after the period for which the data is missing;
- (ii) if $0.75 \leq R < 0.9$: replace the missing data by the highest data value sampled or analyzed during the report year for which the calculation is made;
- (iii) if $R < 0.75$: replace the missing data by the highest data value sampled or analyzed during the 3 preceding years;
- (2) when the missing data concern operating time, gas quantity, liquid quantity or gas flow rate, the replacement data must be estimated on the basis of all the data relating to the processes used.";
- (34) by adding the following after QC.29.6:

"QC.30. FUEL DISTRIBUTION

QC.30.1. Covered sources

For the purposes of this protocol, "fuel" means automotive gasolines, diesels, propane, natural gas and heating fuel oils, with the exception of

- (1) aviation fuel or or fuel oil for schips;
- (2) hydrocarbons used as a raw material by industries that use chemical and petrochemical processes to transform hydrocarbon molecules;
- (3) the renewable portion derived from biomass and biofuel of such fuels.

In addition, "fuel distribution" means the following activities:

- (1) all forms of trade or sale of fuels refined, manufactured, mixed, prepared or distilled in Québec, for consumption in Québec;
- (2) bringing fuel into Québec, or causing fuel to be brought into Québec, for consumption, trade or sale in Québec, in one or more containers totalling over 200 litres, other than fuel contained in a fuel tank installed as standard equipment to supply a vehicle motor.

QC.30.2. Greenhouse gas reporting requirements

The greenhouse gas emissions report referred to in section 6.2 must include the following information:

- (1) the annual emissions attributable to the use of fuel distributed for consumption in Québec, in metric tons CO₂ equivalent, excluding fuels other than automotive gasolines or diesel for transport purposes used by an emitter for its establishments referred to in the first paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (c. Q-2, r. 46.1) that is required to cover greenhouse gas emissions pursuant to section 19 of that Regulation;
- (2) the total annual quantity of each fuel distributed for consumption in Québec, measured at the primary distribution or trading points or at the receiving point of fuels purchased outside Québec by the emitter for the emitter's own consumption, including firstly and excluding secondly fuels used by an emitter referred to in the first paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances that is required to cover greenhouse gas emissions pursuant to section 19 of that Regulation, expressed
 - (a) in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
 - (b) in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume;
- (3) the name and contact information for each emitter referred to in the first paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances that is required to cover greenhouse gas emissions pursuant to section 19 of that Regulation to whom fuel has been distributed during the year, along with the total annual quantity distributed to each emitter, expressed

- (a) in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- (b) in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume.

QC.30.3. Calculation methods for CO₂ emissions

The annual CO₂ equivalent emissions attributable to the use of fuel distributed for consumption in Québec must be calculated using equation 30-1:

Equation 30-1

$$CO_2 = \sum_{i=1}^n [Q_i \times EF_i]$$

Where:

CO₂ = Annual emissions attributable to the use of fuel distributed for consumption in Québec, in metric tons CO₂ equivalent;

n = Number of fuels distributed for consumption in Québec;

i = Fuel;

Q_i = Quantity of fuel *i*, calculated using equation 30-2, expressed

- in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume;

EF_i = Emission factor for fuel *i*, as indicated in Table 30-1 in QC.30.6, expressed

- in metric tons of CO₂ equivalent per thousand cubic metre at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- in metric tons of CO₂ equivalent per kilolitre, at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume;

Equation 30-2

$$Q_i = Q_i^T - Q_i^D - Q_i^G$$

Where:

Q_i = Quantity of fuel *i*, expressed

- in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume;

Q_i^T = Total quantity of fuel i distributed or traded for consumption in Québec or purchased outside Québec by the emitter for the emitter's own consumption, expressed

- in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume;

Q_i^D = Total quantity of fuel i distributed or traded to an emitter for the establishments referred to in subparagraph 2 of the second paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances that is required to cover greenhouse gas emissions pursuant to section 19 of that Regulation, expressed

- in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume;

Q_i^G = Total quantity of fuel i , other than automotive gasolines or diesel for transport purposes, distributed or traded to an emitter referred to in the first paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances that is required to cover greenhouse gas emissions pursuant to section 19 of that Regulation, expressed

- in thousand cubic metres at standard conditions, in the case of fuels the quantity of which is expressed in gas volume;
- in kilolitres at standard conditions, in the case of fuels the quantity of which is expressed in liquid volume.

QC.30.4. Sampling, analysis and measurement requirements

An emitter who operates an enterprise that distributes fuel must, before the first emissions report and thereafter as prescribed by the manufacturer or annually, whichever occurs soonest, calibrate all the equipment used to measure quantities of liquid or gaseous fuel as required for the purposes of the calculation method in QC.30.3.

QC.30.5. Method for estimating missing data

The emitter must be able to demonstrate that everything has been done to capture 100% of the data.

When the missing data concern the quantity of fuel distributed, the replacement data must be estimated on the basis of all the data relating to the processes used of or the data used for inventory purposes.

QC.30.6. Tables**Table 30-1. Fuel emission factors, in CO₂ equivalent**

(QC.30.3)

Liquid fuels	Emission factor (metric tons CO₂ equivalent per kilolitre)
Automotive gasolines	2.361
Diesels	2.790
Light oils (0, 1 and 2)	2.735
Heavy oils (4, 5 and 6)	3.146
Gaseous fuels	Emission factor (metric tons CO₂ equivalent per thousand cubic metres)
Propane	1.544
Natural gas	1.889

”.

9. Emitters referred to in the third paragraph of section 6.1, as amended by section 1 of this Regulation, are only required to report their greenhouse gas emissions in accordance with the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (R.R.Q., c. Q-2, r. 15) beginning on 1 January 2013.
10. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 4 and 7 and paragraphs 2 to 33 of section 8, which come into force on 1 January 2013.

Draft Regulations

Draft Minister's Order

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

Extension of the setting aside of land for three proposed ecological reserves

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft Order respecting the extension of the setting aside of land for three proposed ecological reserves, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Order extends the setting aside of land for three proposed ecological reserves for 4 more years. Such extension is necessary to keep in force the temporary protection assigned to that land, with a view to completing the steps necessary to assign permanent protection status, including the holding of all the required consultations. The draft Order provides that the setting aside of the land will expire on 19 December 2016.

Further information on the draft Minister's Order may be obtained by contacting Patrick Beauchesne, Director, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4783; email: patrick.beauchesne@mddep.gouv.qc.ca; fax: 418 646-6169.

Any person wishing to comment on the draft Minister's Order is requested to submit written comments within the 45-day period to Patrick Beauchesne, Director, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, at the above-mentioned address.

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

Order of the Minister of Sustainable Development, Environment and Parks

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

Extension of the setting aside of land for three proposed ecological reserves

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND PARKS,

CONSIDERING section 88 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), which provides that the ecological reserves existing on 19 December 2002 are maintained, that they are deemed to have been set aside, in accordance with Title III of the Act, for a period of 4 years beginning on 19 December 2002 and that they are governed, as of the same date, by the provisions of the Act;

CONSIDERING the Minister's Orders made in accordance with section 28 of the Natural Heritage Conservation Act by the Minister of Sustainable Development, Environment and Parks, on 23 November 2006 (2006, *G.O.* 2, 3913) and 5 November 2008 (2008, *G.O.* 2, 5153), whereby the setting aside of the following land has been extended until 19 December 2012:

- the proposed Matamec ecological reserve (northern portion);
- the proposed Ruisseau-Clinchamp ecological reserve;
- the proposed Paul-Provencher ecological reserve;

CONSIDERING that it is necessary to extend the setting aside of land for a period of 4 years to complete the steps that may lead to the assignment of permanent protection status for those territories;

CONSIDERING section 28 of the Natural Heritage Conservation Act which provides that the renewals or extensions of the setting aside of land may not, unless so authorized by the Government, be such that the term of the setting aside exceeds 6 years;

CONSIDERING Order in Council 762-2012 dated 4 July 2012 whereby the Government authorized the Minister of Sustainable Development, Environment and Parks to extend the setting aside of the land for a period of 4 years beginning on 19 December 2012;

ORDERS AS FOLLOWS:

The setting aside of the following land is hereby extended for a period of 4 years beginning on 19 December 2012:

- the proposed Matamec ecological reserve (northern portion);
- the proposed Ruisseau-Clinchamp ecological reserve;
- the proposed Paul-Provencher ecological reserve.

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

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Decisions

Decision

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

Chief Electoral Officer — Counting of advance poll ballots during the by-election in the Municipality of Notre-Dame-du-Laus

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities concerning the counting of advance poll ballots during the by-election in the Municipality of Notre-Dame-du-Laus

WHEREAS a by-election for the position of mayor and position of councillor at seat no. 5 is scheduled to take place on August 26, 2012, in the Municipality of Notre-Dame-du-Laus.

WHEREAS the advance poll was held on August 19, 2012;

WHEREAS the number of people voting in the advance poll was very high;

WHEREAS section 185 of the Act respecting elections and referendums in municipalities states that the deputy returning officer, assisted by the poll clerk, shall count the ballots at 8:00 p.m. on polling day;

WHEREAS the counting of advance poll ballots risks being significantly delayed due to the high number of electors who exercised their advance right to vote;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities allows the Chief Electoral Officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the resultant situation;

WHEREAS the Chief Electoral Officer has first informed the Minister of Municipal Affairs, Regions and Land Occupancy of the decision he intends to make;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt sections 185 and 229 of the said Act as follows:

1. The preamble is an integral part of this decision;
2. On polling day beginning at 6:00 p.m., the returning officer is authorized to have the advance poll votes counted for ballot boxes containing more than 300 ballots and other ballot boxes deemed appropriate;
3. It is imperative that the people present in the counting room remain there until 8:00 p.m., even if the ballots are all already counted;
4. The returning officer must take all necessary measures to ensure these people have no contact with the outside before the polls close, to ensure there is no disclosure of results;
5. To this end, the returning officer must:
 - (a) Arrange a closed-door location with no disruptions or traffic;
 - (b) Ensure that no one present uses a cell phone or Blackberry type mobile phone or other means of communication;
 - (c) Have all people present (deputy returning officers, poll clerks, representatives) swear the following oath:

“I, (first name and last name), do solemnly swear that I will not divulge the results of the advance polls to anyone before the closing of the polls.”;
6. The returning officer shall inform every independent candidate.

This decision shall come into effect on August 23, 2012.

Québec, August 23, 2012

JACQUES DROUIN,
*Chief Electoral Officer and
Chairman of the Commission de
la représentation électorale*

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**Decisions MPTC12-00406 and
QPTC12-00188, July 30, 2012 and
August 16, 2012**

An Act respecting transportation services by taxi
(R.S.Q., c. S-6.01)

**Commission des transports du Québec
— General fixing of limousine rates – Service
from Montréal-Trudeau International Airport**

Please note that, in accordance with Section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), the Commission des transports du Québec, by its decisions MPTC12-00406 and QPTC12-00188 rendered on July 30, 2012 and August 16, 2012 respectively, has fixed the zone and destination rates for transportation without departure reservation from Montréal-Trudeau International Airport by holders of taxi owner's permits providing specialized limousine services, whose rates are \$55 to \$135 for the Montreal-Laval and greater Montreal rate zones and vary depending on the municipality for other destinations in Québec.

These decisions were made following a public hearing after a notice had been published on the Website of the Commission inviting interested persons to participate. They can be consulted, with the appended directory of limousine rates for transportation without departure reservation from Montréal-Trudeau International Airport – *Répertoire des tarifs de limousine pour le transport sans réservation au départ de l'Aéroport international Montréal-Trudeau, Volume 4* – covering all destinations in Québec, on the Website of the Commission, at the following address: <http://www.ctq.gouv.qc.ca>

*The Secretary of the Commission
des transports du Québec,*
M^e CHRISTIAN DANEAU

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

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