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DU Québec

Part

2

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Laws and Regulations

Volume 145

Summary

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Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Coming into force of Acts

Gouvernement du Québec

O.C. 732-2013, 19 June 2013

An Act to amend the Highway Safety Code and other legislative provisions (2004, chapter 2)

— Coming into force of certain provisions of the Act

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

WHEREAS the Act to amend the Highway Safety Code and other legislative provisions (2004, chapter 2) was assented to on 6 April 2004;

WHEREAS, under section 80 of the Act, the Act came into force on 6 April 2004, except sections 1, 3, 4, 19, 31, 32, 40 and 53, which came into force on 6 May 2004, and sections 2, 5 to 8, 10 to 12, 14 to 16, 21 to 25, 27 to 30, 33 to 39, 41 to 52, 54 to 59, 61 to 65, 73 to 77 and 79, which come into force on the date or dates to be set by the Government;

WHEREAS, under Order in Council 1184-2004 dated 15 December 2004, sections 6, 8, 12, 15, 30, 41, 55, 62, 76, 77 and 79 of the Act came into force on 1 January 2005;

WHEREAS, under Order in Council 113-2006 dated 28 February 2006, sections 10, 16, 57, section 58 to the extent that it enacts the first paragraph of section 520.2 of the Highway Safety Code (chapter C-24.2), sections 61 and 63 to 65 of the Act came into force on 27 March 2006;

WHEREAS, under Order in Council 366-2007 dated 23 May 2007, sections 35 to 39, 42 to 52, 54 and 56 of the Act came into force on 15 June 2007;

WHEREAS, under Order in Council 567-2007 dated 27 June 2007, sections 33 and 34 of the Act came into force on 1 October 2007;

WHEREAS, under Order in Council 553-2008 dated 28 May 2008, sections 27 and 29 of the Act came into force on 18 June 2008;

WHEREAS, under Order in Council 921-2008 dated 24 September 2008, sections 7, 11 and 14 of the Act came into force on 28 October 2008;

WHEREAS, under Order in Council 992-2010 dated 17 November 2010, sections 2, 5, 21 to 24, 28 and 59 of the Act came into force on 16 December 2010;

WHEREAS it is expedient to set 1 December 2013 as the date of coming into force of section 25 of the Act;

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

THAT section 25 of the Act to amend the Highway Safety Code and other legislative provisions (2004, chapter 2) come into force on 1 December 2013.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

2853

Regulations and other Acts

Gouvernement du Québec

O.C. 642-2013, 19 June 2013

An Act respecting the Pension Plan of Management Personnel and other legislative provisions (2012, chapter 6)

Application to presiding justices of the peace of certain provisions of the Act

Application to presiding justices of the peace of certain provisions of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislative provisions

WHEREAS the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislative provisions (2012, chapter 6) was assented to on 3 May 2012;

WHEREAS sections 9, 11, 17 and 18 of that Act amend the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) with respect to the rules governing criteria of eligibility to retirement and the rules applicable to retired persons who return to work;

WHEREAS section 31 of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislative provisions provides that paragraphs 1 and 2 of section 9 and sections 11 and 17 will apply to presiding justices of the peace only from the date or dates to be set by the Government;

WHEREAS it is expedient to set the dates from which those provisions will apply to presiding justices of the peace;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT 1 January 2014 be set as the date from which paragraphs 1 and 2 of section 9 and section 11 of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislative provisions (2012, chapter 6) will apply to presiding justices of the peace, and that 1 October 2013 be set as the date from which section 17 of that Act will apply to presiding justices of the peace.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

2847

Gouvernement du Québec

O.C. 647-2013, 19 June 2013

Parks Act
(chapter P-9)

Parks — Amendment

Regulation to amend the Parks Regulation

WHEREAS, under paragraph *b* of section 9 of the Parks Act (chapter P-9), the Government may make regulations, in respect of a park, to divide it into different zones;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Parks Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

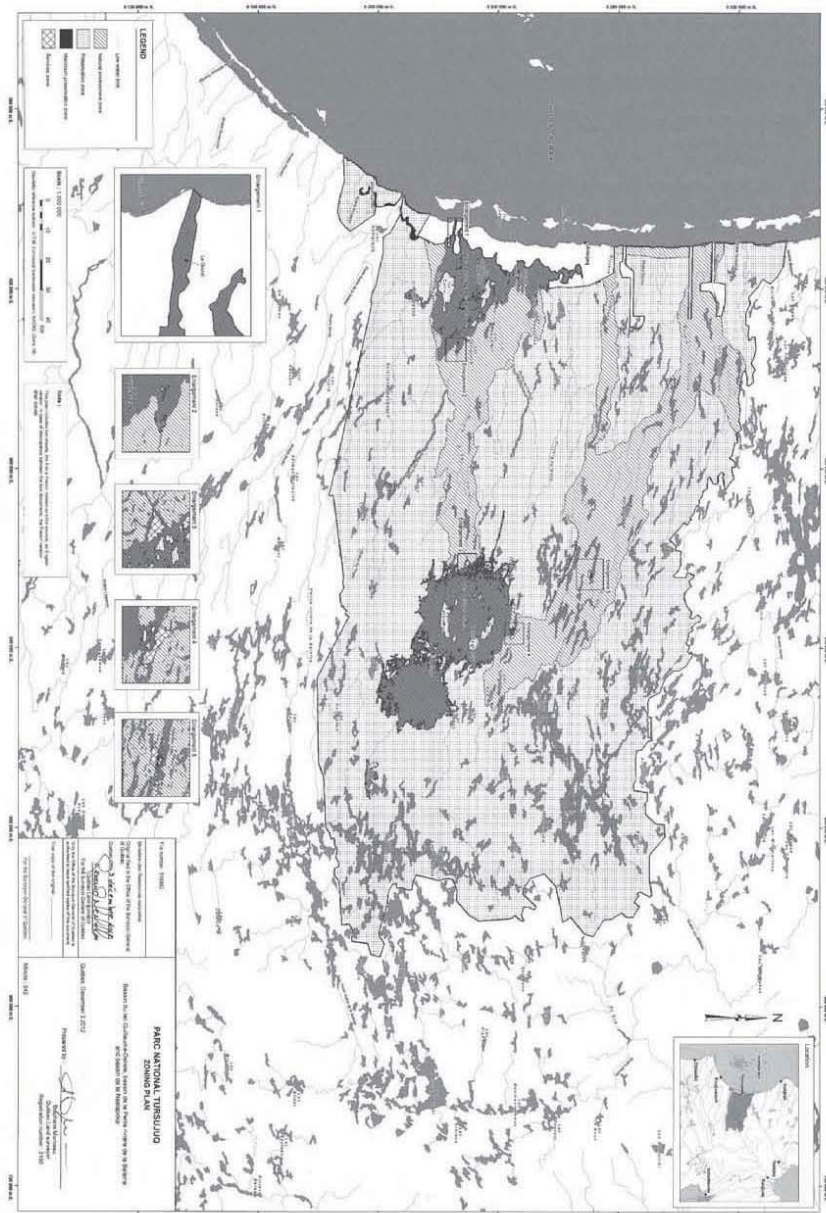
Regulation to amend the Parks Regulation

Parks Act
(chapter P-9, s. 9, par. *b*)

1. The Parks Regulation (chapter P-9, r. 25) is amended in the second paragraph of section 3 by adding “Schedule 26: Parc national Tursujuq zoning map” after “Schedule 25: Parc national du Lac-Témiscouata zoning map”.

2. The Regulation is amended by adding the attached Schedule 26.

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



Parc national Tursujuq zoning map

SCHEDULE 26

Gouvernement du Québec

O.C. 648-2013, 19 June 2013

Parks Act
(chapter P-9)

Establishment of parc national Tursujuq

Regulation respecting the establishment of parc national Tursujuq

WHEREAS, under section 2 of the Parks Act (chapter P-9), the Government, by regulation, may establish a park on any part of the lands in the domain of the State it indicates;

WHEREAS, under section 4 of the Act, the Government may establish, abolish or change the boundaries of a park, if the Minister has previously :

(a) given notice of the Minister's intention to establish, abolish or change the boundaries of the park in the *Gazette officielle du Québec* and in one or two newspapers published in the region concerned, or, if no newspaper is published in that region, in one or two newspapers published in the closest neighbouring region;

(b) granted 60 days from the publication of such notice to enable interested persons to submit their objections to the Minister in writing;

(c) received in a public hearing the persons contemplated in paragraph b;

WHEREAS the Minister of Sustainable Development, Environment and Parks published a notice of intention to recommend that the Government establish parc national Tursujuq, formerly named parc national des Lacs-Guillaume-Delisle-et-à-l'Eau-Claire, in French in the electronic press of GaïaPresse on 10 April 2008 and Mediaterrre on 11 April 2008, in English in the electronic press of Nation Talk on 10 April 2008 and in French, English and Inuktitut in the newspaper Nunatsiaq News on 2 May 2008;

WHEREAS the notice was also published in Part 2 of the *Gazette officielle du Québec* of 9 April 2008 and public hearings were held concerning the creation of the park on 16, 17 and 18 June 2008;

WHEREAS it is expedient to make the Regulation respecting the establishment of parc national Tursujuq;

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

THAT the Regulation respecting the establishment of parc national Tursujuq, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the establishment of parc national Tursujuq

Parks Act
(R.S.Q., c. P-9, s. 2)

1. The territory described in the Schedule constitutes parc national Tursujuq.

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

PROVINCE OF QUÉBEC
MINISTÈRE DES RESSOURCES NATURELLES

TECHNICAL DESCRIPTION

TURSUJUQ NATIONAL PARK

A territory located in the Kativik Regional Government and forming part of a territory without cadastral survey in the unorganized territories of the Koksoak River and Hudson Bay consisting of two perimeters and containing a total area of 26,106.7 km² and whose perimeters are described as follows:

PERIMETER 1

Commencing at point 1 located at the intersection of the Québec border with the northwesterly extension of the southwestern limit of block I of the Bassin du Lac Guillaume-Delisle (Category I lands) between survey markers "No 1 and No 17" as shown on the plan prepared by Luc Pelletier, Q.L.S., dated November 20, 1983, and bearing number B-2062 of his minutes. This plan was filed on March 6, 1984 at the Office of the Surveyor General of Québec;

Thence, southeasterly, following the said extension of the southwestern limit of this block to its meeting point with survey marker "No 1";

Thence, southeasterly, northeasterly, northwesterly and in general northwesterly and westerly directions, following the southwestern, southeastern, northeastern and northern limits of block 1, so as to exclude it, to its intersection with the 76° 35' 38" meridian of longitude, that is, to point 2, which corresponds to the northeastern corner of the Category II lands (located on the south shore of the Goulet);

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Thence, westerly, following this limit of Category II lands, while extending it to its meeting point with the Québec border, that is, to point 3;

Thence, northeasterly, following a straight line until its meeting point with the intersection of the westerly extension of the southern limit of the Category II lands (located on the north shore of the Goulet), with the Québec border, that is, to point 4;

Thence, easterly, following the extension of the southern limit of the Category II lands to its meeting point with the 76° 35' 38" meridian of longitude corresponding to the southern limit of block 3 of the Bassin du Lac Guillaume-Delisle, that is, to point 5;

Thence, in general easterly, northeasterly, southerly and easterly directions, following the southern and southeastern limits of block 3 of the Bassin du Lac Guillaume-Delisle, the southeasterly, westerly and southerly limits of block 2 of the Bassin du Lac Guillaume-Delisle, so as to exclude them, that is, to point 6, which is station "No 4", as shown on the plan prepared by Luc Pelletier, Q.L.S., dated November 20, 1983 and bearing number B-2062 of his minutes. This plan was filed on March 6, 1984 at the Office of the Surveyor General of Québec.

Thence, northerly, northwesterly and westerly, following the eastern, northeastern and northern limit of block 2, Bassin du Lac Guillaume-Delisle, to survey marker "No 110", as shown on the plan prepared by Luc Pelletier, Q.L.S., dated November 20, 1983 and bearing number B-2062 of his minutes. This plan was filed on March 6, 1984 at the Office of the Surveyor General of Québec.

Thence, extending the northern limit of this block westerly to its meeting point with the Québec border, that is, to point 7;

Thence, northerly, following the Québec border to its meeting point with the westerly extension of a straight line segment passing through the coordinates of points 10 and 9, that is, to point 8;

Point 9 6,281,345.88 m N and 406,204.06 m E;

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Point 10 6,281,241.80 m N and 411,113.74 m E;

Thence, easterly, following the extension of this straight line segment to its meeting point with point 10;

Thence, southerly, easterly, northeasterly, northerly, easterly, northeasterly, northerly, northwesterly, westerly, southerly, westerly and southwesterly, following a broken line passing through the apexes whose coordinates are:

Point 11 6,280,274.35 m N and 411,093.28 m E;
 Point 12 6,280,220.28 m N and 413,687.28 m E;
 Point 13 6,281,096.09 m N and 416,259.79 m E;
 Point 14 6,283,878.55 m N and 416,315.26 m E;
 Point 15 6,283,584.75 m N and 432,647.00 m E;
 Point 16 6,285,431.62 m N and 433,186.92 m E;
 Point 17 6,287,326.65 m N and 433,217.11 m E;
 Point 18 6,288,295.55 m N and 430,682.85 m E;
 Point 19 6,288,321.80 m N and 429,113.45 m E;
 Point 20 6,284,614.11 m N and 429,050.77 m E;
 Point 21 6,284,887.99 m N and 414,253.61 m E;
 Point 22 6,282,153.12 m N and 411,899.89 m E;

Thence, westerly, following the straight line segment passing through point 23, extending it to its meeting point with the limit of the Québec border, that is, to point 24;

Point 23 6,282,274.12 m N and 406,187.26 m E;

Thence, northerly, following the Québec border to its meeting point with the westerly extension of a straight line segment passing through the coordinates of points 27 and 26, that is, to point 25;

Point 26 6,303,489.71 m N and 407,735.52 m E;
 Point 27 6,303,112.91 m N and 429,911.85 m E;

Thence, easterly, following the extension of this straight line segment to its meeting point with point 27;

Thence, northerly, following a straight line to point 28;

Point 28 6,304,080.44 m N and 429,928.11 m E;

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Thence, westerly, following the straight line segment passing through point 29, while extending it to its meeting point with the limit of the Québec border, that is, to point 30;

Point 29 6,304,456.46 m N and 407,801.17 m E;

Thence, northerly, following the Québec border to its meeting point with the westerly extension of a straight line segment passing through the coordinates of points 33 and 32, that is, to point 31;

Point 32 6,311,005.25 m N and 405,351.39 m E;
Point 33 6,310,756.49 m N and 417,826.47 m E;

Thence, easterly, following the extension of this straight line segment to its meeting point with point 33;

Thence, southerly, southeasterly, easterly, northerly, northeasterly, easterly, northerly, northwesterly, westerly and southwesterly, following a broken line passing through the apexes whose coordinates are:

Point 34 6,309,828.97 m N and 417,808.15 m E;
Point 35 6,307,036.44 m N and 418,260.75 m E;
Point 36 6,306,986.65 m N and 420,838.43 m E;
Point 37 6,310,387.35 m N and 420,903.09 m E;
Point 38 6,312,485.82 m N and 424,492.29 m E;
Point 39 6,312,405.47 m N and 429,054.11 m E;
Point 40 6,314,300.55 m N and 429,086.46 m E;
Point 41 6,315,308.42 m N and 424,543.58 m E;
Point 42 6,315,424.08 m N and 418,425.38 m E;
Point 43 6,311,724.00 m N and 417,845.58 m E;

Thence, westerly, following the straight line segment passing through point 44, while extending it to its meeting point with the limit of the Québec border, that is, to point 45;

Point 44 6,311,976.89 m N and 405,161.96 m E;

Thence, northerly, following the Québec border to its meeting point with the northwesterly extension of a straight line segment

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passing through the coordinates of points 48 and 47, that is, to point 46;

Point 47 6,335,699.00 m N and 404,445.00 m E;
Point 48 6,335,122.74 m N and 407,549.42 m E;

Thence, southeasterly, following the extension of this straight line segment to its meeting point with point 47;

Thence, in a general southeasterly direction, following a broken line passing through the apexes whose coordinates are:

Point 49 6,334,799.90 m N and 412,494.74 m E;
Point 50 6,332,421.46 m N and 416,338.59 m E;
Point 51 6,330,381.59 m N and 418,322.62 m E;
Point 52 6,327,805.57 m N and 416,807.81 m E;
Point 53 6,325,984.44 m N and 419,725.17 m E;
Point 54 6,323,162.45 m N and 422,879.15 m E;
Point 55 6,323,768.35 m N and 424,954.13 m E;
Point 56 6,322,199.66 m N and 428,091.51 m E;
Point 57 6,322,266.49 m N and 432,075.11 m E;
Point 58 6,323,311.85 m N and 432,507.08 m E;
Point 59 6,323,013.06 m N and 435,661.06 m E;
Point 60 6,323,394.85 m N and 437,379.15 m E;
Point 61 6,324,241.45 m N and 436,051.16 m E;
Point 62 6,325,345.34 m N and 436,084.36 m E;
Point 63 6,325,652.44 m N and 440,134.73 m E;
Point 64 6,325,112.94 m N and 442,400.61 m E;
Point 65 6,323,966.27 m N and 444,879.21 m E;
Point 66 6,325,400.72 m N and 447,035.37 m E;
Point 67 6,324,533.94 m N and 448,209.93 m E;
Point 68 6,324,699.67 m N and 451,145.53 m E;
Point 69 6,323,226.09 m N and 452,304.89 m E;
Point 70 6,322,633.76 m N and 452,189.32 m E;
Point 71 6,322,680.72 m N and 449,635.82 m E;
Point 72 6,321,997.19 m N and 446,999.74 m E;
Point 73 6,321,279.34 m N and 447,855.32 m E;
Point 74 6,320,074.99 m N and 452,307.11 m E;
Point 75 6,320,255.63 m N and 453,759.97 m E;
Point 76 6,319,684.34 m N and 456,647.61 m E;
Point 77 6,320,393.29 m N and 460,344.27 m E;
Point 78 6,320,060.52 m N and 462,066.01 m E;
Point 79 6,320,024.35 m N and 464,106.04 m E;
Point 80 6,320,877.98 m N and 466,862.26 m E;
Point 81 6,318,982.63 m N and 468,215.05 m E;

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Point 82 6,319,691.80 m N and 471,174.23 m E;
Point 83 6,318,619.28 m N and 471,540.43 m E;
Point 84 6,317,606.32 m N and 475,655.58 m E;
Point 85 6,316,817.66 m N and 476,322.19 m E;
Point 86 6,318,751.25 m N and 477,698.83 m E;
Point 87 6,318,828.32 m N and 479,439.77 m E;
Point 88 6,317,567.27 m N and 479,352.20 m E;
Point 89 6,317,595.30 m N and 480,939.01 m E;
Point 90 6,318,425.48 m N and 483,264.93 m E;
Point 91 6,317,516.95 m N and 483,883.99 m E;
Point 92 6,315,626.37 m N and 486,852.22 m E;
Point 93 6,315,266.73 m N and 486,810.52 m E;
Point 94 6,314,539.61 m N and 482,512.23 m E;
Point 95 6,314,975.42 m N and 481,896.73 m E;
Point 96 6,314,372.33 m N and 480,969.65 m E;
Point 97 6,313,029.48 m N and 482,234.65 m E;
Point 98 6,313,033.46 m N and 484,256.94 m E;
Point 99 6,312,742.85 m N and 485,108.85 m E;
Point 100 6,311,297.79 m N and 485,021.27 m E;
Point 101 6,310,282.98 m N and 482,669.96 m E;
Point 102 6,309,518.33 m N and 483,118.40 m E;
Point 103 6,309,472.55 m N and 486,577.51 m E;
Point 104 6,308,188.72 m N and 487,290.38 m E;
Point 105 6,307,527.89 m N and 489,651.04 m E;
Point 106 6,306,604.32 m N and 490,455.18 m E;
Point 107 6,306,851.14 m N and 491,342.92 m E;
Point 108 6,305,374.23 m N and 493,373.17 m E;
Point 109 6,304,972.16 m N and 494,854.06 m E;
Point 110 6,303,718.18 m N and 496,406.61 m E;
Point 111 6,304,123.27 m N and 497,067.93 m E;
Point 112 6,303,383.78 m N and 497,620.78 m E;
Point 113 6,303,180.76 m N and 498,365.21 m E;
Point 114 6,302,452.25 m N and 498,830.97 m E;
Point 115 6,301,827.52 m N and 497,911.11 m E;
Point 116 6,296,786.53 m N and 503,644.16 m E;
Point 117 6,299,174.62 m N and 505,983.33 m E;
Point 118 6,298,717.46 m N and 507,206.53 m E;
Point 119 6,300,702.59 m N and 507,585.44 m E;
Point 120 6,300,488.42 m N and 512,325.84 m E;
Point 121 6,299,520.57 m N and 514,360.39 m E;
Point 122 6,298,112.04 m N and 515,612.42 m E;
Point 123 6,298,787.48 m N and 516,329.04 m E;
Point 124 6,302,303.75 m N and 516,360.81 m E;
Point 125 6,302,815.16 m N and 514,613.65 m E;
Point 126 6,305,008.31 m N and 515,538.47 m E;
Point 127 6,304,766.65 m N and 516,516.48 m E;
Point 128 6,303,382.08 m N and 517,468.90 m E;

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Point 129 6,304,100.41 m N and 519,294.33 m E;
Point 130 6,302,080.55 m N and 521,098.20 m E;
Point 131 6,301,689.42 m N and 523,153.08 m E;
Point 132 6,302,512.55 m N and 525,739.20 m E;
Point 133 6,304,244.45 m N and 527,933.60 m E;
Point 134 6,303,755.98 m N and 529,813.94 m E;
Point 135 6,304,427.32 m N and 530,216.75 m E;
Point 136 6,306,272.05 m N and 528,850.71 m E;
Point 137 6,307,410.41 m N and 529,773.08 m E;
Point 138 6,306,943.39 m N and 531,179.97 m E;
Point 139 6,305,715.38 m N and 531,482.26 m E;
Point 140 6,304,291.94 m N and 533,073.41 m E;
Point 141 6,304,584.84 m N and 534,162.62 m E;
Point 142 6,303,430.73 m N and 534,896.26 m E;
Point 143 6,303,048.70 m N and 537,421.45 m E;
Point 144 6,302,429.05 m N and 538,059.74 m E;
Point 145 6,302,761.02 m N and 539,006.31 m E;
Point 146 6,303,626.41 m N and 539,080.06 m E;
Point 147 6,303,048.70 m N and 541,209.23 m E;
Point 148 6,303,682.32 m N and 541,977.97 m E;
Point 149 6,304,078.89 m N and 541,271.18 m E;
Point 150 6,304,507.41 m N and 541,980.29 m E;
Point 151 6,304,427.76 m N and 542,844.55 m E;
Point 152 6,302,340.52 m N and 546,063.93 m E;
Point 153 6,299,861.93 m N and 547,638.68 m E;
Point 154 6,298,231.27 m N and 547,629.36 m E;
Point 155 6,295,398.59 m N and 550,196.48 m E;
Point 156 6,293,618.84 m N and 554,804.25 m E;
Point 157 6,290,348.22 m N and 556,551.27 m E;
Point 158 6,289,598.11 m N and 558,070.22 m E;
Point 159 6,289,840.38 m N and 561,396.76 m E;
Point 160 6,289,458.34 m N and 562,752.53 m E;
Point 161 6,290,842.07 m N and 563,199.79 m E;
Point 162 6,290,901.01 m N and 570,895.44 m E;
Point 163 6,289,682.35 m N and 571,089.32 m E;
Point 164 6,287,660.48 m N and 574,025.18 m E;
Point 165 6,286,047.14 m N and 574,295.22 m E;
Point 166 6,285,638.61 m N and 576,697.92 m E;
Point 167 6,285,765.98 m N and 584,269.67 m E;
Point 168 6,284,923.13 m N and 585,241.15 m E;
Point 169 6,284,990.23 m N and 587,407.26 m E;
Point 170 6,289,627.48 m N and 588,168.00 m E;
Point 171 6,289,667.32 m N and 591,017.47 m E;
Point 172 6,288,786.08 m N and 591,699.52 m E;
Point 173 6,289,016.19 m N and 595,389.57 m E;
Point 174 6,292,259.16 m N and 598,549.65 m E;
Point 175 6,295,201.66 m N and 598,850.12 m E;

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Point 176 6,295,398.52 m N and 603,025.57 m E;
Point 177 6,291,368.12 m N and 607,656.91 m E;
Point 178 6,290,394.47 m N and 609,069.03 m E;
Point 179 6,290,383.83 m N and 618,007.48 m E;
Point 180 6,291,078.01 m N and 622,151.85 m E;
Point 181 6,290,570.33 m N and 623,136.14 m E;

Thence, in general southerly and southeasterly directions,
following a broken line passing through the apexes whose
coordinates are:

Point 182 6,287,082.71 m N and 621,292.84 m E;
Point 183 6,286,330.76 m N and 621,788.45 m E;
Point 184 6,286,620.23 m N and 622,866.76 m E;
Point 185 6,285,211.37 m N and 624,804.81 m E;
Point 186 6,286,997.27 m N and 626,206.18 m E;
Point 187 6,284,747.49 m N and 629,881.10 m E;
Point 188 6,282,530.25 m N and 629,818.94 m E;
Point 189 6,281,079.72 m N and 628,358.05 m E;
Point 190 6,277,442.71 m N and 630,618.03 m E;
Point 191 6,275,153.26 m N and 630,709.98 m E;
Point 192 6,271,547.66 m N and 636,398.13 m E;
Point 193 6,268,677.68 m N and 635,496.73 m E;
Point 194 6,263,984.18 m N and 629,767.13 m E;
Point 195 6,262,603.38 m N and 630,953.25 m E;
Point 196 6,261,396.05 m N and 631,455.00 m E;
Point 197 6,260,486.64 m N and 626,108.27 m E;
Point 198 6,259,123.93 m N and 619,472.27 m E;
Point 199 6,255,289.13 m N and 615,314.06 m E;
Point 200 6,250,723.45 m N and 616,835.48 m E;
Point 201 6,248,366.64 m N and 620,005.23 m E;
Point 202 6,248,207.83 m N and 622,090.10 m E;
Point 203 6,252,585.16 m N and 626,321.25 m E;
Point 204 6,252,084.67 m N and 627,174.65 m E;
Point 205 6,251,475.11 m N and 627,270.89 m E;
Point 206 6,250,127.64 m N and 626,475.25 m E;
Point 207 6,248,419.96 m N and 626,533.52 m E;
Point 208 6,247,623.50 m N and 629,129.04 m E;
Point 209 6,248,579.25 m N and 631,162.35 m E;
Point 210 6,247,351.77 m N and 630,984.32 m E;
Point 211 6,245,346.57 m N and 629,129.04 m E;
Point 212 6,244,653.18 m N and 630,253.45 m E;
Point 213 6,241,506.50 m N and 630,577.87 m E;
Point 214 6,233,477.02 m N and 631,124.96 m E;
Point 215 6,230,089.86 m N and 629,085.28 m E;
Point 216 6,226,010.50 m N and 624,313.73 m E;

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Point 217 6,226,222.69 m N and 621,024.00 m E;
 Point 218 6,224,749.50 m N and 617,137.06 m E;
 Point 219 6,222,731.98 m N and 616,904.62 m E;
 Point 220 6,220,076.82 m N and 617,577.94 m E;
 Point 221 6,212,533.42 m N and 615,607.22 m E;
 Point 222 6,211,653.99 m N and 617,908.25 m E;
 Point 223 6,211,230.22 m N and 620,695.36 m E;
 Point 224 6,209,596.11 m N and 620,674.15 m E;
 Point 225 6,207,631.24 m N and 619,962.24 m E;
 Point 226 6,206,150.46 m N and 620,218.53 m E;
 Point 227 6,205,965.37 m N and 618,623.85 m E;
 Point 228 6,204,756.25 m N and 618,918.59 m E;
 Point 229 6,203,320.95 m N and 621,361.20 m E;
 Point 230 6,202,831.16 m N and 626,504.04 m E;
 Point 231 6,201,296.47 m N and 630,716.27 m E;
 Point 232 6,200,223.96 m N and 635,126.83 m E;
 Point 233 6,200,430.92 m N and 636,413.54 m E;
 Point 234 6,201,987.63 m N and 638,743.36 m E;
 Point 235 6,200,600.47 m N and 643,251.62 m E;
 Point 236 6,197,479.36 m N and 642,449.05 m E;
 Point 237 6,196,342.52 m N and 638,727.37 m E;
 Point 238 6,191,175.98 m N and 637,963.97 m E;
 Point 239 6,191,298.67 m N and 633,956.15 m E;
 Point 240 6,190,330.80 m N and 632,252.15 m E;
 Point 241 6,187,705.45 m N and 632,496.44 m E;

Thence, in a general westerly direction, following a broken line passing through the apexes whose coordinates are:

Point 242 6,186,970.94 m N and 618,086.59 m E;
 Point 243 6,185,624.79 m N and 616,175.49 m E;
 Point 244 6,185,192.48 m N and 614,807.42 m E;
 Point 245 6,185,649.41 m N and 613,411.99 m E;
 Point 246 6,186,905.30 m N and 612,845.61 m E;
 Point 247 6,186,617.00 m N and 611,142.84 m E;
 Point 248 6,185,783.12 m N and 609,769.03 m E;
 Point 249 6,186,390.22 m N and 606,693.76 m E;
 Point 250 6,185,757.70 m N and 606,579.29 m E;
 Point 251 6,185,193.07 m N and 603,372.23 m E;
 Point 252 6,183,841.55 m N and 603,567.46 m E;
 Point 253 6,183,620.54 m N and 601,574.48 m E;
 Point 254 6,182,490.41 m N and 599,812.92 m E;
 Point 255 6,182,458.60 m N and 598,411.24 m E;
 Point 256 6,181,682.52 m N and 583,091.01 m E;
 Point 257 6,180,047.37 m N and 578,369.07 m E;
 Point 258 6,179,471.65 m N and 550,101.96 m E;

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Point 259 6,183,458.66 m N and 542,338.16 m E;
Point 260 6,184,439.61 m N and 540,427.98 m E;
Point 261 6,190,039.67 m N and 529,523.14 m E;
Point 262 6,188,847.90 m N and 528,608.77 m E;
Point 263 6,189,357.59 m N and 527,272.83 m E;
Point 264 6,188,574.27 m N and 526,832.89 m E;
Point 265 6,188,182.61 m N and 525,834.96 m E;
Point 266 6,187,587.08 m N and 526,323.19 m E;
Point 267 6,186,986.17 m N and 522,132.97 m E;
Point 268 6,188,456.24 m N and 519,745.45 m E;
Point 269 6,188,182.61 m N and 519,037.24 m E;
Point 270 6,188,075.31 m N and 517,867.62 m E;
Point 271 6,188,331.13 m N and 516,232.15 m E;
Point 272 6,184,808.22 m N and 488,818.86 m E;
Point 273 6,183,584.63 m N and 489,083.28 m E;
Point 274 6,183,353.93 m N and 488,530.67 m E;
Point 275 6,183,706.04 m N and 487,515.30 m E;
Point 276 6,184,339.37 m N and 485,179.71 m E;
Point 277 6,184,339.48 m N and 485,179.22 m E;
Point 278 6,184,532.47 m N and 484,311.38 m E;
Point 279 6,186,512.01 m N and 475,410.01 m E;
Point 280 6,189,487.49 m N and 462,030.17 m E;
Point 281 6,191,395.34 m N and 453,451.16 m E;
Point 282 6,192,741.17 m N and 447,399.41 m E;
Point 283 6,193,808.76 m N and 442,598.75 m E;
Point 284 6,197,792.15 m N and 424,686.70 m E;
Point 285 6,197,416.90 m N and 424,649.01 m E;
Point 286 6,197,757.27 m N and 422,682.59 m E;
Point 287 6,197,644.82 m N and 422,081.43 m E;
Point 288 6,199,073.99 m N and 418,922.62 m E;
Point 289 6,201,565.37 m N and 407,719.67 m E;
Point 290 6,201,630.73 m N and 402,746.59 m E;
Point 291 6,203,818.24 m N and 401,433.65 m E;
Point 292 6,207,408.46 m N and 394,973.65 m E;
Point 293 6,207,349.65 m N and 394,159.77 m E;
Point 294 6,207,343.49 m N and 393,429.52 m E;
Point 295 6,207,386.78 m N and 392,649.71 m E;
Point 296 6,207,732.42 m N and 392,003.27 m E;
Point 297 6,207,824.31 m N and 391,718.57 m E;
Point 298 6,207,890.02 m N and 391,430.30 m E;
Point 299 6,207,935.42 m N and 391,131.29 m E;
Point 300 6,207,962.79 m N and 390,864.02 m E;
Point 301 6,208,013.51 m N and 390,475.80 m E;
Point 302 6,208,053.70 m N and 390,217.67 m E;
Point 303 6,208,134.96 m N and 389,887.02 m E;
Point 304 6,208,210.36 m N and 389,603.65 m E;

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Thence, northwesterly, following the straight line segment passing through point 305, while extending it to its meeting point with the limit of the Québec border, that is, to point 306;

Point 305: 6,208,461.95 m N and 389,258.84 m E;

Thence, in a general northeasterly direction, following the Québec border to point 1, that is, to the starting point.

Area: 25,845.7 km²

To be excluded from this territory, the operating rights bearing number 100646 recorded at the Register of the Domain of the State and whose lease refers to file number 211 351 00 000.

PERIMETER 2

Commencing at point 307 located at the intersection of the Québec border with the westerly extension of a straight line segment passing through the coordinates of points 309 and 308;

Point 308 6,207,633.47 m N and 388,079.31 m E;

Point 309 6,207,686.68 m N and 388,638.77 m E;

Thence, easterly, following the said extension to its meeting point with point 309;

Thence, in general southeasterly and southerly directions, following a broken line passing through the apexes whose coordinates are:

Point 310 6,207,433.14 m N and 389,286.53 m E;

Point 311 6,207,386.26 m N and 389,633.88 m E;

Point 312 6,207,291.24 m N and 389,905.33 m E;

Point 313 6,207,018.70 m N and 390,292.32 m E;

Point 314 6,206,845.63 m N and 390,555.83 m E;

Point 315 6,206,561.42 m N and 390,799.19 m E;

Point 316 6,206,225.50 m N and 391,247.67 m E;

Point 317 6,205,885.60 m N and 391,746.07 m E;

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Point 318 6,205,618.12 m N and 392,035.23 m E;
Point 319 6,205,338.29 m N and 392,334.05 m E;
Point 320 6,205,121.67 m N and 392,399.00 m E;
Point 321 6,204,929.76 m N and 392,374.30 m E;
Point 322 6,204,679.18 m N and 392,349.50 m E;
Point 323 6,204,299.77 m N and 392,248.74 m E;
Point 324 6,203,800.02 m N and 392,102.49 m E;
Point 325 6,200,918.65 m N and 392,779.51 m E;
Point 326 6,199,627.29 m N and 392,727.96 m E;
Point 327 6,199,015.09 m N and 392,712.76 m E;

Thence, in general southeasterly, southwesterly and westerly directions, following a broken line passing through the apexes whose coordinates are:

Point 328 6,198,706.61 m N and 395,057.57 m E;
Point 329 6,198,040.27 m N and 395,815.07 m E;
Point 330 6,197,100.43 m N and 396,313.60 m E;
Point 331 6,190,506.18 m N and 401,051.41 m E;
Point 332 6,187,463.70 m N and 397,819.83 m E;
Point 333 6,186,871.37 m N and 396,345.64 m E;
Point 334 6,186,424.59 m N and 394,229.33 m E;
Point 335 6,187,009.15 m N and 390,305.95 m E;
Point 336 6,187,886.39 m N and 386,721.89 m E;
Point 337 6,188,666.45 m N and 384,320.56 m E;
Point 338 6,188,406.39 m N and 378,346.14 m E;

Thence, westerly, following the straight line segment passing through point 339, while extending it to its meeting point with the high-water limit, that is, to point 340;

Point 339 6,188,344.95 m N and 376,934.56 m E;

Thence, in general northwesterly and northeasterly directions, following this high-water limit to its meeting point with point 341, whose approximate coordinates are:

Point 341 6,188,709 m N and 376,053 m E;

Thence, following a straight line having a bearing of 57° 50' 52" to its meeting point with the Québec border, that is, to point 342;

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Thence, in a general northeasterly direction, following the Québec border to point 307, that is, to the starting point.

Area: 261.0 km²

The park boundary shown on the plan accompanying the technical description was compiled from digital files at the National Topographic System of Canada (NTS) on a 1:50,000 scale, the November 2012 version of the SDA (administrative division system) on a 1:20,000 scale, digital files from Hydro-Québec on a 1:50,000 scale and digital files of the Register of the Domain of the State.


For the cartographic display, we had to use the digital files of the Québec geographical and administrative database (BDGA 1 M) on a 1:1,000,000 scale.

The areas and coordinates in this technical description are expressed in the international system of units (SI) and were plotted from the digital files at the National Topographic System of Canada (NTS) on a 1:50,000 scale. These coordinates refer to the Universal Transverse Mercator (UTM) coordinate system, NAD83, zone 18.

The whole as shown on the plan prepared by the undersigned on 15 April 2013 and kept of the Office of the Surveyor General of Québec of the Ministère des Ressources naturelles under number 516474.

Prepared in Québec this 15 April 2013, under number 544 of my minutes.

By:



Stéphane Morneau
Québec Land Surveyor

NOTE: This technical description includes both French and English versions. In case of discrepancies between the two descriptions, the French version shall prevail.

Copie conforme de l'original conservé au
Greffe de l'arpenteur général du Québec du
ministère des Ressources naturelles

Québec, le 16 avril 2013

pour l'arpenteur général du Québec

Gouvernement du Québec

O.C. 652-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Industrial depollution attestations — Amendment

Regulation to amend the Regulation respecting industrial depollution attestations

WHEREAS, under the first paragraph of section 31.10 of the Environment Quality Act (chapter Q-2), the Government determines the classes of industrial establishments to which Subdivision 1 of Division IV.2 of Chapter I of the Act applies;

WHEREAS, under the second paragraph of section 31.10, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

WHEREAS, under section 31.41 of the Environment Quality Act, the Government may make regulations to prescribe the manner and form in which every application for a depollution attestation must be made, to prescribe the annual duties applicable to the holder of a depollution attestation and to determine the terms and conditions of payment applicable to such fees;

WHEREAS, under section 115.27 of the Act, the Government may specify, by regulation, that a failure to comply with one of the provisions of a regulation may give rise to a monetary administrative penalty and determine the amount for such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting industrial depollution attestations (chapter Q-2, r. 5);

WHEREAS the Government determined the classes of industrial establishments to which Subdivision 1 of Division IV.2 of Chapter I of the Environment Quality Act applies by the Order in Council respecting the application of subdivision 1 of Division IV.2 of Chapter I of the Environment Quality Act to the mineral industry and primary metal manufacturing sector (chapter Q-2, r. 4) and by the Order in Council respecting a class of industrial establishments to which subdivision 1 of Division IV.2 of Chapter I of the Environment Quality Act applies (chapter Q-2, r. 8);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter r-18.1) and section 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting industrial depollution attestations was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting industrial depollution attestations, attached to this Order in Council, with amendments;

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

THAT the Regulation to amend the Regulation respecting industrial depollution attestations, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting industrial depollution attestations

Environment Quality Act
(chapter Q-2, ss. 31.10, 31.41, 115.27 and 115.34)

1. The Regulation respecting industrial depollution attestations (chapter Q-2, r. 5) is amended by inserting the following before Chapter I:

“CHAPTER 0.1 INDUSTRIAL ESTABLISHMENTS COVERED

0.1. Subdivision 1 of Division IV.2 of Chapter I of the Environment Quality Act (chapter Q-2) applies to the following industrial establishments, defined in particular on the basis of their primary activity under the North American Industry Classification System (NAICS 1998):

(1) an industrial establishment manufacturing pulp intended for sale or a paper product within the meaning of section 1 of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27);

(2) an industrial establishment engaged in metal ore mining (2122) and non-metallic mineral mining and quarrying (2123) if the establishment has an ore mining capacity greater than 2,000,000 metric tons per year or an ore or mine tailing processing capacity greater than 50,000 metric tons per year;

(3) an industrial establishment engaged in clay building material and refractory manufacturing (32712) if the establishment has a refractory brick production capacity greater than 20,000 metric tons per year;

(4) an establishment engaged in glass manufacturing (327214) if its primary activity is to manufacture flat glass;

(5) an establishment engaged in cement manufacturing (32731) if its primary activity is to manufacture Portland cement;

(6) an establishment engaged in lime manufacturing (32741) if its primary activity is to manufacture quicklime;

(7) an establishment engaged in other non-metallic mineral products manufacturing (3279) if its primary activity is to manufacture silicon carbide;

(8) an establishment engaged in iron and steel mills and ferroalloy manufacturing (33111) if its primary activity is

(a) the production of pig iron;

(b) the production of steel;

(c) the production of stainless steel; or

(d) the production of ferroalloys;

(9) an establishment engaged in the primary production of alumina and aluminum (331313);

(10) an establishment engaged in non-ferrous metal smelting and refining (33141).

For the purposes of this section, operations that consist in producing precious metals from ore or mine tailings are included in an establishment's operations, operations that consist in extracting, from ores or mine tailings, an ore concentrate or another substance, and operations involving ore beneficiation, are included in ore processing operations and establishments involved in ore agglomeration are deemed to be extraction establishments."

2. Section 5 is replaced by the following:

"**5.** An operator of an industrial establishment referred to in section 0.1 must apply for a depollution attestation or any new application

(1) within 6 months of the day on which the operator's establishment becomes subject to this Regulation or, if an establishment begins operation after that date, within 30 days from the date of obtention of the certificate of authorization issued to operate the establishment; or

(2) at least 6 months before the date of expiry of the operator's attestation."

3. Section 6 is amended by striking out "on 2 separate occasions."

4. Section 7 is amended by replacing "all the notices" in paragraph 4 by "the notice".

5. The following is inserted before section 12:

"**11.1.** For the purposes of this Division,

"accumulation area" means a parcel of land on which mine tailings are accumulated or intended to be accumulated;

"mine tailings" means any solid or liquid substance released through the extraction, preparation, beneficiation and separation of ore, including sludge and dust resulting from the treatment of mining wastewater or atmospheric emissions, except for the final effluent and residue released through the operation of a pit or quarry within the meaning of the Regulation respecting pits and quarries (chapter Q-2, r. 7). Any solid or liquid substance released through the processing of mine tailings to market a substance contained therein or slag and sludge released in the course of a treatment using primarily ore or enriched or concentrate ore as part of a pyrometallurgical, hydrometallurgical or electrolytic process, are also considered as mine tailings."

6. Section 12 is replaced by the following:

"**12.** The annual duties exigible from each holder of a depollution attestation include a fixed amount of \$2,851, plus the following amounts, as the case may be:

(1) for industrial discharges into water or the atmosphere, the sum of the amounts calculated in accordance with Schedule I;

(2) for mine tailings deposited in an accumulation area:

(a) for the first year of validity of the first depollution attestation of an establishment, 33% of the lesser amount between the amount calculated in accordance with Schedule II and \$1,000,000;

(b) for the second year of validity of the first depollution attestation of an establishment, 66% of the lesser amount between the amount calculated in accordance with Schedule II and \$1,000,000;

(c) in the other cases, 100% of the lesser amount between the amount calculated in accordance with Schedule II and \$1,000,000.

The sum of the amounts provided for in subparagraphs 1 and 2 of the first paragraph may not exceed \$1,000,000.

The annual duties exigible are payable by cheque or money order, made out to the Minister of Finance, prior to 1 April of the year following the year in which the duties are exigible.

The cheque or money order must be accompanied by a report containing the detailed calculation of the annual duties exigible, including the method used to determine the annual tonnage of the contaminants discharged, from among those referred to in Schedule I, or of the mine tailings deposited in an accumulation area, as the case may be.”.

7. Section 13 is replaced by the following:

“**13.** The fixed amount of the annual duties exigible is adjusted on 1 January of each year in the manner provided for in section 83.3 of the Financial Administration Act (chapter A-6.001). The foregoing also applies to the unit rate provided for in Schedule I and to the unit rate and base amount provided for in Schedule II.

The rules provided for in the Regulation respecting the rounding off of adjusted fees (chapter A-6.001, r. 0.1) apply to the adjusted amounts and rates.

The Minister is to publish the result of the adjustment in Part 1 of the *Gazette officielle du Québec*.”.

8. The following is inserted after section 14:

“**14.1.** The holder of a depollution attestation must also keep a record containing the information necessary for the detailed calculation of the annual duties and the information necessary for the calculation of the annual tonnage of the contaminants discharged, from among those referred to in Schedule I, or of the mine tailings deposited in an accumulation area, as the case may be.

The information contained in the record must be kept for at least 5 years.”.

9. Section 20 is replaced by the following:

“**20.** The holder of a depollution attestation must apply to the Minister for the revocation of the attestation, as provided for in section 31.31 of the Environment Quality Act (chapter Q-2), within 90 days following the permanent cessation of the operations of the industrial establishment covered by the attestation.”.

10. The following is inserted after section 20:

“CHAPTER IV.1 PENALTIES

DIVISION I MONETARY ADMINISTRATIVE PENALTIES

20.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in the other cases may be imposed on any person who fails to

(1) comply with the time limit or terms and conditions prescribed by section 5 to file an application for a depollution attestation with the Minister;

(2) send the Minister a report containing the information prescribed by the fourth paragraph of section 12;

(3) keep up-to-date a register containing the information prescribed by sections 14 and 14.1 or to keep it for the period of time indicated therein;

(4) send the Minister an annual report containing the information and documents prescribed by section 15, on the conditions and at the frequency indicated therein;

(5) submit to the Minister a technical report containing the information prescribed by section 19;

(6) comply with the time limit prescribed by section 20 to apply for the revocation of the depollution attestation in the case provided for therein.

20.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,000 in the other cases may be imposed to every person who fails to send the Minister a notice containing the information prescribed by section 17, within the time limit provided for therein.

20.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in the other cases may be imposed on every person who fails to pay the annual duties payable in accordance with the third paragraph of section 12.

DIVISION II PENAL SANCTIONS

20.4. A person who contravenes section 5, the fourth paragraph of section 12 or section 14, 14.1, 15, 19 or 20 commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person, or from \$3,000 to \$600,000 in the other cases.

20.5. A person who contravenes section 17 commits an offence and is liable to a fine of \$2,000 to \$100,000 in the case of a natural person, or from \$6,000 to \$600,000 in the other cases.

20.6. A person who contravenes the third paragraph of section 12 commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person, or from \$7,500 to \$1,500,000 in the other cases.

20.7. A person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to imprisonment for a maximum term of 18 months, or to both the fine and imprisonment, or, in the other cases, to a fine of \$15,000 to \$3,000,000.

20.8. A person who contravenes any other obligation imposed by this Regulation also commits an offence and is liable, if no other penalty is provided for in this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person, or from \$3,000 to \$600,000 in the other cases.”

11. Section 21 is revoked.

12. Schedules A and B are replaced by the following:

“**SCHEDULE I**
AMOUNT EXIGIBLE FOR INDUSTRIAL
DISCHARGES INTO WATER AND THE
ATMOSPHERE
(s. 12)

1. The annual duties provided for in section 12 are composed, in particular, of the total of the amounts calculated for an establishment’s industrial discharges into water and the atmosphere. Those amounts are calculated in the following manner for each of the contaminants in Tables I and II:

$$\sum_{c=1}^n T_c \times F_c \times 2 \$$$

where

T = tonnage of contaminant discharged during the preceding year of operation of the establishment, in metric tons.

F = weighting factor established by contaminant discharged as provided for in Tables I and II

c = discharged contaminant referred to in Tables I and II

2 \$ = unit rate per metric ton of contaminant discharged per year

Table I
Discharges into water and weighting factor

Contaminants discharged into water (c)	Weighting factor(F)	
	Contaminants discharged "into system"	Contaminants discharged "outside system"
Biochemical oxygen demand (BOD ₅)	0.4	2
Suspended matter (SM)	0.2	1
	Contaminants discharged "into system" and "outside system"	
Aluminum (Al), iron (Fe) and manganese (Mn)	50	
Arsenic (As), cadmium (Cd), chromium (Cr) and lead (Pb)	200	
Absorbable halogen compounds (AHC)	100	
Copper (Cu), nickel (Ni), selenium (Se) and zinc (Zn)	100	
Cyanides (CN)	100	
Dioxins and furans – total (PCDD-PCDF)	1,000,000	
Total fluorides	50	
Polycyclic aromatic hydrocarbons (PAH)	1,000	
Lithium (Li), thorium (Th), titanium (Ti), vanadium (V) and uranium (U)	100	
Mercury (Hg)	100,000	
Radium (Ra)	200	

Table II
Emissions into the atmosphere and weighting factor

Contaminants emitted into the atmosphere(c)	Weighting factor(F)
Sulphuric acid (H ₂ SO ₄)	100
Arsenic (As), cadmium (Cd), chromium (Cr) and lead (Pb)	200
Hydrogen chloride(HCl)	100
Total reduced sulphur compounds (TRS)	50
Volatile organic compounds (COV)	20
Dioxins and furans - total (PCDD-PCDF)	1,000,000
Sulphur dioxide (SO ₂)	4
Total fluorides	50
Polycyclic aromatic hydrocarbons (HAP)	1,000
Mercury (Hg)	100,000
Nitrogen oxides (NO _x)	4
Particles (P)	1

2. For the purposes of Table I of section 1 of this Schedule,

(1) **contaminants discharged “into system”** means any contaminant discharged by an industrial establishment into a sewer system and treated by a municipal wastewater treatment works;

(2) **contaminants discharged “outside system”** means any contaminant discharged by an industrial establishment outside a sewer system or not treated by a municipal wastewater treatment works.

SCHEDULE II

AMOUNT EXIGIBLE FOR MINE TAILINGS DEPOSITED IN AN ACCUMULATION AREA (s. 12)

1. The annual duties provided for in section 12 are composed, in particular, of an amount calculated for an establishment's mine tailings deposited in an accumulation area. That amount is calculated in the following manner:

$$F_{mt} \times [(\text{base amount}) + ((T_{mt} - L) \times \text{u.r.})]$$

where

F = weighting factor established by category of mine tailings as provided for in Table I

mt = category of mine tailings referred to in Table I

Base amount = amount (in \$) established in accordance with Table II in relation to the interval corresponding to the quantity of mine tailings deposited yearly in an accumulation area

T_{mt} = tonnage of mine tailings deposited in an accumulation area during the preceding year of operation of the establishment, calculated on a dry basis in metric tons

L = lower limit of the interval provided for in Table II determined in relation to the quantity of mine tailings deposited yearly in an accumulation area

u.r. = unit rate (in \$ per 1,000 metric tons) established in accordance with Table II in relation to the interval corresponding to the quantity of mine tailings deposited yearly in an accumulation area

Table I
Mine tailings and weighting factor

Categories of mine tailings (mt)	Weighting factor(F)
Acid-generating or cyanide-containing mine tailings	4
Inert mine tailings	0.5
Radioactive or high-risk mine tailings	6
Others	1

Table II
Applicable base amount and unit rate

Quantity of mine tailings deposited yearly in an accumulation area (in metric tons), per interval	Base amount (\$)	Unit rate (in \$ per 1,000 metric tons) (u.r.)
Less than 1 million	0	20
Equal to or greater than 1 million, but less than 10 million	20,000	25
Equal to or greater than 10 million, but less than 30 million	245,000	27
30 million and more	785,000	32

2. For the purposes of Table I of section 1 of this Schedule,

(1) **Acid-generating mine tailings** means mine tailings whose total sulphur content is greater than 0.3% and having any of the following characteristics:

(a) a net acid neutralization potential (NNP) less than 20 kg CaCO₃/metric ton of mine tailings;

(b) a result less than 3 for the following equation:

$$\frac{\text{Acid neutralization potential (NP)}}{\text{Acid generation potential (AGP);}}$$

(2) **Cyanide-containing mine tailings** means mine tailings, originating from a process using cyanides;

(3) **Inert mine tailings** means mine tailings rejected through ore extraction that are not economically profitable and may not be qualified as acid-generating, radioactive or high-risk mine tailings;

(4) **Radioactive mine tailings** means mine tailings that emit ionizing radiations (S) and for which the result of the following equation is greater than 1:

$$S = \sum_{i=1}^n \frac{C_i}{A_i}$$

where

C = specific activity for each radioelement present in a kilogram of mine tailings, expressed in kilobecquerels per kilogram (kBq/kg)

A = maximum specific activity mentioned in Schedule 1 to the Regulation respecting hazardous materials (chapter Q-2, r. 32) for each radioelement present in a kilogram of mine tailings, expressed in kilobecquerels per kilogram (kBq/kg)

n = radioelement present in a kilogram of mine tailings;

(5) **High-risk mine tailings**: mine tailings having any of the following characteristics:

(a) mine tailings that produce leachate containing contaminants in a concentration greater than those mentioned in the Table below:

Table III
High-risk mine tailings

Contaminants	Concentration (mg/L)
Arsenic (As)	5.0
Barium (Ba)	100
Boron (B)	500
Cadmium (Cd)	0.5
Chromium (Cr)	5.0
Total fluorides	150
Mercury (Hg)	0.1
Nitrates + nitrites (N-NO ₃ +N-NO ₂)	1,000
Nitrites (N-NO ₂)	100
Lead (Pb)	5.0
Selenium (Se)	1.0
Uranium (U)	2.0

(b) mine tailings that produce leachate emitting ionizing radiations (S) and for which the result of the following equation is greater than 0.05, but equal to or less than 1;

$$S = \sum_{i=1}^n \frac{C_i}{A_i}$$

where

C = activity concentration for each radioelement present in a kilogram of mine tailings, expressed in kilobecquerels per litre (kBq/L)

A = maximum activity concentration mentioned in Schedule 1 to the Regulation respecting hazardous materials for each radioelement present in a kilogram of mine tailings, expressed in kilobecquerels per litre (kBq/L)

n = radioelement present in a kilogram of mine tailings;

(c) mine tailings that contain more than 5 ug/kg of polychlorinated dibenzofurans or polychlorinated dibenzo [*b*, *e*] [1,4] dioxins, as calculated according to the international toxicity equivalency factors provided for in Schedule 2 to the Regulation respecting hazardous materials.”

TRANSITIONAL AND FINAL

13. For depollution attestations issued before 1 January 2014, the amount of the duties exigible for mine tailings deposited in an accumulation area is set

(1) at 33% of the lesser amount between the amount calculated in accordance with Schedule II for 2014 and \$1,000,000;

(2) at 66% of the lesser amount between the amount calculated in accordance with Schedule II for 2015 and \$1,000,000;

(3) at 100% of the lesser amount between the amount calculated in accordance with Schedule II for subsequent years and \$1,000,000.

For the same attestations, the total of the amounts of duties exigible for industrial discharges into water and the atmosphere and for mine tailings deposited in an accumulation area calculated in accordance with Schedules I and II may not exceed \$1,000,000.

14. The Order in Council respecting the application of subdivision 1 of Division IV.2 of Chapter I of the Environment Quality Act to the mineral industry and primary metal manufacturing sector (chapter Q-2, r. 4) and the Order in Council respecting a class of industrial establishments to which subdivision 1 of Division IV.2 of Chapter I of the Environment Quality Act applies (chapter Q-2, r. 8) are revoked.

15. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 1 which comes into force on the date of its publication in the *Gazette officielle du Québec* and sections 5 to 8 and section 12, which come into force on 1 January 2014.

2790

Gouvernement du Québec

O.C. 653-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Application of section 32 of the Act — Amendment

Regulation to amend the Regulation respecting the application of section 32 of the Environment Quality Act

WHEREAS, under subparagraphs *e*, *g* and *m* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment, determine the form and tenor of any authorization certificate, and determine the terms and conditions according to which every application for an authorization and every application to amend or renew any such document must be made;

WHEREAS, under paragraphs *d*, *l* and *p* of section 46 of the Act, the Government may make regulations to determine the standards of quality for any source of water supply, determine construction standards for waterworks, sewer and water treatment systems and exempt certain categories of projects, apparatus or equipment from the application of section 32 of the Act;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the application of section 32 of the Environment Quality Act (chapter Q-2, r. 2);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the application of section 32 of the Environment Quality Act was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the application of section 32 of the Environment Quality Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of section 32 of the Environment Quality Act

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *e*, *g* and *m*, s. 46,
pars. *d*, *l* and *p*, and ss.115.27 and 115.34)

1. The Regulation respecting the application of section 32 of the Environment Quality Act (chapter Q-2, r. 2) is amended by inserting the following at the end of section 5:

“(6) the installation of sludge dewatering equipment in a lagoon-type treatment plant if the following conditions are met:

(a) the work is carried out in the operation area of the treatment plant;

(b) only sludge from the lagoons of the treatment plant are treated by the dewatering equipment;

(c) the process water from sludge dewatering is treated by the treatment plant;

(d) the work is not likely to modify the treatment capacity of the treatment plant.”.

2. Section 9 is amended by inserting “in a report” after “specify” in paragraph 1.

3. Section 9.1 is amended by replacing everything that follows “complies with this Regulation.” in the second paragraph by “The owner makes sure to obtain the certificate from the engineer within 90 days of the end of the work.”.

4. Section 11 is amended by adding “management” before “strategies” in subparagraph 3 of the second paragraph.

5. Section 16 is replaced by the following:

“**16.** Before undertaking the work covered by this Chapter, the owner must obtain a certificate from an engineer who is a member of the Ordre des ingénieurs du Québec certifying that the work has installation drawings and specifications that are in conformity with the 5-year plan authorized by the Minister.

The certificate must be given, where applicable, to the municipality or the borough, before the beginning of the work.”

6. Section 17 is amended by replacing everything that follows “Chapter IV.” by “The owner makes sure to obtain the certificate from the engineer within 90 days of the end of the work. The certificate must be given, where applicable, to the municipality or the borough, with the as-built plan, that is, a document integrating all the alterations made to works during the carrying out of work, including alterations related to their design.”

7. Section 20 is amended by replacing what follows “accessible” in the first paragraph by “on the website of the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs.”

8. The heading of Chapter V is replaced by “MONETARY ADMINISTRATIVE PENALTIES”.

9. The following is inserted after the heading of Chapter V and before section 24:

“**23.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to submit the certificates referred to in sections 16 and 17 on the form provided by the Minister in accordance with section 18.

23.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to keep for the period prescribed or to make available to the Minister, on request, the analysis reports referred to in paragraph 4 of section 9 or the certificate referred to in the third paragraph of section 9.1 in accordance with those sections;

(2) to keep for the period prescribed or to make available to the Minister, on request, the certificates and plans referred to in section 19 in accordance with that section.

23.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to send to the Minister the notices and the certificates referred to in section 5.2 within the period and on the conditions referred to therein;

(2) to comply with the standards provided for in section 8 regarding the acceptance tests and criteria for a main in the cases and for the mains referred to therein;

(3) to comply with any requirement provided for in paragraphs 1, 2 and 3 of section 9 in the case of work referred to in that section;

(4) to appoint an engineer referred to in section 9.1 or to obtain from the engineer the certificate required on the conditions provided for in the first or second paragraph of that section;

(5) to send to the municipality or borough the certificate or plan referred to in the second paragraph of section 16 or 17;

(6) to appoint an engineer referred to in the first paragraph of section 17 for monitoring the work covered therein or to obtain from the engineer the certificate required by that section;

(7) to carry out the work referred to in section 21 in accordance with the specifications prescribed by that section.

The penalty provided for in the first paragraph may also be imposed on any person who undertakes work referred to in section 16 without having obtained the required certificate in accordance with that section.

23.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to reuse or use the soil referred to in the first or second paragraph of section 20 in accordance with the conditions provided for therein;

(2) to comply with the conditions relating to surplus excavated materials provided for in the third paragraph of section 20;

(3) to comply with any of the standards prescribed by paragraphs 1 to 5 of section 9.2 regarding the installation of a water intake or an outfall referred to therein;

(4) to ensure that the quantity of water taken from the water intake referred to in section 9.4 meets the standards prescribed therein.

The penalty provided for in the first paragraph may also be imposed on any person who uses products and materials referred to in section 23 that do not comply with the safety requirements prescribed therein.

23.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails to take any of the steps prescribed by section 9.3 in case of the permanent closing of a temporary industrial camp.”

10. Section 24 is replaced by the following:

**“CHAPTER VI
PENAL SANCTIONS**

24. Every person who contravenes section 18 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

24.1. Every person who contravenes paragraph 4 of section 9, the third paragraph of section 9.1 or section 19 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

24.2. Every person who contravenes section 5.2 or 8, paragraph 1, 2 or 3 of section 9, the first or second paragraph of section 9.1, or section 16, 17 or 21 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

24.3. Every person who contravenes section 9.2, 9.4, 20 or 23 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

24.4. Every person who contravenes section 9.3 or, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

24.5. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2791

Gouvernement du Québec

O.C. 654-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Regulation
— Amendment**

Regulation to amend the Regulation respecting the application of the Environment Quality Act

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the application of the Environment Quality Act was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the application of the Environment Quality Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Environment Quality Act

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) is amended by adding the following after section 20:

“DIVISION IV MONETARY ADMINISTRATIVE PENALTIES

21. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who

(1) uses or installs any equipment referred to in section 12 that is not in good working order;

(2) uses, during production hours, any equipment referred to in section 12 while not functioning optimally.

DIVISION V PENAL SANCTIONS

22. Every person who contravenes section 12 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.”

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

2792

Gouvernement du Québec

O.C. 655-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Wood-burning appliances — Amendment

Regulation to amend the Regulation respecting wood-burning appliances

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting wood-burning appliances (chapter Q-2, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting wood-burning appliances was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting wood-burning appliances, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting wood-burning appliances

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting wood-burning appliances (chapter Q-2, r. 1) is amended by inserting the following after section 7:

“CHAPTER II.1 MONETARY ADMINISTRATIVE PENALTIES

7.1. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to keep the documents referred to in section 7 for the period and according to the conditions provided for therein.

7.2. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who manufactures, sells, offers

for sale or distributes in Québec a wood-burning appliance that does not comply with the requirements set in Chapter II, as prescribed by section 3.”

2. The heading of chapter III is amended by replacing “OFFENCES” by “PENAL SANCTIONS”.

3. Sections 8 and 9 are replaced by the following:

“**8.** Every person who contravenes section 7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$6,000,000.

9. Every person who contravenes section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.”

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

2794

Gouvernement du Québec

O.C. 656-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Groundwater Catchment
— Amendment**

Regulation to amend the Groundwater Catchment Regulation

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Groundwater Catchment Regulation (chapter Q-2, r. 6);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Groundwater Catchment Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Groundwater Catchment Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Groundwater
Catchment Regulation**

Environment Quality Act
(chapter Q-2, ss.115.27 and 115.34)

1. The Groundwater Catchment Regulation (chapter Q-2, r. 6) is amended by inserting the following after section 49:

**“CHAPTER VI.1
MONETARY ADMINISTRATIVE PENALTIES**

49.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to post at the boundaries of the immediate protection area of a catchment site referred to in the third paragraph of section 24 a notice indicating the information prescribed therein;

(2) to send an application for renewal with the required notice within the period provided for in the second paragraph of section 38;

(3) to seal off the bore holes which have been drilled and which will not be used for the purpose of collecting or monitoring groundwater in the case and on the conditions provided for in section 45.

49.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to take the measures necessary to maintain the quality of groundwater of the sites referred to in the first paragraph of section 24;

(2) to install a fence complying with the prescriptions of the third paragraph of section 24 in the case provided for therein;

(3) to keep up to date the inventory referred to in the third paragraph of section 25 or to make available upon request to the Minister the information prescribed therein;

(4) to send to the municipality a copy of the documents referred to in the fourth paragraph of section 25;

(5) to notify the farm operators referred to in section 28 in the cases and on the conditions provided for therein;

(6) to keep the results of the monitoring program or to make them available on request to the Minister in accordance with the fifth paragraph of section 44.

49.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to comply with the requirements concerning sampling, analysis or transmission of the results of the analyses provided for section 21;

(2) to carry out the finishing grade within the immediate protection area in accordance with the fifth paragraph of section 24;

(3) to have prepared, for the catchment sites concerned, the documents prescribed by the first paragraph of section 25.

49.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to carry out installation works or modification of a groundwater catchment work or to use the materials prescribed to do so in accordance with section 4;

(2) to comply with the prohibition to install a catchment work closer than the distances provided for in section 5;

(3) to carry out the spreading of the substances prescribed on the periphery of the areas of prohibition so as to prevent runoff into those areas in accordance with the fourth paragraph of section 26;

(4) to take samples to ensure, for the cases provided for, a groundwater quality monitoring program or to have the samples analyzed by a laboratory accredited by the Minister in accordance with the first or second paragraph of section 44.

49.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to comply with the restrictions of activities, facilities or deposits provided for in the fourth paragraph of section 24 within the immediate protection area concerned;

(2) to obtain the authorization of the Minister for the projects referred to in section 31;

(3) to obtain the authorization of the Minister for every groundwater operation project in the territory of Îles-de-la-Madeleine in accordance with section 40;

(4) to make known to the Minister within the period prescribed the presence of any of the organic compounds in the monitoring program in accordance with the third paragraph of section 44;

(5) to cover safely an observation well so as to prevent contaminant infiltration in accordance with section 46.

49.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) erects or lays out a raising facility or animal waste storage facility within the distances provided for in accordance with section 29;

(2) stores directly on the ground the substances referred to in section 30 without complying with the distances prescribed by that section;

(3) continues the operation of a catchment site while the presence of an organic compound in the monitoring program is confirmed, in contravention of the fourth paragraph of section 44.

49.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who spreads the substances referred to in the first, second or third paragraph of section 26 without complying with the conditions provided for therein.”

2. The heading of Chapter VII before section 50 is amended by adding “SANCTIONS” after “PENAL”:

3. Sections 50 to 52 are replaced by the following:

“**50.** Every person who contravenes section 18, the second paragraph of section 38 or section 45 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

Every person who fails to post a notice in accordance with the prescriptions of the third paragraph of section 24 also commits an offence and is liable to the same fines.

51. Every person who contravenes section 19 or 20, the first paragraph of section 24, the third or fourth paragraph of section 25, section 28 or the fifth paragraph of section 44 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

Every person who fails to install a fence complying with the prescriptions of the third paragraph of section 24 in the case provided for therein also commits an offence and is liable to the same fines.

52. Every person who contravenes section 16, the first paragraph of section 17, section 21, the first paragraph of section 22, the fifth paragraph of section 24 or the first paragraph of section 25 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

52.1. Every person who contravenes any of sections 4 to 14 or 23, the fourth paragraph of section 26, section 43, the first or second paragraph of section 44, the first paragraph of section 53 or section 54 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

52.2. Every person who

(1) contravenes section 15, the fourth paragraph of section 24, section 31 or 40, the third paragraph of section 44 or section 46,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1),

to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

52.3. Every person who contravenes section 29, 30 or 42 or the fourth paragraph of section 44 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

52.4. Every person who contravenes the first, second or third paragraph of section 26 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

52.5. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2795

Gouvernement du Québec

O.C. 657-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Clean Air
— **Amendment**

Regulation to amend the Clean Air Regulation

WHEREAS, under subparagraphs *c*, *e*, *h* and *l* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, define standards for the protection and quality of the environment, determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant, and regulate or prohibit the use of any contaminant;

WHEREAS, under paragraphs *b*, *c* and *d* of section 53 of the Act, the Government may make regulations to prohibit or limit the use of certain classes of motor vehicles or engines or determine the manner in which certain classes of motor vehicles or engines may be used, and regulate the quality of fuels used for industrial purposes or incineration;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Clean Air Regulation (chapter Q-2, r. 4.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Clean Air Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Clean Air Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Clean Air Regulation

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c*, *e*, *h* and *l*, s. 53,
pars. *b*, *c*, *d*, and ss. 115.27 and 115.34)

1. The Clean Air Regulation (chapter Q-2, r. 4.1) is amended in section 22 by replacing “2011” in the third paragraph by “2014”.

2. Section 45 is amended

(1) by inserting “with a diameter of 4 m or more” in the first paragraph after “75 m³”;

(2) by replacing “2011” in the third paragraph by “2013”.

3. Section 60 is amended by replacing “staged combustion burner” by “low nitrogen oxide emission”.

4. Section 194 is amended by adding the following paragraph:

“The presence in the environment of smoke from burning prohibited in the first paragraph is also prohibited within the meaning of the second paragraph of section 20 of the Environment Quality Act (chapter Q-2).”.

5. The following is inserted after section 202:

“TITLE V.1 MONETARY ADMINISTRATIVE PENALTIES

202.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to retain any data referred to in section 5 for the minimum period provided for in that section.

202.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to provide, at the Minister’s request and within the time indicated by the Minister, all information referred to in section 4;

(2) to maintain in a record the data and information prescribed by section 21, 25, 29, 36, 43, 59, 99 or 121 or the first paragraph of section 142, in the cases and on the conditions provided for therein;

(3) to forward to the Minister each year the report or estimate provided for in the first paragraph of section 51, not later than on the date set in that section;

(4) to send to the Minister each year a document referred to in the second paragraph of section 142 or the third paragraph of section 192, not later than on the date set in that section;

(5) to file with or to send to the Minister the sampling report or the written certification provided for in section 200 in accordance with that section.

202.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to contain within an enclosed space the particle emissions referred to in section 13 in accordance with that section;

(2) to carry out a calculation or to perform testing, an analysis or a measurement provided for in section 22 in the cases and according to the frequency and conditions provided for in that section;

(3) to ensure compliance with the conditions relating to the vats or mills established by section 23 or 24 in the cases provided for therein;

(4) to equip an establishment referred to in section 28 with a collection system of particles or a gas exhaust stack that complies with the requirements of that section;

(5) to comply with the conditions provided for in section 44 or 45 relating to an above-ground tank;

(6) to perform testing or to carry out a calculation or measurement prescribed by section 53, 74, 86, 87, 129, 147, 152, 156, 171 or 174, the second paragraph of section 175 or section 178 or 183 in accordance with those sections;

(7) to comply with the standards prescribed by section 61 as to the updraft vertical exhaust velocity of combustion gas discharge into the atmosphere from equipment referred to in that section;

(8) to equip fuel burning equipment, a turbine, an industrial furnace, a scrubber, a crematorium, an animal incinerator, a cement plant, a petroleum refinery or a furnace referred to in section 72, 73, 83, 84, 128, 146, 170, 177 or 182 with a measuring and recording system that complies with the requirements of those sections, in the cases and on the conditions provided for therein;

(9) to ensure that emissions from a kiln or facility referred to in the first paragraph of section 155 are routed and emitted to one or more stacks in accordance with the second paragraph of that section;

(10) to have any analysis required for the purposes of this Regulation carried out by a laboratory accredited by the Minister in accordance with section 201.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) uses or permits the use, in contravention of section 33 or 39, of a paint gun having a transfer efficiency lower than that of an HVLP paint gun in the cases and on the conditions provided for therein;

(2) installs a burner that has a nitrogen oxide emission rate that does not comply with the requirements of section 60 in the cases and on the conditions provided for therein.

202.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to maintain in good working order or to ensure that any device, system or other equipment referred to in section 6 operates optimally during production hours;

(2) to implement an annual plan able to detect and repair any leak referred to in section 46 in the cases and on the conditions provided for in that section;

(3) to comply with the conditions provided for in any of sections 47 to 50 in respect of the parts that must be covered by the annual plan referred to in section 46, leak detection or, where applicable, leak repair;

(4) to comply with the rated power required for fuel burning equipment referred to in section 77 or 78 in the cases and on the conditions provided for therein;

(5) to comply with the rated heat capacity required for an industrial furnace referred to in section 80 in the case provided for in that section;

(6) to comply with the standards relating to fuel burning equipment provided for in subparagraph 1 or 3 of the first paragraph of section 90;

(7) to comply with the standards relating to an industrial furnace provided for in subparagraph 1 of the second paragraph of section 92 or in any of paragraphs 2 to 4 of section 94;

(8) to equip fuel burning equipment, an incinerator, a scrubber, an aluminum smelter or a copper production plant referred to in section 95, 115, 116, 118, 139 or 191 with a measuring and recording system that complies with the requirements of those sections in the cases and on the conditions provided for therein;

(9) to perform testing or to carry out a calculation or measurement prescribed by any of sections 96 to 98, section 119, 120, 141, 143, 162 or 167 or by the first or second paragraph of section 192 in accordance with those sections;

(10) to comply with the conditions prescribed by section 108, 109, 112 or 113 as to an incinerator or a combustion chamber referred to therein;

(11) to install a continuous total fluoride and particle sampling system for each potline referred to in section 140 in accordance with that section;

(12) to comply with the ventilation conditions prescribed by section 150 as to the activities referred to in that section;

(13) to equip a dry scrubber for a cast iron or steel production furnace referred to in section 151 with a device that complies with the requirements of that section;

(14) to comply with the conditions relating to the handling of asbestos provided for in section 159 or 161;

(15) to comply with the conditions of storage or salvaging of lead prescribed by section 165;

(16) to automatically regulate the steam/gas ratio in accordance with section 169.

The penalty provided for in the first paragraph may also be imposed on any person who uses

(1) fuel that has a sulphur content exceeding the limits provided for in section 54 in a stationary internal combustion engine;

(2) fossil fuel in fuel burning equipment or in an industrial furnace if the fossil fuel has a sulphur content exceeding the limits provided for in any of subparagraphs 1 to 5 of the first paragraph of section 57 or the second paragraph of that section in the cases provided for in that section;

(3) materials referred to in the second paragraph of section 75 as fuel in fuel burning equipment that does not have the rated power provided for in that section or materials that have not been generated in connection with the activities of the establishment concerned, contrary to the third paragraph of that section;

(4) fuel referred to in the second or third paragraph of section 75 that contains more than 0.05% by weight of total halogens at the feed point used in fuel burning equipment of a furniture manufacturing establishment in contravention of the fourth paragraph of that section.

202.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails to notify the Minister if the limits referred to in section 193 are exceeded in accordance with that section.

202.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) fails to comply with the location conditions provided for in section 11 as to a grain processing facility referred to in that section;

(2) installs or uses, in a wet scrubber, a device capable of changing the flow resistance of the scrubbing liquids in contravention of section 85 or 117;

(3) uses, as fuel in fuel burning equipment, residual hazardous materials or organic compounds referred to in the first paragraph of section 91, in contravention of section 91;

(4) introduces materials to be incinerated in the primary chamber of an incinerator referred to in section 110 or ignites such materials without complying with the conditions provided for in that section;

(5) feeds residual hazardous materials into an incinerator without complying with the conditions provided for in section 111;

(6) builds or erects a conical burner in contravention of the first paragraph of section 122;

(7) operates a conical burner without complying with the conditions provided for in the second paragraph of section 122;

(8) uses a conical burner to burn other residual materials than those referred to in the first paragraph of section 123 or uses wood waste that does not comply with the conditions prescribed by the second paragraph of that section;

(9) cremates or incinerates, in a crematorium or an animal incinerator, materials other than those provided for in section 126;

(10) operates a crematorium or an animal incinerator having only one combustion chamber in contravention of section 127;

(11) burns in open air residual materials other than those provided for in section 194 in contravention of section 194;

(12) constructs or alters a stationary source of contamination or increases the production of a good or service without complying with the conditions prescribed by section 197.

202.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) fails to comply with the prescribed limits or concentrations that apply to emissions

(a) of particles, in accordance with section 9, 10 or 64, the first, second, fourth or fifth paragraph of section 75, paragraph 1 of section 77, subparagraph 2 of the first paragraph of section 78, the first paragraph of section 80 or 88, 92 or 125, any of sections 133 to 135, section 144 or 145, any of sections 148 to 150, the first paragraph of section 153, section 154, the first paragraph of section 155 or 164, paragraph 1 of section 168, or section 176, 180, 181 or 185;

(b) of volatile organic compounds in accordance with section 26 or 27, in any of sections 30 to 32, section 34, 35, 37 or 38 or in any of sections 40 to 42;

(c) of sulphur dioxide in accordance with the second paragraph of section 58, or section 184, 189 or 190;

(d) of nitrogen oxides in accordance with any of sections 65 to 68, or section 76 or 89;

(e) of carbon monoxide or, where applicable, combustion gases that contain carbon monoxide in accordance with section 69, subparagraph 1 of the first paragraph of section 78, section 103 or paragraph 2 of section 168;

(f) of chromium, copper or arsenic in accordance with paragraph 2 of section 77;

(g) of a contaminant referred to in the second paragraph of section 91 or section 173;

(h) of combustion gases in accordance with section 70, the second paragraph of section 78 or section 104;

(i) of mercury in accordance with section 105 or 186;

(j) of total fluorides in accordance with any of sections 132 to 135, or section 137 or 138;

(k) of PAHs in accordance with section 133, 134 or 138;

(l) of formaldehyde in accordance with the second paragraph of section 153;

(m) of asbestos fibres in accordance with section 158;

(n) of lead in accordance with the second paragraph of section 164;

(2) fails to handle the particles referred to in section 12 or 14 so no emission is visible more than 2 m from the emission point in accordance with those sections;

(3) fails to ensure that the opacity of grey or black emissions from a source of contamination does not exceed the limits prescribed by section 16;

(4) uses solvents or substances referred to in section 19 in contravention of section 19;

(5) fails to comply with the limits that apply to emissions from a stationary internal combustion engine prescribed by section 52 in the cases referred to in that section;

(6) uses, as fuel of wood or wood waste, one of the contaminants referred to in section 81 where the conditions relating to the fuel burning equipment or industrial furnace provided for in that section are not complied with;

(7) fails to comply with the emission limits or standards prescribed by any of subparagraphs 2, 4 or 5 of the first paragraph of section 90, subparagraphs 2 to 6 of the second paragraph of section 92 or paragraph 1 of section 94;

(8) fails to ensure that an incinerator has a destruction and removal efficiency that complies with the requirements of section 107 in respect of the substances provided for in that section;

(9) fails to handle, to transport or to transfer asbestos tailings or lead substances so that no emission is visible more than 2 m from the emission point in accordance with section 160 or 166;

(10) fails to comply with the standards related to a sulphuric acid plant in accordance with section 187;

(11) fails to comply with the maximum period of sulphur emission provided for in section 188 in the cases and on the conditions provided for in that section;

(12) fails to take the necessary measures where the limits are exceeded in accordance with section 193.”.

6. The heading of Title VI is amended by replacing “OFFENCES” before section 203 by “PENAL SANCTIONS”.

7. Sections 203 to 206 are replaced by the following:

203. Every person who contravenes section 5 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

204. Every person who contravenes section 4, 21, 25, 29, 36 or 43, the first paragraph of section 51, section 59, 99 or 121, the second paragraph of section 142, the third paragraph of section 192 or section 200 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

205. Every person who contravenes section 13, any of sections 22 to 24, section 28, 33, 39, 44, 45, 53, 60 or 61, any of sections 72 to 74, section 83, 84, 86, 87, 128, 129, 146, 147 or 152, the second paragraph of section 155, section 156, 170, 171 or 174, the second paragraph of section 175, or section 177, 178, 182, 183 or 201 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

206. Every person who

(1) contravenes section 6, any of sections 46 to 50, section 54, the first or second paragraph of section 57, the fourth paragraph of section 75, paragraph 1 or 3 of section 90, subparagraph 1 of the second paragraph of section 92, any of paragraphs 2 to 4 of section 94, any of sections 95 to 98, section 108, 109, 112, 113, 115 or 116, any of sections 118 to 120 or 139 to 141, section 143, 151, 159, 161, 162, 165, 167, 169 or 191 or the first or second paragraph of section 192,

(2) uses as fuel materials referred to in the second paragraph of section 75 in fuel burning equipment that does not have the rated power prescribed in that section or materials that have not been generated in connection with the activities of the establishment concerned, contrary to the third paragraph of that section;

(3) fails to comply with the rated power required for fuel burning equipment referred to in section 77 or 78 in the cases and on the conditions provided for therein,

(4) fails to comply with the rated heat capacity required for an industrial furnace referred to in section 80 in the case provided for in that section,

(5) fails to comply with the ventilation conditions prescribed by section 150 as to the activities referred to in that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

206.1. Every person who

(1) fails to notify the Minister if the limits referred to in section 193 are exceeded in accordance with that section,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

206.2. Every person who contravenes section 11 or 85, the first paragraph of section 91, or section 110, 111, 117, 122, 123, 126, 127, 194 or 197 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

206.3. Every person who

(1) contravenes section 9, 10, 12, 14, 16, 19, 26 or 27, any of sections 30 to 32, 34, 35, 37 or 38, any of sections 40 to 42, section 52, the second paragraph of section 58, any of sections 64 to 70, the first, fourth or fifth paragraph of section 75, section 76 or 77, the second paragraph of section 78, section 81, any of sections 88 to 90, the second paragraph of section 91, the first paragraph or any of subparagraphs 2 to 6 of the second paragraph of section 92, paragraph 1 of section 94, any of sections 103 to 105, section 107 or 125, any of sections 132 to 135, section 137, 138, 144 or 145, any of sections 148 to 150, the first or second paragraph of section 153, section 154, the first paragraph of section 155, section 158, 160, 164, 166, 168, 173, 176, 180 or 181 or any of sections 184 to 190,

(2) fails to comply with the emission limits prescribed by the second paragraph of section 75, subparagraph 1 or 2 of the first paragraph of section 78 or section 80 or 150,

(3) fails to take the necessary measures where the limits are exceeded in accordance with section 193,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

206.4. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Title or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

8. Section 215 is amended by replacing “to 96.3 and 96.6” in the first paragraph by “to 96.10.”

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

2796

Gouvernement du Québec

O.C. 658-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Pits and quarries — Amendment

Regulation to amend the Regulation respecting pits and quarries

WHEREAS, under subparagraphs *e*, *h*, *h.2* and *m* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment, determine the terms and conditions whereunder an application for an authorization, an application to amend or renew such an authorization must be made, determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant, and prescribe that analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under paragraphs *c* and *d* of section 46 of the Act, the Government may make regulations to determine the standards of quality for any source of water supply and determine the maximum quantity or concentration of a contaminant the discharge of which is allowed into water;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting pits and quarries (chapter Q-2, r. 7);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting pits and quarries was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting pits and quarries, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting pits and quarries

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *e*, *h*, *h.2* and *m*,
s. 46, pars. *c* and *d*, and ss.115.27 and 115.34)

1. The Regulation respecting pits and quarries (chapter Q-2, r. 7) is amended by revoking section 8.

2. Section 24 is replaced by the following:

“**24.** Methods of analysis: The water samples required to ensure the enforcement of sections 22 and 23 must be sent, for analysis, to a laboratory accredited by the

Minister of Sustainable Development, Environment, Wildlife and Parks under section 118.6 of the Environment Quality Act (chapter Q-2).”.

3. The following is inserted after section 58:

**“DIVISION IX
MONETARY ADMINISTRATIVE PENALTIES**

59. A monetary administrative penalty of \$500 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to take the required measures so that the guarantee policy remains in force or is renewed in the case and on the conditions provided for in section 6;

(2) to comply with the standards for the location of equipment in the case of replacement of or increase in production of a crushing or screening process as prescribed by the first paragraph of section 20;

(3) to send to an accredited laboratory a water sample for analysis as prescribed by section 24;

(4) to comply with the methods of measurement prescribed by section 28;

(5) to take the required measures to prevent dust emissions in the cases and on the conditions provided for in section 31;

(6) to install a dust collecting apparatus linked to a dust collector system as prescribed by section 32;

(7) to restore land in the cases provided for in section 36;

(8) to provide, in the restoration plan of a pit, a laying out of the land in operation meeting the conditions prescribed by section 38 or to stabilize the ground in accordance with that section;

(9) to comply with the standards relating to vertical cuts prescribed by the first paragraph of section 39 or to cover with vegetation the horizontal terraces as required by the second paragraph of that section;

(10) to store topsoil or overburden in accordance with the first paragraph of section 40 or to deposit the topsoil or overburden on leveled surface during restoration in accordance with the second paragraph of that section;

(11) to carry out the land restoration plan in accordance with section 41;

(12) to meet the conditions of revegetation of the land as prescribed by the first paragraph of section 43;

(13) to carry out the restoration in the manner prescribed and within the time limits provided for in section 45;

(14) to cease the operation of a pit where the guarantee policy ceases to be in force or is used by the Minister as prescribed by section 52;

(15) to comply with the standards relating to the preservation or tree planting prescribed by section 53;

(16) to restore the land dug in the cases and on the conditions provided for in section 56.

60. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who

(1) uses or installs equipment referred to in section 30 that is not in working condition or who uses, during production hours, such equipment that is not operating at optimum efficiency, in contravention of section 30;

(2) fails to comply with the prohibition to dynamite on the conditions and during the periods provided for in section 54.

61. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to obtain a certificate of authorization in the cases and on the conditions provided for in section 2;

(2) to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any territory zoned for residential, commercial or mixed purposes as provided for in section 10;

(3) to comply with the standards for the minimum distance between an operating site of a new pit or quarry and any dwelling, school or other educational institution, place of worship, campground or health and social services institution as provided for in section 11;

(4) to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any stream, river, sea, lake, swamp or sandbank as provided for in the first paragraph of section 14;

(5) to obtain the authorization required by the third paragraph of section 14 to operate a new pit in any of the locations referred to in the first or second paragraph of that section in accordance with the third paragraph;

(6) to comply with the standards for the minimum distance between a new pit or quarry and any well, water source or other water intake used to supply a waterworks network as provided for in section 15;

(7) to submit a new application for a certificate of authorization in the cases and on the conditions provided for in the second paragraph of section 20;

(8) to comply with the conditions for the extension of a pit or quarry prescribed by section 21;

(9) to obtain a certificate of authorization for the use of fertilizing waste substances for the revegetation of a quarry or pit as prescribed by the second paragraph of section 43;

(10) to clear the surface of the pit or quarry from all debris referred to in section 44 on completion of the land restoration work in accordance with that section;

(11) to implement an altered restoration plan without having first forwarded the plan to the Minister for approval in accordance with section 46.

62. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails to comply with

(1) the standard for the minimum distance between the operating site of a pit or quarry and the boundaries of any ecological reserve as provided for in section 16;

(2) the standard for the minimum distance between private access roads to a new pit or quarry and any structure or immovable as provided for in section 17;

(3) the standard for the minimum distance between the operating site of a quarry and any public thoroughfare as provided for in section 18;

(4) the standard for the minimum distance between the operating site of a quarry and the property line of any piece of property owned by a party other than the operator of the lot in which the quarry is located as provided for in section 19.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) establishes a new pit or quarry, the operating site of which is located in a territory zoned for residential, commercial or mixed purposes, in contravention of section 10;

(2) operates a pit or quarry in a location referred to in the second paragraph of section 14, in contravention of section 14;

(3) undertakes the operation of a pit or quarry in any of the territories referred to in section 57, in contravention of section 57.

63. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails to comply with

(1) the noise standards during the entire operation of a pit or quarry as prescribed by the second paragraph of section 12;

(2) the standard for the emission into the atmosphere of dust relating to crushers, dryers, screens, conveyors, elevators and bins installed in a quarry and any feeding or dumping point for aggregate material as prescribed by the first paragraph of section 25;

(3) the standard for the concentration of particulate matter relating to the sources of emission linked to a collecting system as prescribed by the second paragraph of section 25;

(4) the standard for the emission of particulate matter relating to the dust collecting apparatus linked to a dust collector system as prescribed by section 32;

(5) the emission standard for the handling, transportation, storage, deposit or elimination of dust recovered by dust collector systems as prescribed by section 33;

(6) the standard for the emission of impulsive or discontinuous seismic waves relating to the operation of a quarry as prescribed by section 34.

The penalty provided for in the first paragraph may also be imposed on any person who discharges into the environment water that does not comply with the standards prescribed by section 22 or 23.

DIVISION X **PENAL SANCTIONS**

64. Every person who

(1) contravenes section 6, the first paragraph of section 20, section 24, 28, 31, 36, 38, 39, 40 or 41, the first paragraph of section 43 or section 45, 52, 53 or 56,

(2) fails to install a dust collecting apparatus linked to a dust collector system in accordance with section 32,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

65. Every person who contravenes section 30 or 54 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

66. Every person who

(1) contravenes section 2 or 11, the first or third paragraph of section 14, section 15, the second paragraph of section 20, section 21, the second paragraph of section 43 or section 44 or 46,

(2) fails to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any territory zoned for residential, commercial or mixed purposes provided for in section 10,

(3) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

67. Every person who

(1) establishes a new pit or quarry, the operating site of which is located in a territory zoned for residential, commercial or mixed purposes, in contravention of section 10;

(2) contravenes the second paragraph of section 14 or section 16, 17, 18, 19 or 57,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

68. Every person who

(1) contravenes the second paragraph of section 12, section 22 or 23, the first or second paragraph of section 25 or section 33 or 34,

(2) fails to comply with the standard for the emission of particulate matter relating to the dust collecting apparatus linked to a dust collector system prescribed by section 32,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

69. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

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Gouvernement du Québec

O.C. 659-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Motor vehicle traffic in certain fragile environments
— Amendment**

Regulation to amend the Regulation respecting motor vehicle traffic in certain fragile environments

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting motor vehicle traffic in certain fragile environments (chapter Q-2, r. 9);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting motor vehicle traffic in certain fragile environments was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting motor vehicle traffic in certain fragile environments, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting motor vehicle traffic in certain fragile environments

Environment Quality Act
(chapter Q-2, ss.115.27 and 115.34)

1. The Regulation respecting motor vehicle traffic in certain fragile environments (chapter Q-2, r. 9) is amended by inserting the following after section 6:

“**6.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who uses a motor vehicle other than a snowmobile

(1) on the dunes in Îles-de-la-Madeleine, except on designated trails developed in accordance with the law, or on any other dunes in the domain of the State, as prohibited by section 2;

(2) in peat bogs in the domain of the State situated in the areas referred to in the first paragraph of section 3, as prohibited by that section;

(3) on the beaches, offshore bars, in marshes and swamps situated in the areas referred to in the first paragraph of section 4, as prohibited by that section.

6.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who organizes or participates in a

motor vehicle race, rally or competition in a marsh, swamp or peat bog, or on a dune, offshore bars or a beach, as prohibited by section 1.

6.3. Every person who contravenes section 2, 3 or 4 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

6.4. Every person who contravenes section 1 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.”

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

2798

Gouvernement du Québec

O.C. 660-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Biomedical waste — Amendment

Regulation to amend the Regulation respecting biomedical waste

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting biomedical waste (chapter Q-2, r. 12);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting biomedical waste was published in Part 2 of the *Gazette officielle du Québec*

of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting biomedical waste

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting biomedical waste (chapter Q-2, r. 12) is amended by inserting the following after section 64:

“DIVISION III.2 MONETARY ADMINISTRATIVE PENALTIES

64.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to comply with the minimum measurement of a label prescribed by the second paragraph of section 23;

(2) to inform the Minister in writing of the completion of the work in accordance with paragraph 4 of section 36;

(3) to comply with the conditions relating to a sign prescribed by the second paragraph of section 38.

64.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to keep the register prescribed by section 12, 13 or 14, according to the conditions and frequencies provided for therein;

(2) to prepare a report that complies with the requirements of section 15 on the date provided for in that section;

(3) to keep a report or register referred to in section 16 for the period provided for in that section;

(4) to send in writing to the Minister the information prescribed by section 18 on the date provided for in that section;

(5) to affix or to fill out an identification label that complies with the requirements of the first paragraph of section 23;

(6) to affix a sign that complies with the requirements of the first paragraph of section 38;

(7) to notify the Minister in writing of any change referred to in section 64 within the period provided for in that section.

64.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions prescribed by section 9 in respect of ash from the incineration of biomedical waste;

(2) to comply with the safety conditions prescribed by section 17 as to the site at which biomedical waste is stored or treated;

(3) to design the building intended for storing or treating biomedical waste referred to in section 28 in accordance with that section;

(4) to set up cleaning equipment referred to in section 29 in accordance with that section;

(5) to unload biomedical waste in accordance with the requirements of section 31;

(6) to comply with the safety conditions of the compartments prescribed by the third paragraph of section 40;

(7) to carry out cleaning referred to in section 45 after biomedical waste has been unloaded in accordance with that section;

(8) to set up a guarantee or to keep it in force in accordance with section 56, or to forward a renewed guarantee or to provide an equivalent guarantee in accordance with the third paragraph of section 60.

The penalty provided for in the first paragraph may also be imposed on any person who, in contravention of section 32 or the first paragraph of section 40, delivers or transports biomedical waste where the conditions provided for in any of sections 10, 22 or 23 or, where applicable, section 33 are not complied with.

64.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to keep in good working order the equipment referred to in section 8;

(2) to keep biomedical waste at the temperature provided for in the second paragraph of section 22, section 33 or the third paragraph of section 40;

(3) to ensure that vehicles or containers used to transport biomedical waste serve only for that purpose in accordance with section 37;

(4) to equip a vehicle used to transport biomedical waste with either of the elements provided for in section 39.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) mechanically compresses biomedical waste in contravention of section 10;

(2) stores biomedical waste in contravention of the requirements of section 21;

(3) puts biomedical waste referred to in the first paragraph of section 22 into containers that do not comply with the conditions provided for in that section;

(4) transfers biomedical waste from one vehicle to another during transport in contravention of section 43.

64.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to notify the Minister in writing of the date on which the operations of a facility referred to in section 36 will shut down or to file a timetable with the Minister of shutdown operations within the period provided for in paragraph 1 of that section;

(2) to carry out the removal or cleaning work prescribed by paragraph 2 or 3 of section 36 on the conditions provided for in that section;

(3) to notify the Minister if, during transport, biomedical waste or a substance is released into the environment in accordance with paragraph 3 of section 44.

64.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails

(1) to treat biomedical waste in accordance with the requirements of section 5, 6 or 7 according to their nature or place of origin;

(2) to ship or to consign biomedical waste referred to in section 24 or 25 to a holder of a certificate of authorization referred to therein.

The penalty provided for in the first paragraph may also be imposed on any person who, in contravention of section 35, receives biomedical waste where the treatment or storage operations of biomedical waste have permanently ceased or are suspended.

64.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) discharges biomedical waste into a sewer system in contravention of section 11;

(2) fails to take any of the measures prescribed by paragraph 1 or 2 of section 44 in the cases and on the conditions provided for in that section.”

2. The heading of Division IV is amended by replacing “PENALTIES” before section 65 by “PENAL SANCTIONS”.

3. Sections 65 and 66 are replaced by the following:

“**65.** Every person who contravenes the second paragraph of section 23, paragraph 4 of section 36 or the second paragraph of section 38 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

66. Every person who contravenes any of sections 12 to 18, the first paragraph of section 23 or 38 or section 64 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

66.1. Every person who

(1) contravenes section 9, 17, 28, 29, 31 or 32, the first paragraph of section 40, section 45 or 56 or the third paragraph of section 60,

(2) fails to comply with the safety conditions prescribed by the third paragraph of section 40,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

66.2. Every person who

(1) contravenes section 8, 10, 21, 22, 33, 37, 39 or 43,

(2) fails to keep biomedical waste at the temperature provided for in the third paragraph of section 40,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

66.3. Every person who

(1) contravenes any of paragraphs 1 to 3 of section 36 or paragraph 3 of section 44,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

66.4. Every person who contravenes any of sections 5 to 7, 24, 25 or 35 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

66.5. Every person who contravenes section 11 or paragraph 1 or 2 of section 44 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

66.6. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

Gouvernement du Québec

O.C. 661-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Solid waste
— **Amendment**

Regulation to amend the Regulation respecting solid waste

WHEREAS, under section 20 and subparagraphs *c, d, e, f, g* and *h* to *h.2* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, define standards for the protection and quality of the environment, determine the terms and conditions whereunder an application for an authorization and an application to amend or renew an authorization must be made, determine the form and tenor of such an authorization, determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant, and prescribe that any analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under paragraphs *b, c, f* and *g* of section 46 of the Act, the Government may make regulations to determine the maximum quantity or concentration of contaminant the discharge of which is allowed into water;

WHEREAS, under subparagraphs 2, 3 and 4 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, regulate the recovery and reclamation of residual materials;

WHEREAS, under paragraphs *c* and *d* of section 87 of the Act, the Government may make regulations to regulate construction, location and maintenance in respect of installations intended to receive or eliminate waste water and prescribe for each class of immovables or installations the issuance of a permit;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting solid waste (chapter Q-2, r. 13);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting solid waste was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting solid waste

Environment Quality Act
(chapter Q-2, s. 20, s. 31, 1st par., subpars. *c, d, e, g, h, h.1, h.2* and *m*, s. 46, 1st par., subpars. *b, c, f* and *g*, s. 53.30, 1st par., subpars. 2, 3 and 4, s. 87, pars. *c* and *d*, and ss. 124.1, 115.27 and 115.34)

1. The Regulation respecting solid waste (chapter Q-2, r. 13) is amended by revoking paragraphs *a, c, d, h, j, k, p, q, r* and *s* of section 1.

2. Sections 1.1 to 7.1, 9, 10, 17 to 21, 23 to 29 and 32 to 35 are revoked.

3. Section 36 is amended by striking out everything that follows “must be useable”.

4. Section 40 is replaced by the following:

“**40. Posting of a sign:** A conspicuous sign must be posted at the entrance to a sanitary landfill that has been permanently closed stating that the landfill is closed and that the disposal of residual materials is prohibited.”

5. Sections 42 to 44 and 46 to 51 are revoked.

6. Section 52 is amended by striking out “Outside regular operating hours or in the absence of compacting and covering attendants.”.

7. Sections 53 to 74 and 76 to 87 are revoked.

8. Section 88 is replaced by the following:

“**88. Other operating standards:** Section 40 applies at all times, with the necessary modifications, to dry materials disposal sites.”.

9. Sections 91 to 100.2 are revoked.

10. Section 100.3 is replaced by the following:

“**100.3. Fence and gate:** A waste disposal site in the North must be surrounded by a fence equipped with a gate to prevent access to the site. They must be at least 2.5 metres high and the gate must remain closed at all times.”.

11. Sections 100.4 to 103, 105 to 118 and 123 to 125 are revoked.

12. Section 126 is amended

(1) by striking out subparagraphs *c, d, e* and *f* of the first paragraph;

(2) by striking out the second paragraph.

13. The following is inserted after section 126:

“DIVISION XVI.1 MONETARY ADMINISTRATIVE PENALTIES

126.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to provide a permanently closed landfill with a sign that meets the requirements of section 40;

(2) to provide a site referred to in section 126 with a sign that meets the requirements of subparagraph *b* of the first paragraph of that section.

126.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to prevent motor vehicles from entering a sanitary landfill by one of the means provided for in section 52, in the cases and under the conditions set out in that section;

(2) to surround a waste disposal site in the North with a fence or equip the fence with a gate that meet the requirements of section 100.3 or to keep the gate closed at all times, in accordance with that section;

(3) to permanently prohibit access to a site referred to in section 126, by a means that complies with the requirements of subparagraph *a* of the first paragraph of that section.

126.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to carry out the sampling or analysis of the water samples referred to in section 30.3 in accordance with the terms and conditions of that section, section 30.4 or section 30.5;

(2) to ensure that the roads and areas referred in section 36 are useable;

(3) to provide a sanitary landfill with a buffer zone that meets the requirements of the first or second paragraph of section 39;

(4) to comply with either of the conditions prescribed by section 45 regarding the final cover or revegetation of a sanitary landfill;

(5) to ensure that the final profile of a dry materials disposal site meets the conditions set out in section 89;

(6) to immediately apply the final cover of a dry materials disposal site, in the cases and under the conditions set out in section 90.

126.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to ensure that an outside stabilization or oxidation pond referred to in section 31.1 meets the conditions set out in paragraphs *a* to *m* of that section;

(2) to provide a sanitary landfill with a drainage system that complies with the requirements of section 38.

126.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails to comply with the siting standards prescribed by the first or second paragraph of section 31.

126.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who dilutes leachate before it is discharged into a network referred to in section 30.1, in contravention of section 30.1.

126.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who discharges into a network referred to in section 30 leachate that does not comply with the standards prescribed by subparagraphs *a* to *s* of the first paragraph of that section.

DIVISION XVI.2 PENAL SANCTIONS

126.8. Every person who contravenes section 40 or subparagraph *b* of the first paragraph of section 126 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

126.9. Every person who contravenes section 52 or 100.3 or subparagraph *a* of the first paragraph of section 126 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

126.10. Every person who contravenes section 30.3, 30.4, 30.5, 36, 39, 45, 89 or 90 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

126.11. Every person who contravenes section 31.1 or 38 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

126.12. Every person who contravenes section 31 or, under this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

126.13. Every person who contravenes section 30.1 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

126.14. Every person who contravenes section 30 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

126.15. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

14. Sections 127, 128, 130 and 131 are revoked.

15. Section 132 is replaced by the following:

“**132. Existing elimination sites:** This Regulation applies to elimination sites established before 10 May 1978.”.

16. Sections 132.1 to 138 are revoked.

17. Schedules A and C are revoked.

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

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Gouvernement du Québec

O.C. 662-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Declaration of water withdrawals
— Amendment**

Regulation to amend the Regulation respecting the declaration of water withdrawals

WHEREAS, under paragraph s of section 46 of the Environment Quality Act (chapter Q-2), the Government may make regulations to regulate withdrawals of surface water or groundwater;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the declaration of water withdrawals was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the declaration of water withdrawals, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the declaration of water
withdrawals**

Environment Quality Act
(chapter Q-2, ss. 46, par. s, 115.27 and 115.34)

1. The Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) is amended in section 8 by striking out “after 10 September 2009”.

2. Section 9 is amended

(1) by striking out “and must attest to the accuracy of the information contained therein” at the end of the third paragraph;

(2) by replacing the sixth paragraph by the following:

“The person who writes a declaration provided for in this section must attest to the accuracy of the information contained therein.”

3. Section 18.7 is amended by adding the following paragraph:

“This section applies as of 1 January 2016 for water withdrawals made for agricultural or fish-breeding purposes during 2015.”

4. The heading of Title III is amended by replacing “PENAL AND” by “PENALTIES AND”.

5. The heading of Chapter I, preceding section 19, is replaced by “MONETARY ADMINISTRATIVE PENALTIES”.

6. The following is inserted after the heading of Chapter I and before section 19:

18.8. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to send the declaration referred to in section 9 to the Minister within the periods or on the conditions provided for in the second, third or fourth paragraph of that section;

(2) to keep or make available to the Minister, during the period provided for, the documents in support of the declaration in accordance with the seventh paragraph of section 9;

(3) to keep or make available to the Minister a register prescribed by section 10 during the period and on the conditions provided for in that section.

18.9. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to determine the volumes of water withdrawn in the manner prescribed by section 5;

(2) to install appropriate measuring equipment in the cases and on the conditions provided for in section 5.1;

(3) to make the calculations or cause to be made the calculations prescribed by the second paragraph of section 7 in accordance with the conditions provided for therein or to have the estimates certified by a professional in accordance with the third paragraph of that section;

(4) to fit a withdrawal site referred to in section 8 with prescribed measuring equipment in accordance with that section;

(5) to send to the Minister the declaration referred to in section 9 in accordance with the first, fifth or sixth paragraph of that section;

(6) to comply with any conditions provided for in section 11 relating to the installation of measuring equipment or section 12 relating to the maintenance, verification or replacement of such equipment;

(7) to ensure that the reading of measuring equipment complies with section 13;

(8) to take the reading of volume data from measuring equipment at least once a month in accordance with the second paragraph of section 14;

(9) to comply with the indications provided for in section 15 relating to the volumes of water withdrawn if the measuring equipment ceases to function or malfunctions, or a discrepancy in a reading is detected;

(10) to comply with the conditions provided for in section 16 or 17 regarding an estimate of volumes of water withdrawn or the intervals of the measurements;

(11) to replace or modify the estimation method or use conforming measuring equipment if the margin of error established under the first paragraph of section 18 is exceeded in accordance with that section;

(12) to send to the Minister the declaration referred to in section 18.7 or any other information provided for in that section in accordance with the conditions provided for therein.

18.10. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who tampers with or alters the proper functioning or reading of the measuring equipment or diverts water or otherwise affects the direction, flow rate or streamflow of water, so as to alter the evaluation required under this Regulation of the volume of withdrawals.

7. The following is inserted before section 19:

**“CHAPTER I.1
PENAL SANCTIONS”.**

8. Section 19 is replaced by the following:

“19. Every person who contravenes the second, third, fourth or seventh paragraph of section 9 or section 10 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

19.1. Every person who contravenes section 5 or 5.1, the second or third paragraph of section 7, section 8, the first, fifth or sixth paragraph of section 9, section 11, 12 or 13, the second paragraph of section 14, section 15, 16, 17, 18 or 18.7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

19.2. Every person who

(1) tampers with or alters the proper functioning or reading of the measuring equipment or diverts water or otherwise affects the direction, flow rate or streamflow of water, so as to alter the evaluation required under this Regulation of the volume of withdrawals,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

19.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

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

Gouvernement du Québec

O.C. 663-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Liquid effluents of petroleum refineries
— Amendment**

Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries

WHEREAS, under subparagraphs *c*, *e*, *h* and *h.2* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit or control sources of contamination, define standards for the protection and quality of the environment, determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant, and prescribe that any analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. c, e, h, h.2, s. 46, par. c, and ss. 115.27 and 115.34)

1. The Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16) is amended by striking out “, as stated in the declaration previously submitted to the Minister to that effect pursuant to section 16” in the second paragraph of section 15.

2. Section 16 is revoked.

3. Section 20 is amended by striking out the second paragraph.

4. Section 22 is replaced by the following:

“**22.** Refining capacity of an existing petroleum refinery: The daily refining capacity of an existing petroleum refinery is the capacity communicated to the Minister before 9 January 1978, corresponding to the highest average daily amount of crude oil actually refined during 7 consecutive days in the 2 years preceding 9 November 1977.”

5. The following is inserted after section 24:

“DIVISION V MONETARY ADMINISTRATIVE PENALTIES

25. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to keep the data referred to in the second paragraph of section 15 in a register for a minimum period of 2 years;

(2) to respect the frequency or terms provided for in section 17 as to the sending of the results referred to in that section.

26. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to send to the Minister the results referred to in section 17.

27. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to comply with the sampling or preservation conditions of the samples provided for in section 18 or 19;

(2) to have the required analyses carried out under this Regulation by a laboratory accredited by the Minister in accordance with section 20;

(3) to change the declaration concerning the daily refining capacity of crude oil in the case provided for in section 24.

28. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to treat, in accordance with section 13, waste water originating from sanitary facilities referred to in that section;

(2) to take the measurements referred to in section 14 or 15, according to the prescribed conditions.

29. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who deposits in the environment a liquid effluent or storm water that does not comply with the standards provided for in section 4, 6, 9 or 11.

DIVISION VI PENAL SANCTIONS

30. Every person who fails

(1) to keep the data referred to in the second paragraph of section 15 in a register for a minimum period of 2 years,

(2) to respect the frequency or terms provided for in section 17 as to the sending of the results referred to in that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

31. Every person who fails to send the results referred to in section 17 to the Minister commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

32. Every person who contravenes section 18, 19, 20 or 24 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

33. Every person who

(1) contravenes section 13 or 14 or fails to take the measurements provided for in section 15 according to the prescribed conditions,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

34. Every person who contravenes section 4, 6, 9 or 11 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

35. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

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Gouvernement du Québec

O.C. 664-2013, 19 June 2013Environment Quality Act
(chapter Q-2)**Greenhouse gas emissions from motor vehicles
— Amendment**

Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Le greffier du Conseil exécutif

**Regulation to amend the Regulation
respecting greenhouse gas emissions from
motor vehicles**

Environment Quality Act
(chapter Q-2, ss. 53, 115.27 and 115.34)

1. The Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17) is amended by inserting the following after section 22:

**“CHAPTER III.1
MONETARY ADMINISTRATIVE PENALTIES**

22.1. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to send to the Minister and to the beneficiary of the trading of credits allocated by the Minister a written notice containing the information prescribed by the first paragraph of section 14;

(2) to file with the Minister, not later than 31 August of each year, an annual report containing the information and data prescribed by the first paragraph of section 21 or to have the information certified and signed by an independent third person in accordance with the second paragraph of that section;

(3) to comply with the conditions of form or transmission of the report provided for in the third paragraph of section 21;

(4) to keep on the conditions and for the period provided for in section 22 the supporting documents and the records referred to in that section.

22.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who

(1) sells or trades a credit obtained pursuant to this Regulation otherwise than for the purposes referred to in the second paragraph of section 14;

(2) fails to pay the Minister, not later than 31 August of the fifth year following the model year, the fees payable for vehicles of a given model year in accordance with section 19.”

2. The heading of Chapter IV before section 23 is replaced by “PENAL SANCTIONS AND FINAL AND TRANSITIONAL”.

3. Section 23 is replaced by the following:

“**23.** Every person who contravenes the first paragraph of section 14, section 21 or 22 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

23.1. Every person who contravenes the second paragraph of section 14 or section 19 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

23.2. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.”

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

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Gouvernement du Québec

O.C. 665-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Burial of contaminated soils — Amendment

Regulation to amend the Regulation respecting the burial of contaminated soils

WHEREAS, under section 70 of the Environment Quality Act (chapter Q-2), the Government may make regulations to regulate the elimination of residual materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the burial of contaminated soils was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the burial of contaminated soils, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Le greffier du Conseil exécutif

Regulation to amend the Regulation respecting the burial of contaminated soils

Environment Quality Act
(chapter Q-2, ss. 70, 115.27 and 115.34)

1. The Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18) is amended by replacing section 37 by the following:

“**37.** The operator must have the carrying out of development and final cover work of contaminated soil burial sites supervised by a certified and independent professional who must, in particular, verify the compliance of the material and equipment used.

The operator must provide the Minister, as soon as the site is completely laid out, with a report of the professional’s activities in which the professional attests the compliance of the facility with the applicable standards or, if applicable, indicates the elements that do not comply with the standards and the corrective measures to be taken.”.

2. The following is inserted after section 57:

“CHAPTER IV.1 MONETARY ADMINISTRATIVE PENALTIES

57.1. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to ask or to record in an annual operation register the information prescribed by the first paragraph of section 15 or to attach to the register the analysis report provided for in the second paragraph of that section or the data referred to in the third paragraph;

(2) to keep the operation registers and their schedules, in accordance with the fourth paragraph of section 15;

(3) to equip the entrance of a contaminated soil burial site with a sign that complies with paragraph 1 of section 19 or 42;

(4) to prepare the report provided for in section 21 or to provide it to the Minister according to the conditions provided for in that section;

(5) to keep the analysis report referred to in section 34 or 35 for the period provided for therein;

(6) to forward to the Minister a closing statement that complies with section 41 within the time provided for in that section;

(7) to forward to the Minister a report containing the information prescribed by section 44 in accordance with that section;

(8) to forward to the Minister the re-evaluation of the follow-up and monitoring program in accordance with section 45;

(9) to forward to the Minister the assessment of the burial site prescribed by section 47 within the time provided for in that section.

57.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions relating to the final cover of the contaminated soil burial site prescribed by section 9;

(2) to equip a contaminated soil burial site with a surface water collection system that complies with the requirements of section 14;

(3) to confirm the nature and the concentration values of substances present in the soils by means of an analysis report that complies with the requirements of the second paragraph of section 15 or to have the report certified by a laboratory accredited by the Minister;

(4) to have the required samples analyzed to validate an analysis report in accordance with the third paragraph of section 15;

(5) to meet the conditions relating to the operation of a contaminated soil burial site prescribed by section 16 or 17;

(6) to take the necessary measures to prevent the dispersal of dust in accordance with section 20;

(7) to restrict access to leachate treatment facilities in accordance with the requirements of section 23;

(8) to determine the quality of groundwater on the land in accordance with section 25;

(9) to measure, in accordance with section 28, the concentration and flow of gas at the outlet of the gas collection system of a contaminated soil burial site according to the frequency determined at the time the certificate of authorization is issued;

(10) to take a leachate sample or to analyze it or measure it in accordance with section 30;

(11) to take samples of the surface water collection system or to analyze them in accordance with section 32;

(12) to take a groundwater sample in each of the monitoring wells in accordance with section 33;

(13) to have samples analyzed by a laboratory accredited by the Minister in accordance with section 34;

(14) to verify the effectiveness of a collection system or leachate treatment system and to leak test it in accordance with section 35;

(15) to have the carrying out of the work referred to in the first paragraph of section 37 supervised by a certified and independent professional or to provide the Minister with a report of the professional's activities in accordance with the second paragraph of that section;

(16) to repair holes, fissures or subsidence in accordance with section 39;

(17) to have a closing statement that complies with section 41 prepared by a certified and independent professional, within the time provided for in that section;

(18) to be responsible for the carrying out of the sampling, analysis and measuring programs provided for in subparagraph 3 of the second paragraph of section 43;

(19) to record in a report a complete evaluation of the follow-up and monitoring data or to include in that report a summary of the evaluation and an up-to-date follow-up and monitoring program in accordance with section 44;

(20) to carry out the re-evaluation of the follow-up and monitoring program in accordance with section 45;

(21) to include, in the follow-up and monitoring program, the analysis referred to in section 46 in accordance with that section;

(22) to provide security, in accordance with section 48, or to provide the amounts of that security, in accordance with section 49, at the time or according to the frequency provided for therein.

57.3. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to provide a buffer zone that complies with the conditions prescribed by section 10 on the periphery of a contaminated soil burial site;

(2) to equip the zone on which the contaminated soils will be deposited with an impermeabilization system that complies with the conditions prescribed by the second paragraph of section 11;

(3) to lay out the natural layer and impermeable membranes in accordance with the conditions prescribed by the third paragraph of section 11;

(4) to equip a contaminated soil burial site with a leachate collection system that complies with the conditions prescribed by section 12;

(5) to equip a contaminated soil burial site with a system enabling all gas present in the soil to be collected and sampled in accordance with section 13;

(6) to keep, at all times, a system referred to in section 18 in working order or to carry out the tests or maintenance or cleaning work depending on the frequency agreed upon when the certificate of authorization is issued;

(7) to ensure that the components of the leachate treatment system are leakproof in accordance with section 18;

(8) to equip the entrance of a contaminated soil burial site with a gate or any other device that prevents access to the site in accordance with paragraph 2 of section 19 or 42;

(9) to carry out every discharge into the hydrographic surface network or a storm sewer network in the manner provided for in the second paragraph of section 22;

(10) to lay out a monitoring network in accordance with the requirements of section 26;

(11) to take a sample of water or to have it analyzed in accordance with section 31;

(12) to take a groundwater sample where contaminants are detected or to have them analyzed in accordance with section 33;

(13) to comply with the conditions of final cover of a contaminated soil burial site prescribed by section 38;

(14) to close a burial site within the time provided for in section 40;

(15) to maintain the integrity of the final cover of contaminated soils in accordance with subparagraph 1 of the second paragraph of section 43;

(16) to monitor or to maintain the equipment and system referred to in subparagraph 2 of the second paragraph of section 43;

(17) to have a certified and independent professional prepare an assessment provided for in the first paragraph of section 47, within the time provided for in that section.

57.4. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails to forward to the Minister in writing the notices or information prescribed by section 36 or 40, within the time provided for therein.

57.5. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) disposes of or introduces into contaminated soil burial sites prohibited soils pursuant to section 4 or any other material that may not be received therein pursuant to this Regulation;

(2) fails to comply with a location or layout standard of a contaminated soil burial site prescribed by any of section 5, 6, 7 or 8 or the first paragraph of section 11.

57.6. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) stores contaminated soils elsewhere than on the land or in a site referred to in section 3;

(2) discharges into the environment leachates or surface water referred to in the first paragraph of section 22 without complying with the values established when the certificate of authorization is issued;

(3) dilutes leachates in contravention of section 24;

(4) discharges into the environment gas referred to in section 27 without complying with the values established at the time the certificate of authorization is issued.”

3. The heading of Chapter V is amended by replacing “PENAL” before section 58 by “PENAL SANCTIONS”.

4. Sections 58 to 63 are replaced by the following:

“**58.** Every person who contravenes the first or fourth paragraph of section 15, paragraph 1 of section 19, section 21 or paragraph 1 of section 42 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

Every person who fails

(1) to attach to the operation register the analysis report provided for in the second paragraph of section 15 or the data referred to in the third paragraph of that section,

(2) to keep the analysis report referred to in section 34 or 35 for the period provided for therein,

(3) to forward to the Minister a closing statement in accordance with section 41,

(4) to comply with the period provided for in section 44 to carry out the evaluation referred to in that section or to forward to the Minister the report in which the evaluation is recorded in accordance with that section,

(5) to comply with the period provided for in section 45 to carry out and forward to the Minister the re-evaluation of the follow-up and monitoring program provided for in that section in accordance with that section,

(6) to forward to the Minister the assessment prescribed by section 47 within the time provided for in that section,

also commits an offence and is liable to the same fines.

59. Every person who contravenes section 9, 14, 16, 17, 20, 23, 25, 28, 30, 32, 37 or 39, subparagraph 3 of the second paragraph of section 43 or section 46, 48 or 49 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

Every person who fails

(1) to confirm the nature and the concentration values of substances present in the soils by means of an analysis report that complies with the requirements of the second paragraph of section 15 or to have the report certified by a laboratory accredited by the Minister,

(2) to have the required samples analyzed to validate an analysis report in accordance with the third paragraph of section 15,

(3) to take a groundwater sample in each of the monitoring wells in accordance with the conditions prescribed by section 33,

(4) to have the samples referred to in section 34 analyzed by a laboratory accredited by the Minister in accordance with that section,

(5) to verify the effectiveness of a collection system or leachate treatment system and to leak test it in accordance with section 35,

(6) to have a closing statement that complies with section 41 prepared by a certified and independent professional, within the time provided for in that section,

(7) to record in a report a complete evaluation of the follow-up and monitoring data or to include a summary of the evaluation and an up-to-date follow-up and monitoring program in accordance with section 44,

(8) to carry out the re-evaluation of the follow-up and monitoring program referred to in section 45,

also commits an offence and is liable to the same fines.

60. Every person who contravenes section 10, the second or third paragraph of section 11, section 12 or 13, paragraph 2 of section 19, the second paragraph of section 22, section 26, 31 or 38, paragraph 2 of section 42 or subparagraph 1 or 2 of the second paragraph of section 43 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails

(1) to keep, at all times, a system referred to in section 18 in working order or to carry out the tests or maintenance or cleaning work depending on the frequency agreed upon when the certificate of authorization is issued,

(2) to ensure that the components of the leachate treatment system are leakproof in accordance with section 18,

(3) to take a groundwater sample if contaminants are detected or have them analyzed in accordance with section 33,

(4) to close a burial site within the time provided for in section 40,

(5) to have a certified and independent professional prepare an assessment provided for in the first paragraph of section 47, within the time provided for in that section,

also commits an offence and is liable to the same fines.

61. Every person who

(1) contravenes section 36 or fails to forward, within the time provided for in that section, a notice to the Minister of the date on which the burial site will close in accordance with section 40,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

62. Every person who

(1) contravenes any of sections 5 to 8 or the first paragraph of section 11,

(2) disposes of or introduces into contaminated soil burial sites prohibited soils pursuant to section 4 or any other material that may not be received therein pursuant to this Regulation,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

63. Every person who contravenes section 3, the first paragraph of section 22 or section 24 or 27 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

63.1. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

Gouvernement du Québec

O.C. 666-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Landfilling and incineration of residual materials — Amendment

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials

WHEREAS, under subparagraphs *c*, *e*, and *h* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, define standards for the protection and quality of the environment, and determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant;

WHEREAS, under section 70 of the Act, the Government may make regulations to regulate the elimination of residual materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the landfilling and incineration of residual materials was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the landfilling and incineration of residual materials, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Le greffier du Conseil exécutif

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c*, *e* and *h*, ss. 70, 115.27 and 115.34)

1. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended in section 36 by replacing the second paragraph by the following:

“As and when the development work is completed, the operator of a landfill must send to the Minister the reports of the independent experts in charge of verifying and supervising the work as required by section 35 and this section confirming compliance of the installation with the applicable standards, or indicating cases of non-compliance with those standards and remedial measures to be taken.”

2. Section 122 is amended by replacing “Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38)” in the first paragraph by “Clean Air Regulation (chapter Q-2, r. 4.1)”.

3. The following is inserted after section 149:

“CHAPTER VI.1 MONETARY ADMINISTRATIVE PENALTIES

149.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to have, at the landfill entrance, a sign complying with paragraph 1 of section 45;

(2) to form a watchdog committee within the period and in the manner provided for in the first and second paragraphs of section 72 or to ensure the operation of the committee in the case provided for in the fifth paragraph of that section;

(3) to fill any vacancy on the watchdog committee according to the terms referred to in the fourth paragraph of section 72;

(4) to inform the watchdog committee of any situation referred to in the first paragraph of section 77 or to make available to or provide the committee with, in a timely manner, all the documents or information prescribed by the second paragraph of that section;

(5) to pay all operating expenses of the watchdog committee in accordance with section 78;

(6) to post at the entrance to a landfill that has been permanently closed a sign complying with section 82 or the third paragraph of section 96, as the case may be.

149.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to comply with the accessibility conditions prescribed by section 29 or 33;

(2) to obtain the reports referred to in the second paragraph of section 36 or to send them to the Minister in accordance with that paragraph;

(3) to enter in a log the information prescribed by the first paragraph of section 39, the first or second paragraph of section 40 or the third paragraph of section 40.1;

(4) to keep the log and its appendices referred to in section 39 or to make them available to the Minister, for the periods and on the conditions provided for in the second paragraph of section 39;

(5) to enter the results referred to in the fourth paragraph of section 42 or 105 in the annual report provided for in section 52;

(6) to have, at the landfill entrance, a barrier or other device complying with paragraph 2 of section 45;

(7) to prepare an annual report containing the data, documents or information provided for in subparagraphs 1 to 6 of the first paragraph of section 52 or to comply with the periods and conditions for sending the report provided for in the second paragraph of section 52;

(8) to keep the analysis reports referred to in the second paragraph of section 70 during the period provided for therein;

(9) to send to the Minister the results referred to in the first or third paragraph of section 71 in accordance with the periods and conditions for transmission provided for therein;

(10) to immediately notify the Minister in writing of the date of closure of a landfill in accordance with section 80;

(11) to have prepared or to send to the Minister, within the period provided for in section 81, the closure report referred to therein containing the elements prescribed by subparagraphs 1 to 3 of the first paragraph or the second paragraph of that section;

(12) to keep or make available to the Minister the results referred to in the fourth paragraph of section 127 within the periods and on the conditions provided for therein;

(13) to send to the Minister the sampling report referred to in the first paragraph of section 134 according to the periods and conditions provided for therein;

(14) to give notice in writing to the Minister and the regional county municipality in the cases and on the conditions provided for in the first or second paragraph of section 146;

(15) to notify the Minister in writing in the case and according to the period and conditions provided for in the second paragraph of section 155.

149.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to accept, in an engineered landfill, the eligible residual materials generated in the territories referred to in paragraphs 1 to 4 of section 10 or the inedible meat referred to in section 11;

(2) to comply with the conditions provided for in section 17 relating to the integration of an engineered landfill into the surrounding landscape;

(3) to maintain a buffer zone complying with the first or second paragraph of section 18 or to comply with the activity restrictions in such a zone in accordance with the third paragraph of that section;

(4) to meet the conditions provided for in section 19 or 30 relating to the siting of a landfill;

(5) to provide the zones or components referred to in the first paragraph of section 31 with a groundwater collection system in the cases provided for therein;

(6) to ensure that a groundwater collection system referred to in the first paragraph of section 31 complies with the conditions provided for in the second or third paragraph of that section or that it be halted only in the case provided for in the fourth paragraph of that section;

(7) to verify whether the residual materials received in a landfill may be landfilled in accordance with section 37;

(8) to weigh residual materials received for landfilling in a landfill or to perform radiological testing as soon as the materials are received and in the manner prescribed by the first paragraph of section 38;

(9) to comply with the conditions for the installation, use or maintenance of the devices referred to in the second paragraph of section 38, as provided for in that paragraph;

(10) to obtain the results of the analyses or measures provided for in the second paragraph of section 40 before receiving the soils referred to therein;

(11) to verify the acceptance of soils referred to in section 40.1 by having taken to have them analyzed the samples referred to in the first or second paragraph of that section in accordance with the conditions provided for therein;

(12) to comply with the conditions relating to the deposit or covering of the residual materials provided for in the first or second paragraph of section 41;

(13) to comply with the conditions provided for in the first, second, third or fifth paragraph of section 42 relating to soils or other materials that may be used to cover residual materials;

(14) to make the periodic verifications prescribed by the fourth paragraph of section 42 according to the frequency and conditions provided for therein;

(15) to landfill residual materials in the zones prescribed by section 43;

(16) to comply with the visibility conditions provided for in section 46 regarding residual materials landfilling operations;

(17) to take the measures prescribed by the first paragraph of section 48 to prevent wind dispersal or scattering of residual materials referred to therein;

(18) to proceed with the cleaning prescribed by the second paragraph of section 48 in the case and on the conditions provided for therein;

(19) to take the necessary measures to prevent or eliminate any infestation of pests in accordance with section 49;

(20) to cover the landfilled residual materials with a final cover in the cases provided for in the first paragraph of section 50 and in accordance with paragraphs 2 to 6 of that section;

(21) to comply with the conditions provided for in the first or second paragraph of section 51 relating to the vegetative layer or the repair of a final cover of an engineered landfill;

(22) to comply with the conditions provided for in section 56 permitting the infiltration of leachate or water into residual materials disposal areas;

(23) to measure the groundwater piezometric level in the case provided for in the second paragraph of section 66;

(24) to continuously measure the flow of biogas during the operating period of a biogas collection system referred to in section 68 or record the results in accordance with the first paragraph of that section;

(25) to monitor or have monitored every 3 months the concentrations prescribed by subparagraph 1 of the first paragraph of section 68;

(26) to comply with the conditions provided for in the first or second paragraph of section 69 relating to the samples referred to therein;

(27) to send for analysis to a laboratory accredited by the Minister the samples taken pursuant to this Regulation in accordance with the first paragraph of section 70;

(28) to allow watchdog committee members free access to the landfill and to any equipment or facility at the landfill in accordance with section 79;

(29) to comply with the conditions provided for in paragraphs 1, 3 or 4 of section 90 relating to a trench landfill;

(30) to comply with the conditions provided for in the first, second, third or fourth paragraph of section 91 relating to the final cover of a trench landfill;

(31) to comply with the conditions provided for in the first or second paragraph of section 92 in case of a temporary closure of all or part of a trench landfill for a period of 3 months or more;

(32) to surround a northern landfill by a fence or any other device complying with subparagraphs 1 to 3 of the first or a fire barrier complying with the second paragraph of section 96;

(33) to comply with the conditions provided for in the second or third paragraph of section 97 relating to the materials removed or sludge from a northern landfill;

(34) to provide a northern landfill with a surface water collection system or to discharge the water collected outside the landfill site in accordance with section 98;

(35) to burn the combustible residual materials referred to in the first paragraph of section 99 at the frequency and on the conditions provided for therein;

(36) to comply with the concentrations of contaminants prescribed by the third paragraph of section 99 or the second paragraph of section 100 relating to the soil used as final cover of the residual materials;

(37) to comply with the conditions provided for in the first paragraph of section 100 in the case of closure or non-use of a northern landfill for a period of 6 months or more;

(38) to comply with the conditions provided for in subparagraph 1 of the second paragraph of section 105 relating to a construction or demolition waste landfill;

(39) to comply with the concentrations of contaminants prescribed by the third paragraph of section 105 or 106 relating to the soil used as final cover for the construction or demolition waste;

(40) to make the periodic verifications prescribed by the fourth paragraph of section 105 at the frequency and on the conditions provided for therein;

(41) to comply with the conditions provided for in the first, third, fourth or fifth paragraph of section 106 relating to the final cover of a construction or demolition waste landfill;

(42) to comply with the prohibition to raise the ground surface provided for in the second paragraph of section 106;

(43) to comply with the conditions provided for in the first paragraph of section 117 relating to the cover of residual materials deposited in a remote landfill;

(44) to comply with the landfilling conditions provided for in section 118 relating to the sludge referred to therein;

(45) to comply, as the case may be, with the conditions provided for in the first or second paragraph of section 120 in the case of closure or non-use of a remote landfill;

(46) to provide an incineration facility referred to in the first paragraph of section 124 with a handling area or pit complying with the first or second paragraph of that section or clean the handling area in accordance with the third paragraph of that section;

(47) to comply with the conditions provided for in the fourth paragraph of section 124 relating to storage or parking outside an incineration facility;

(48) to provide an incineration facility referred to in the first paragraph of section 126 with at least 2 combustion chambers operating in compliance with the second or third paragraph of that section;

(49) to equip an incineration facility referred to in the first paragraph of section 126 with auxiliary burners complying with the fourth paragraph of that section;

(50) to equip an incineration facility referred to in the first, second or third paragraph of section 127 with the systems complying with that section;

(51) to send, for analysis, to a laboratory accredited by the Minister the gas samples referred to in section 134 in accordance with the second paragraph of that section;

(52) to comply with the conditions provided for in the first paragraph of section 138 relating to the loading and unloading of residual materials at a transfer station, the stockpiling or parking outside such a station;

(53) to comply with the conditions provided for in the second paragraph of section 138 where residual materials transfer activities cease for a period of more than 12 hours;

(54) to comply with the maximum volumes of residual materials that may be stored in a transfer station in the cases and on the conditions provided for in section 139.3;

(55) to obtain a guarantee the amount of which is established by section 140 in the cases and on the conditions provided for therein;

(56) to send renewal of the guarantee or another guarantee to the Minister in the cases referred to in section 143 according to the time limits and conditions provided for in that section;

(57) to comply with the conditions provided for in the second paragraph of section 159 relating to the height of the residual materials layers.

149.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions provided for in the first paragraph of section 9 relating to the landfilling of fly ash or residue that contains fly ash;

(2) to site an engineered landfill on land that complies with the conditions, in particular the siting conditions, prescribed by section 20, the first paragraph of section 21 or section 22;

(3) to ensure that the excavation carried out in a zone referred to in the second paragraph of section 21 complies with the conditions provided for therein;

(4) to comply with the conditions provided for in section 23 relating to the liner system referred to therein or at groundwater level;

(5) to comply with the conditions provided for in section 24 regarding the siting of an engineered landfill in a rock quarry or a mine;

(6) to provide an engineered landfill with a collection system complying with the first or third paragraph of section 25 or any other system in the case and on the conditions provided for in the second paragraph of that section;

(7) to provide an engineered landfill referred to in section 26 with a second collection system complying with that section;

(8) to comply with the conditions on design or the installation of leachate collection systems provided for in section 27;

(9) to ensure that every component of a system referred to in the first paragraph of section 28 is leakproof in accordance with that section;

(10) to provide an engineered landfill referred to in the first or second paragraph of section 32 with a biogas collection system complying with that section;

(11) to remove biogas collected in the landfills referred to in the second paragraph of section 32 using the equipment complying with the third or fourth paragraph of that section;

(12) to comply with the conditions provided for in the first or second paragraph of section 34 relating to the materials or the installation of the systems referred to in that section;

(13) to have verified the materials and equipment referred to in section 35 in accordance with that section;

(14) to have the work referred to in the first paragraph of section 36 supervised by independent experts in accordance with that section;

(15) to comply with the conditions provided for in the fourth or fifth paragraph of section 41 relating to the cover or landfilling of the residual materials referred to therein;

(16) to comply with the conditions provided for in the sixth paragraph of section 42 relating to the stockpiling in an engineered landfill of the contaminated soils or residual materials referred to therein;

(17) to maintain at all times in proper working order the systems referred to in section 44 or to control, maintain or clean those systems in accordance with that section;

(18) to ensure that the systems referred to in section 44 work as to guarantee compliance with the requirements of section 27;

(19) to comply with the terms provided for in the first, second or third paragraph of section 61 regarding the operation of the systems and equipment referred to therein;

(20) to ensure that the concentration of nitrogen or oxygen prescribed by the first paragraph of section 62 are met in the cases and on the conditions referred to therein;

(21) to comply with the conditions provided for in the third paragraph of section 62 relating to the halting of the biogas pumping system referred to therein;

(22) to take or have taken or have analyzed the samples prescribed by section 63 according to the frequency and conditions provided for in that section;

(23) to measure the flow of the leachate or the flow of the discharges referred to in the sixth paragraph of section 63, on the conditions referred to therein;

(24) to leak test or have leak tested the pipes or components referred to in the first or second paragraph of section 64 according to the frequency and conditions provided for therein;

(25) to install the required number of wells or networks of observation wells prescribed by section 65 in the cases and on the conditions provided for therein;

(26) to take or have taken or have analyzed the samples prescribed by the first paragraph of section 66 according to the frequency and conditions provided for in the first, third, or, in the case provided for therein, the fifth paragraph of that section;

(27) to measure or have measured the concentration of methane at the frequency and on the conditions provided for in section 67;

(28) to measure or have measured the concentration of methane at the frequencies and on the conditions provided for in subparagraph 2 or 3 of the first paragraph of section 68 in the cases referred to therein;

(29) to continuously measure the destruction temperature or the flow rate of the biogas referred to in the first or second paragraph of section 68 or to verify the destruction efficiency for the organic compounds other than methane in the cases and on the conditions provided for in the second paragraph of that section;

(30) to permanently close a landfill in the cases provided for in section 80;

(31) to cover as soon as deposited the residual materials referred to in paragraph 2 of section 90 or the second paragraph of section 99 or 117 with other materials or soils in the cases provided for in those sections;

(32) to cover as soon as deposited bituminous coated materials referred to in subparagraph 2 of the second paragraph of section 105 with other materials;

(33) to provide a construction or demolition waste landfill with a system referred to in section 107 and to put in operation such system on the date provided for in the second paragraph of that section;

(34) to comply with the conditions provided for in section 108 relating to the final profile of a filled construction or demolition waste landfill;

(35) to comply with the conditions provided for in section 119 relating to the final cover of a remote landfill;

(36) to comply with the conditions provided for in the first paragraph of section 125 relating to the layout of an incineration facility referred to in that section;

(37) to perform or have performed the testing provided for in section 132 in the cases and on the conditions and according to the methods provided for in that section or the first paragraph of section 134.

149.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) deposits permanently the residual materials referred to in the first paragraph of section 6 elsewhere that on a landfill authorized as provided for in that section;

(2) does not comply with the conditions and restrictions for siting provided for in section 13, 14, 15 or 16 relating to a landfill;

(3) fails to send to the Minister the information provided for in the second paragraph of section 71 in the case provided for therein;

(4) establishes a trench landfill in a territory other than those provided for in section 87 or does not comply with the conditions provided for in section 86 regarding the establishment of such landfill in one of the territories;

(5) does not comply with the conditions provided for in section 88 relating to the siting of a trench landfill or the lowering of the groundwater level;

(6) does not comply with the conditions permitting the establishment of a northern landfill provided for in section 94 or the conditions relating to the siting of such landfill provided for in section 95;

(7) does not comply with the conditions provided for in the first paragraph of section 97 relating to the bottom of the disposal areas of a northern landfill or the lowering of the groundwater level;

(8) does not comply with the conditions permitting the establishment or enlargement of a construction or demolition waste landfill referred to in the second paragraph of section 102 provided for in the first paragraph of section 103;

(9) does not comply with the conditions provided for in the second paragraph of section 104 relating to the siting of a construction or demolition waste landfill;

(10) establishes a remote landfill in a territory other than those provided for in section 112 or does not comply with the conditions provided for in section 111 or 114 regard the establishment or siting of such landfill in one of the territories;

(11) receives, in a remote landfill, residual materials prohibited pursuant to section 113;

(12) does not comply with the conditions provided for in section 116 relating to the bottom of the disposal areas of a remote landfill or the lowering of the groundwater level;

(13) operates a transfer station referred to in the first paragraph of section 139.1 while unauthorized to do so pursuant to that section;

(14) does not comply with the restriction provided for in the fourth paragraph of section 139.2 regarding the number of low capacity transfer stations that may be established in a territory referred to therein;

(15) establishes or enlarges a landfill referred to in section 145 without complying with the conditions provided for therein;

(16) does not comply with the conditions provided for in the second, third or fifth paragraph of section 161 relating to the acceptance for landfilling in the sites referred to therein of residual materials or materials referred to therein.

149.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) disposes in a landfill referred to in section 4 materials, objects or substances referred to in any of paragraphs 1 or 3 to 12 of that section;

(2) landfills residual materials listed in section 8 in a place other than a landfill, in contravention of section 8;

(3) burns or allows to be burned residual materials in an engineered landfill, in contravention of section 47;

(4) batch discharges of leachate or water, in contravention of the third paragraph of section 53;

(5) dilutes, before their discharge into the environment, leachate or water referred to in section 55, in contravention of section 55;

(6) establishes or enlarges a construction or demolition waste landfill, in contravention of the first paragraph of section 102;

(7) disposes in a construction or demolition waste landfill materials other than the waste within the meaning of section 101, in contravention of the second paragraph of section 103;

(8) burns or allows to be burned residual materials in a remote landfill, in contravention of section 115;

(9) disposes in an incineration facility referred to in the first paragraph of section 123 materials, objects or substances listed in section 4;

(10) accepts in a transfer station materials other than those allowed pursuant to section 137;

(11) accepts residual materials after the date provided for in the first paragraph of section 159 for the disposal areas referred to in that section;

(12) fails to permanently close a landfill referred to in the fourth paragraph of section 161, or the area or trench of such landfill, where it is prescribed to do so by that paragraph.

149.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) disposes, in a landfill referred to in section 4, of hazardous materials, in contravention of paragraph 2 of that section:

(2) fails to take the measures prescribed by the first paragraph of section 48 to minimize the release of odours that cause odour nuisances beyond the limits of an engineered landfill;

(3) emits dust visible in the atmosphere more than 2 metres from the emission source, in contravention of the first paragraph of section 48;

(4) discharges into the environment leachate and water referred to in the first paragraph of section 53 that do not comply with the limit values prescribed therein or those determined by the Minister pursuant to the second paragraph of that section;

(5) fails to ensure that the quality of the surface water referred to in the second paragraph of section 54 is not deteriorated in the case provided for therein;

(6) fails to ensure that the groundwater referred to in the first paragraph of section 57 complies at the observation wells with the limit values prescribed or those determined by the Minister pursuant to the second paragraph of that section;

(7) fails to ensure that the quality of the groundwater referred to in the second paragraph of section 58 is not deteriorated in the case provided for therein;

(8) fail to ensure that the concentration referred to in section 60 or the second paragraph of section 62 complies with the values provided for therein;

(9) emits into the atmosphere grey or black emissions the opacity of which exceeds 20% in the cases provided for in section 129;

(10) emits into the atmosphere combustion gases that do not comply with the values prescribed by paragraphs 1 to 5 of section 130.»

4. The heading of Chapter VII before section 150 is amended by replacing “OFFENCES” by “PENAL SANCTIONS”.

5. Sections 150 to 154 are replaced by the following:

“**150.** Every person who contravenes paragraph 1 of section 45, section 72, 77, 78 or 82 or the third paragraph of section 96 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

150.1. Every person who contravenes section 29 or 33, the second paragraph of section 36 or 39, the first paragraph of section 40, paragraph 2 of section 45, section 52 or 70, the first or third paragraph of section 71, section 81, the fourth paragraph of section 127, section 146 or the second paragraph of section 155 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

Every person who fails

(1) to enter in a log the information prescribed by the first paragraph of section 39, the first or second paragraph of section 40 or the third paragraph of section 40.1,

(2) to enter the results referred to in the fourth paragraph of section 42 or 105 in the annual report provided for in section 52,

(3) to immediately notify the Minister of the date of closure of an engineered landfill in accordance with section 80,

(4) to send to the Minister the testing report referred to in the first paragraph of section 134 in accordance with the time limits and conditions provided for therein,

also commits an offence and is liable to the same fines.

152.2. Every person who contravenes section 10, 11, 17, 18, 19, 30, 31, 37 or 38, the first or second paragraph of section 40.1, the first or second paragraph of section 41, the first, second, third or fifth paragraph of section 42, section 43 or 46, the second paragraph of section 48,

section 49, 50, 51 or 56, the second paragraph of section 66, the introduction or subparagraph 1 of the first paragraph section 68, section 69, the first paragraph of section 70, section 79, paragraph 1, 3 or 4 of section 90, the first, second, third or fourth paragraph of section 91, section 92, the first or second paragraph of section 96, the second or third paragraph of section 97, section 98, the first or third paragraph of section 99, section 100, subparagraph 1 of the second paragraph or third paragraph of section 105, the first, second, third, fourth or fifth paragraph of section 106, the first paragraph of section 117, section 118, 120, 124 or 126, the first, second or third paragraph of section 127, the second paragraph of section 134, section 138, 139.3, 140, 143 or the second paragraph of section 159 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

Every person who fails

(1) to obtain the results of the analyses or measures provided for in the second paragraph of section 40 before receiving the soils referred to therein,

(2) to periodically make the verifications prescribed by the fourth paragraph of section 42 or 105 at the frequency and on the conditions provided for therein,

(3) to take the measures prescribed by the first paragraph of section 48 to minimize wind dispersal or scattering of residual material referred to therein,

also commits an offence and is liable to the same fines.

153. Every person who contravenes the first paragraph of section 9, any of sections 20 to 28, 32, 34 or 35, the first paragraph of section 36, the fourth or fifth paragraph of section 41, the sixth paragraph of section 42, section 44 or 61, the first or third paragraph of section 62, section 63, 64 or 65, the first, third or fifth paragraph of section 66, section 67, subparagraph 2 or 3 of the first paragraph or the second paragraph of section 68, paragraph 2 of section 90, the second paragraph of section 99, subparagraph 2 of the second paragraph of section 105, section 107 or 108, the second paragraph of section 117 or section 119, 125 or 132 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails

(1) to permanently close an engineered landfill in the cases provided for in section 80,

(2) to take samples of the gases referred to in section 134 in accordance with the methods prescribed by the first paragraph of that section,

also commits an offence and is liable to the same fines.

154. Every person who

(1) contravenes the first paragraph of section 6, section 13, 14, 15 or 16, the second paragraph of section 71, the first paragraph of section 86, section 87 or 88, the first paragraph of section 94, 95, 97 or 103, the second paragraph of section 104, the first paragraph of section 111, section 112, 113, 114 or 116, the first paragraph of section 139.1, the fourth paragraph of section 139.2, section 145 or the second, third or fifth paragraph of section 161,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

154.1. Every person who contravenes any of paragraphs 1 or 3 to 12 of section 4, 8 or 47, the third paragraph of section 53, section 55, the first paragraph of section 102, the second paragraph of section 103, section 115, the first paragraph of section 123, section 137, the first paragraph of section 159 or the fourth paragraph of section 161 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

154.2. Every person who contravenes paragraph 2 of section 4, the first or second paragraph of section 53, the second paragraph of section 54, section 57, the second paragraph of section 58, section 60, the second paragraph of section 62, the first paragraph of section 129 or section 130 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

Every person who

(1) fails to take the measures prescribed by the first paragraph of section 48 to minimize the release of odours that cause odour nuisances beyond the limits of an engineered landfill,

(2) emits dust visible in the atmosphere more than 2 metres from the emission source, in contravention of the first paragraph of section 48,

also commits an offence and is liable to the same fines.

154.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

6. Section 168 is revoked.

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

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Gouvernement du Québec

O.C. 667-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Used tire storage
— Amendment**

Regulation to amend the Regulation respecting used tire storage

WHEREAS, under section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate the recovery and reclamation of residual materials;

WHEREAS, under section 70 of the Act, the Government may make regulations to regulate the elimination of residual materials

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting used tire storage (chapter Q-2, r. 20);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting used tire storage was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting used tire storage, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting used tire storage

Environment Quality Act
(chapter Q-2, ss. 53.30, 70, 115.27 and 115.34)

1. The Regulation respecting used tire storage (chapter Q-2, r. 20) is amended in section 1.1 by striking out the second paragraph.

2. The heading of Division I.1 is amended by striking out “permanent”.

3. Section 1.2 is replaced by the following:

“**1.2.** No person may store used tires, except in the case of used tire reclamation businesses that store such tires and that hold a certificate of authorization issued for that purpose under section 22 of the Act.”.

4. Section 1.3 is revoked.

5. Section 1.4 is replaced by the following:

“**1.4.** Every business that ceases its reclamation activities must clear its used tire storage site and restore the site to the conditions it was in before it was used for storing used tires.”.

6. The Regulation is amended by striking out “DIVISION I.2” and the heading “PROVISIONS SPECIFIC TO RECLAMATION BUSINESSES” before section 1.5.

7. Section 2 is amended

(1) by replacing “A person or a municipality” in the part preceding paragraph 1 by “A reclamation business”;

(2) by striking out “except for reclamation businesses for which only total capacity is required, the total number of stored tires and” in subparagraph *f* of paragraph 9.

8. Sections 3 to 5 are amended by replacing “A person or a municipality” by “A reclamation business”.

9. Section 13 is amended

(1) by replacing “A person or a municipality” in the first paragraph by “A reclamation business”;

(2) by replacing “17” in the third paragraph by “1.4”.

10. Section 16 is amended by replacing “17” by “1.4”.

11. Section 17 is amended

(1) by revoking the first paragraph;

(2) by replacing “A person or a municipality” in the second paragraph by “A reclamation business”.

12. Section 18 is amended

(1) by replacing “17” in the second paragraph by “1.4”;

(2) by replacing “the person or the municipality” in the third paragraph by “the reclamation business”.

13. Section 19 is revoked.

14. Sections 22 to 36 and 39 to 44 are revoked.

15. The following is inserted after section 44:

“DIVISION VIII.1

MONETARY ADMINISTRATIVE PENALTIES

44.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to keep, on the storage site, a copy of the fire prevention and emergency measures plan and its changes in accordance with section 4.

44.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to submit to the Minister a fire prevention and emergency measures plan containing the information and documents prescribed by section 2;

(2) to forward in writing to any person referred to in section 3 the fire prevention plan required or any changes to the plan in accordance with that section;

(3) to notify in writing the Minister of any change to the information or documents referred to in section 5 within the period provided for in that section.

44.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who

(1) stores more tires than necessary for the person’s operation for a period not exceeding 6 months, in contravention of section 1.5;

(2) fails to provide the Minister with or keep in force a guarantee in accordance with the conditions provided for in section 13;

(3) fails to forward a guarantee renewal or, where applicable, an equivalent guarantee within the period and on the conditions provided for in the third paragraph of section 18.

44.4. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails to notify the Minister of the closing of a storage site on the conditions prescribed by the second paragraph of section 17.

44.5. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who stores used tires without meeting the conditions provided for in section 1.2.

44.6. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to clear a storage site or restore the site to the conditions it was in before it was used for storing used tires in accordance with section 1.4;

(2) to take, without delay, any of the measures to fight fire prescribed by section 5.1.”.

16. The heading of Division IX, before section 45, is amended by replacing “PENALTIES” by “PENAL SANCTIONS”.

17. Sections 45 to 47 are replaced by the following:

“45. Every person who contravenes section 4 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

46. Every person who contravenes section 2, 3 or 5 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

47. Every person who contravenes section 1.5 or 13 or the third paragraph of section 18 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

47.1. Every person who

(1) contravenes the second paragraph of section 17,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

47.2. Every person who contravenes section 1.2 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

47.3. Every person who contravenes section 1.4 or 5.1 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000

47.4. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

18. Section 48 is revoked.

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

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Gouvernement du Québec

O.C. 668-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Waterworks and sewer services — Amendment

Regulation to amend the Regulation respecting waterworks and sewer services

WHEREAS, under paragraphs *o*, *o.1* and *o.2* of section 46 of the Environment Quality Act (chapter Q-2), the Government may make regulations to establish the duties, rights and obligations of users and of the operators of a waterworks or sewer system and establish classes of users and operators;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting waterworks and sewer services (chapter Q-2, r. 21);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting waterworks and sewer services was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting waterworks and sewer services, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting waterworks and sewer services

Environment Quality Act
(chapter Q-2, s. 46, pars. *o*, *o.1* and *o.2*, and
ss. 115.27 and 115.34)

1. The Regulation respecting waterworks and sewer services (chapter Q-2, r. 21) is amended in section 3 by striking out “and comply with the construction standards prescribed by this Regulation”.

2. The first paragraph of section 24 is replaced by the following:

“**24.** Right to service: Every operator of a waterworks or sewer service must connect to the operator’s system, for domestic consumption, every immovable along or in the immediate vicinity of the system following the request of the owner or the person who occupies or has possession of the immovable.”

3. Section 28 is revoked.

4. Section 52 is amended by replacing “24 hours” by “30 days”.

5. The following is inserted after section 57:

**“DIVISION VII
MONETARY ADMINISTRATIVE PENALTIES**

58. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to forward to the Minister a copy of the document referred to in section 23, in the case and within the period provided for in that section;

(2) to use the forms prescribed by section 33 for preparing the notices referred to in that section;

(3) to comply with the conditions provided for in section 34 regarding the content of the prior notice;

(4) to forward to the operator, in accordance with the second paragraph of section 34, a copy of the letter of objections referred to in that section;

(5) to carry identification as prescribed by the second paragraph of section 37;

(6) to submit an application for the transfer of a permit on the form prescribed by section 50;

(7) to submit to the Minister a report of operations in accordance with the frequency provided for and using the form prescribed by section 51;

(8) to notify the Minister of a change of address or telephone number within the period provided for in section 52;

(9) to submit the report provided for in section 51 on the form prescribed by section 55 in the case provided for in that section.

59. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who

(1) fails to draw up or keep a plan of his or her system, keep it up-to-date or plot on the plan guide marks to readily locate underground conduits and valves in accordance with section 11;

(2) suspends service to a subscriber without having met the prior conditions provided for in section 32.

60. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to ensure that every construction or installation of waterworks and sewer equipment comply with the plans and specifications referred to in the authorization issued by the Minister in accordance with section 3;

(2) to make a connection according to the conditions provided for in section 14;

(3) to ensure impartial service among subscribers in accordance with section 19;

(4) to prevent any consumption of water in the case provided for in section 22 in accordance with the second paragraph of that section;

(5) to connect a building to the waterworks and sewer system in the case and on the conditions provided for in the first paragraph of section 24;

(6) to continue the service to a subscriber on the same conditions as those provided for in an agreement that is renewed under section 26;

(7) to ensure that the pressure of a waterworks system complies with the standards prescribed by section 27;

(8) to reimburse a subscriber proportionately to the duration of the interruption of service, as a reduction in the subscription fee, in accordance with the second paragraph of section 30;

(9) to comply with the amount that may be claimed in the case provided for in the second paragraph of section 36;

(10) to allow access for the needs of the service to the persons referred to in section 37, in accordance with the first paragraph of that section;

(11) to inform the Minister in writing or to give reasons for the decision when ceasing to operate a waterworks and sewer system in accordance with the conditions provided for in section 57.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) modifies the rates or applies new ones without first informing the Minister or without following the procedures prescribed by sections 41 and 42 in contravention of section 40;

(2) applies, for subscribers referred to in section 44, rates that are not uniform in contravention of section 44;

(3) charges an annual rental for a meter greater than 10% of the purchase and installation cost, in contravention of section 46;

(4) collects the payment of subscriptions without complying with the terms prescribed by section 47 and without an agreement to that effect.

61. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to ensure continuous service to subscribers at all times in accordance with section 17;

(2) to comply with the conditions provided for in section 18 relating to the maintenance and repair of a waterworks or sewer system;

(3) to inspect the waterworks or sewer system at the periods provided for in section 20;

(4) to ensure that only persons referred to in section 21 have access to the devices, reservoirs and other installations of a waterworks or sewer service in accordance with that section;

(5) to stop any leak in the system as soon as it is discovered, in accordance with the second paragraph of section 22;

(6) to furnish the flow and pressure for protection against fire where an agreement has been concluded to that effect in accordance with section 25;

(7) to take all necessary steps in case of fire in accordance with section 31;

(8) to continue the service, in the case of objections from the subscriber, for as long as there is no agreement between the parties or no order issued by the Minister in accordance with the second paragraph of section 34;

(9) to restore service as soon as the cause for the interruption or suspension of service no longer prevails, in accordance with the first paragraph of section 36.

The penalty provided for in the first paragraph may also be imposed on any person who suspends or interrupts service to a subscriber where this Regulation does not allow to do so in contravention of section 35.

62. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to notify the Minister without delay or inform the Minister of the measures the person intends to take to remedy the situation in the cases provided for in the first paragraph of section 22;

(2) to comply with an order made by the Minister under the second paragraph of section 24 or 38.

DIVISION VIII **PENAL SANCTIONS**

63. Every person who

(1) contravenes section 23 or 33, the second paragraph of section 37 or section 50, 51, 52 or 55,

(2) fails to comply with the conditions provided for in section 34 relating to the content of the prior notice,

(3) fails to forward to the operator, in accordance with the second paragraph of section 34, a copy of the letter of objections referred to therein,

commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

64. Every person who contravenes section 11 or suspends service to a subscriber without having met the conditions provided for in section 32 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

65. Every person who contravenes section 3, 14 or 19, the first paragraph of section 24, section 26, 27 or 30, the second paragraph of section 36, the first paragraph of section 37 or section 40, 44, 46, 47 or 57 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

Every person who fails to prevent any consumption of water in the case provided for in section 22, in accordance with the second paragraph of that section, also commits an offence and is liable to the same fines.

66. Every person who contravenes section 17, 18, 20, 21, 25, 31, 34 or 35 or the first paragraph of section 36 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails to stop any leak in the person's system as soon as it is discovered in accordance with the second paragraph of section 22 also commits an offence and is liable to the same fines.

67. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

68. Every person who contravenes the first paragraph of section 22 or fails to comply with an order made by the Minister under the second paragraph of section 24 or 38 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

69. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

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Gouvernement du Québec

O.C. 669-2013, 19 June 2013Environment Quality Act
(chapter Q-2)**Prohibit the sale of certain dishwashing detergents
— Amendment**Regulation to amend the Regulation to prohibit the sale
of certain dishwashing detergents

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation to prohibit the sale of certain dishwashing detergents (chapter Q-2, r. 30);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation to prohibit the sale of certain dishwashing detergents was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation to prohibit the sale of certain dishwashing detergents, attached to this Order in Council, be made.

JEAN ST-GELAIS,
*Clerk of the Conseil exécutif***Regulation to amend the Regulation to
prohibit the sale of certain dishwashing
detergents**Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation to prohibit the sale of certain dishwashing detergents (chapter Q-2, r. 30) is amended by inserting the following after section 3:

“**3.1.** A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails to determine the phosphorus content of a dishwashing detergent in accordance with the second paragraph of section 3.

3.2. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who offers for sale, sells,

distributes or otherwise makes available to consumers a dishwashing detergent that does not meet any of the conditions prescribed by the first paragraph of section 3.”.

2. Section 4 is replaced by the following:

“**4.** Every person who contravenes the second paragraph of section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

4.1. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

4.2. Every person who contravenes the first paragraph of section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.”.

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

2808

Gouvernement du Québec

O.C. 670-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Protection of waters from pleasure craft discharges
— Amendment**

Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the protection of waters from pleasure craft discharges (chapter Q-2, r. 36);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the protection of waters from
pleasure craft discharges**

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the protection of waters from pleasure craft discharges (chapter Q-2, r. 36) is amended by replacing section 6 by the following:

“**6.** Every person who contravenes section 3 or 4 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

6.1. Every person who contravenes section 2 or 5 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.”.

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

2809

Gouvernement du Québec

O.C. 671-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Agricultural Operations — Amendment

Regulation to amend the Agricultural Operations Regulation

WHEREAS, under subparagraphs *e* and *h* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment and determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant;

WHEREAS, under section 53.30 of the Act, the Government may, by regulation, regulate the recovery and reclamation of residual materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Agricultural Operations Regulation (chapter Q-2, r. 26);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Agricultural Operations Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Agricultural Operations Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Agricultural Operations Regulation

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *e*, and *h*, s. 53.30, 1st par., subpar. 1.1, and ss.115.27 and 115.34)

1. The Agricultural Operations Regulation (chapter Q-2, r. 26) is amended by replacing the second paragraph of section 9.1.1 by the following:

“The operator must also give an agrologist a written mandate to inspect each pile during the growing season and to write, in a dated and signed report, his or her observations and, where applicable, his or her recommendations. The mandate must also provide that an annual report, written by the agrologist and summarizing all the inspections carried out for all the piles for which a recommendation was made under the first paragraph, will be given to the operator.”

2. Section 9.3 is amended by replacing “the raising site’s annual phosphorus (P_2O_5) production resulting from solid manure management” in paragraph 1 by “the annual phosphorus (P_2O_5) production resulting from solid manure management of all the buildings of the raising site”.

3. Section 16 is amended by replacing “The owner” in the fourth paragraph by “The operator”.

4. Section 28 is revoked.

5. Section 28.1 is amended

(1) by inserting “written” before “mandate” in the first paragraph;

(2) by replacing “provide it” in the sixth paragraph by “provide them”.

6. Section 28.2 is amended

(1) by inserting “written” before “mandate” in the second paragraph;

(2) by replacing “provide it” in the fourth paragraph by “provide them”.

7. The following is inserted after the heading of Chapter V and before section 44:**“DIVISION I
MONETARY ADMINISTRATIVE PENALTIES**

43.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to comply with the conditions provided for in the third paragraph of section 9 relating to the lease referred to therein;

(2) to comply with the conditions provided for in the third paragraph of section 9.1.1 relating to documents produced by an agrologist;

(3) to comply with the conditions provided for in section 9.2 relating to a storage register;

(4) to ensure that a permanent marker indicates the the drain outlet’s location in accordance with the second paragraph of section 12;

(5) to comply with the conditions provided for in section 16 relating to a storage agreement;

(6) to comply with the conditions provided for in section 21 relating to the agreement or lease referred to therein;

(7) to hold an agro-environmental fertilization plan signed by an authorized person and whose compliance has been certified by the signatory in accordance with section 24;

(8) to comply with the conditions provided for in section 33 relating to an agreement for the treatment or disposal of livestock waste;

(9) to comply with the conditions provided for in section 34 relating to a shipping register;

(10) to comply with the conditions provided for in the fifth paragraph of section 35 relating to a phosphorus report;

(11) to send the phosphorous report in accordance with the third, fourth or fifth paragraph of section 35.1;

(12) to keep the documents in accordance with the conditions provided for in section 35.2;

(13) to send, at the request of the Minister, the most recent final payment statement with respect to the insured units in accordance with section 36;

(14) to provide a certificate of compliance of the project as provided for in the fifth paragraph of section 39;

(15) to provide a certificate of compliance of the project as provided for in the third paragraph of section 40.

43.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to comply with the requirements provided for in the second paragraph of section 9.1.1 relating to the inspections and reports provided for therein;

(2) to attach to the plan, at the end of the crop season, the report on the fertilization actually carried out provided for in section 25;

(3) to keep a copy of the plan referred to in section 26 in accordance with the conditions provided for therein;

(4) to keep a spreading register, to record the relevant information, to keep it during the period referred to or to provide it to the Minister upon request in accordance with section 27;

(5) to keep a copy of every laboratory’s certificate of analysis or of the characterization report made by the agrologist for the period referred to or to provide it to the Minister upon request in accordance with the sixth paragraph of section 28.1;

(6) to keep a copy of the annual phosphorus production as calculated for the period referred to and to provide it to the Minister upon request in accordance with the fourth paragraph of section 28.2;

(7) to keep a copy of the certificate of analysis for the period referred to or to provide it to the Minister upon request in accordance with the third paragraph of section 29.

43.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to obtain, before laying out each pile, a recommendation dated and signed by an agrologist pertaining to the conditions for laying out the pile in accordance with the first paragraph of section 9.1.1;

(2) to remove and reclaim or eliminate at least once a year livestock waste accumulated over the year in a yard as provided for in section 17.1;

(3) to own or lease cultivated parcels or enter into written spreading agreements with a third party for the use of cultivated parcels in accordance with the second paragraph of section 20;

(4) to ensure that an agro-environmental plan complies with the prescriptions in section 23;

(5) to ensure a follow-up of the recommendations contained in the agro-environmental plan at the end of crop season in accordance with section 25;

(6) to have animal waste analyzed by a laboratory accredited by the Minister for the parameters provided for in the third or fourth paragraph of section 28.1;

(7) to comply with the frequencies of characterization provided for in sections 28.1 and 28.2 in accordance with section 28.3;

(8) to have analyzed, by a laboratory accredited by the Minister, the phosphorus content and percentage saturation of a cultivated parcel in accordance with the first paragraph of section 29;

(9) to hold a phosphorus report or an update of the report containing the information provided for in the sixth paragraph of section 35.

43.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to protect by means of a watertight floor the soil on which a livestock building is constructed or laid out from any contact with the livestock waste produced therein or to use a building that has the capacity to store, without overflow, all of the livestock waste produced therein between each waste removal in accordance with section 8;

(2) to have a storage facility having the capacity to accumulate, without overflow, for the entire period where the livestock waste may not be spread, the livestock waste produced in the raising facilities as well as all other waste that may be received by the facility in accordance with section 10;

(3) to have a storage facility that complies with the conditions provided for in section 11;

(4) to have a storage facility that complies with the conditions provided for in the first or third paragraph of section 12;

(5) to maintain in a fully watertight condition livestock waste removal equipment in accordance with section 13;

(6) to remove, before there is any overflow of the substances contained, livestock waste stored in a storage facility in accordance with section 15;

(7) to lay out a yard so that no runoff can reach it in accordance with section 17;

(8) to reclaim or eliminate livestock waste stored according to the conditions provided for in section 19;

(9) to give a written mandate to an agrologist to characterize the livestock waste in accordance with the first or fifth paragraph of section 28.1;

(10) to comply with the conditions provided so that the annual phosphorus production of a raising site may be determined in accordance with section 50.01 using the data of Schedule VI as provided for in the first or third paragraph of section 28.2;

(11) to notify in writing and give an agrologist a written mandate to establish the annual phosphorus production in the case provided for in the second paragraph of section 28.2;

(12) to comply with the spreading period or the spreading conditions provided for in the second or third paragraph of section 31;

(13) to comply with the spreading conditions provided for in section 32;

(14) to comply with the conditions related to the phosphorus report provided for in the first, second, third or fourth paragraph of section 35;

(15) to comply with the conditions related to the time limits for sending the phosphorus report or the report's update as specified in the first or second paragraph of section 35.1;

(16) to recover wastewater from farm dairies on the conditions provided for in section 37;

(17) to transport livestock waste in accordance with section 38.

43.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to prohibit livestock from having access to watercourses and bodies of water and their riparian strip in accordance with the second paragraph of section 4;

(2) to have a watertight storage facility for a raising site with liquid or solid manure management in accordance with the first paragraph of section 9;

(3) to comply with the conditions provided for in section 9.1 for storing solid manure piles in a cultivated field;

(4) to comply with the conditions set in section 9.3 for storing solid manure piles near a farm building;

(5) to take every measure to prevent or stop any overflow or leakage from a storage facility in accordance with section 14;

(6) to comply with the conditions related to spreading or establish an agro-environmental fertilization plan provided for in section 22;

(7) to give a project notice to the Direction de l'analyse et de l'expertise in the region where the project is situated within the time prescribed, in the cases and on the conditions provided for in the first, second, third or fourth paragraph of section 39;

(8) to give a project notice to the director of the Direction de l'analyse et de l'expertise in the region where the raising site is situated in accordance with the conditions provided for in the first or second paragraph of section 40;

(9) to comply with the prohibition of cultivation provided for in the first paragraph of section 50.3;

(10) to comply with the conditions for moving a cultivated parcel provided for in section 50.4.

43.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails

(1) to comply with the prohibition of erecting, laying out or expanding a raising or storage facility in a watercourse, lake, swamp, natural marsh or pond and the 15 m area on each side or around those areas, as provided for in section 6;

(2) to have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading livestock waste or surplus waste and other fertilizers in accordance with the first paragraph of section 20;

(3) to have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading fertilizers in accordance with the first paragraph of section 20.1;

(4) to spread fertilizers on ground that is not frozen or covered with snow in accordance with the first paragraph of section 31;

(5) to comply with the deadlines provided for in section 50.

43.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to comply with the prohibition of depositing, discharging, spreading, receiving, keeping in deposit or allowing the deposit, discharge, spreading or keeping in deposit of livestock waste except to the extent provided for in this Regulation in accordance with the first paragraph of section 4;

(2) to take the measures necessary to prevent livestock waste from entering the surface or subsurface water or to take the measures required to terminate the discharge, deposit, storage or spreading of livestock waste and to immediately remove such substances from the lot or to restore it to its previous condition in accordance with section 5;

(3) to comply with the prohibition to the effect that contaminated water from a yard must not enter the surface water in accordance with section 18;

(4) to comply with the prohibition of spreading on a parcel of land where a crop for human consumption is grown, or on pasture land fertilizing materials or a product containing any amount of such materials mentioned in section 29.1;

(5) to comply with the conditions for spreading provided for in section 30.”.

8. Section 44 is replaced by the following:

**“DIVISION II
PENAL SANCTIONS**

44. Every person who contravenes the third paragraph of section 9 or 9.1.1, section 9.2, the second paragraph of section 12, section 16, 21, 24, 33 or 34, the fifth paragraph of section 35, the third, fourth or fifth paragraph of section 35.1, section 35.2 or 36, the fifth paragraph of section 39 or the third paragraph of section 40 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

44.1. Every person who contravenes the second paragraph of section 9.1.1, section 26 or 27, the sixth paragraph of section 28.1, the fourth paragraph of section 28.2 or the third paragraph of section 29 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

Every person who fails to attach to the plan, at the end of the growing season, the fertilization report actually carried out provided for in section 25 also commits an offence and is liable to the same fines.

44.2. Every person who contravenes the first paragraph of section 9.1.1, section 17.1, the second paragraph of section 20, section 23, the third or fourth paragraph of section 28.1, section 28.3, the first paragraph of section 29 or the sixth paragraph of section 35 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

Every person who fails to ensure the follow-up of the recommendations contained in the agro-environmental plan at the end of the crop season in accordance with section 25 also commits an offence and is liable to the same fines.

44.3. Every person who contravenes section 8, 10 or 11, the first or third paragraph of section 12, section 13, 15, 17 or 19, the first or fifth paragraph of section 28.1, the first, second or third paragraph of section 28.2, the second or third paragraph of section 31, section 32, the first, second, third or fourth paragraph of section 35, the first or second paragraph of section 35.1 or section 37 or 38 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

44.4. Every person who

(1) contravenes the second paragraph of section 4, the first paragraph of section 9, section 9.1, 9.3, 14 or 22, the first, second, third or fourth paragraph of section 39, the first or second paragraph of section 40, the first paragraph of section 50.3 or section 50.4,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

44.5. Every person who contravenes section 6, the first paragraph of section 20, the first paragraph of section 20.1, the first paragraph of section 31 or section 50 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

44.6. Every person who contravenes the first paragraph of section 40, section 5, 18 or 29.1 or the first or third paragraph of section 30 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

44.7. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for in this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

9. Sections 48.4 and 49 are revoked.

10. Section 50 is amended by striking out the first two dashes of the first paragraph.

11. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 4 of this Regulation, which comes into force on 1 January 2014.

Gouvernement du Québec

O.C. 672-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Snow elimination sites — Amendment

Regulation to amend the Regulation respecting snow elimination sites

WHEREAS, under subparagraphs *c*, *e* and *m* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, define standards for the protection and quality of the environment and determine the terms and conditions whereunder an application for an authorization and an application to amend or renew such an application must be made;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting snow elimination sites (chapter Q-2, r. 31);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting snow elimination sites was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting snow elimination sites, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting snow elimination sites

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c*, *e* and *m*, and ss. 115.27 and 115.34)

1. The Regulation respecting snow elimination sites (chapter Q-2, r. 31) is amended by replacing section 1 by the following:

“**1.** Snow that is removed and transported for elimination purposes may be placed for final deposit only at an elimination site authorized by the Minister under section 22 of the Environment Quality Act (chapter Q-2).

No person may establish, enlarge, alter or operate an elimination site unless the person has first obtained a certificate of authorization in accordance with the first paragraph.”

2. Sections 2 and 3 are revoked.

3. The following is inserted before section 4:

“**3.1.** A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) deposits snow that has been removed and transported for elimination purposes at a site other than the snow elimination site authorized in accordance with the first paragraph of section 1;

(2) establishes, enlarges, alters or operates a snow elimination site without having first obtained an authorization from the Minister in accordance with the second paragraph of section 1.”

4. Section 4 is replaced by the following:

“**4.** Every person who fails to comply with section 1 or, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure

(chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or in other cases, to a fine of \$15,000 to \$3,000,000.”

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

2811

Gouvernement du Québec

O.C. 673-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Reuse of water containers with a capacity exceeding 8 litres

— Amendment

Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres (chapter Q-2, r. 44);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the reuse of water containers with a capacity exceeding 8 litres (chapter Q-2, r. 44) is amended by inserting the following after section 2:

“**2.1.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who markets water intended for human consumption in containers with a capacity exceeding 8 litres that do not satisfy the condition prescribed by paragraph 3 of section 2.

2.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who markets water intended for human consumption in containers with a capacity exceeding 8 litres that do not satisfy the conditions prescribed by paragraph 1 or 2 of section 2.”

2. Section 3 is replaced by the following

3. Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres that do not comply with the condition prescribed by paragraph 3 of section 2 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

3.1. Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres that do not comply with the conditions prescribed by paragraph 1 or 2 of section 2 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.”

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

2812

Gouvernement du Québec

O.C. 674-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Waste water disposal systems for isolated dwellings — Amendment

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings

Environment Quality Act
(chapter Q-2, ss.115.27 and 115.34)

1. The Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22) is amended by replacing the heading of Division XVI by “PENAL SANCTIONS AND MISCELLANEOUS”.

2. Section 89 is replaced by the following:

“**89.** Every person who contravenes section 1.3, 3.3, 3.4, 5, 7.1, 8.9, 11.3, 13, 14, 15, 16, 16.5 or 17, any of subparagraphs *a* to *h.1* of the first paragraph of section 21, section 22 or 24, any of paragraphs *a* to *c* of section 25.1, section 25.2 or 26, paragraph *a* or *c* of the first paragraph of section 27, section 30, any of paragraphs *a* to *c* of section 31.1, section 32 or 33, any of paragraphs *a* to *e* or subparagraph *g* of the first paragraph of section 34, section 36 or 36.1, any of paragraphs *a* to *h* of the first paragraph of section 37, section 38 or 39.1, any of paragraphs *b* to *f* of section 39.2, section 40, any of subparagraphs *a* to *j* of the first paragraph of section 41, section 44, 46 or 47, paragraphs *a*, *a.1* or *b* to *h* of section 48, section 49, 51, 52, 53, or 55, the first paragraph of section 56, section 57, 59 or 60, paragraphs *a* or *b* of the first paragraph of section 61, section 63, 66, 67, 70, 71, 73, 74, 87.11, 87.17 or 87.19, the first paragraph of section 87.22, section 87.23, the second paragraph of section 87.24, section 87.25, 87.25.1 or 87.26, the second paragraph of section 87.30.1 or section 87.32 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

Every person who fails to install a prefabricated septic tank in accordance with paragraphs *m* and *o* of section 10 in accordance with section 11 also commits an offence and is liable to the fines provided for in the first paragraph.

89.1. Every person who contravenes section 3.2, 7, 7.2, 10, 11.2, 12 or 16.4, paragraph *a.2* of section 48, section 65 or 87.10, the first paragraph of section 87.16, the first paragraph of section 87.30.1 or section 87.31 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

89.2. Every person who contravenes the first or second paragraph of section 4, the first paragraph of section 87.14.1 or the second paragraph of section 87.27 or 87.28 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

89.3. Every person who contravenes section 3.1, 6 or 11, the second paragraph of section 11.1, section 16.2, subparagraph *i* of the first paragraph of section 21, paragraph *d* of section 25.1, subparagraph *b* of the first paragraph of section 27, paragraph *d* of section 31.1, subparagraph *f* of the first paragraph or the second paragraph of section 34, subparagraph *i* of the first paragraph of section 37, paragraph *a* of section 39.2, subparagraph *k* of the first paragraph of section 41, the second paragraph of section 56, subparagraph *c* of the first paragraph of section 61, section 87.8, 87.14, the second paragraph of section 87.16, the second or third paragraph of section 87.22, the third or fourth paragraph of section 87.24 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails to ensure that

(1) a prefabricated septic tank complies with the BNQ standard prescribed by section 11,

(2) the systems referred to in section 11.1, 16.2, 87.8 or 87.14 comply with the NQ standards prescribed therein,

also commits an offence and is liable to the fines provided for in the first paragraph.

89.4. Every person who

(1) contravenes the first paragraph of section 3, section 11.4, 16.6, 87.12 or 87.18, the first paragraph of section 87.27 or 87.28, or section 87.29 or 87.30,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

89.5. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this

Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2813

Gouvernement du Québec

O.C. 675-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Pulp and paper mills — Amendment

Regulation to amend the Regulation respecting pulp and paper mills

WHEREAS, under subparagraphs *c*, *d*, *e* and *h* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, determine a maximum permissible quantity or concentration of emission of contaminants, define standards for the protection and quality of the environment and determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant;

WHEREAS, under paragraphs *c* and *g* of section 46 of the Act, the Government may make regulations to determine the maximum quantity or concentration of a contaminant the discharge of which is allowed into water and the mode of discharging and treatment of waste water;

WHEREAS, under section 53.30 of the Act, the Government may, by regulation, regulate the recovery and reclamation of residual materials;

WHEREAS, under section 70 of the Act, the Government may make regulations to regulate the elimination of residual materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting pulp and paper mills (chapter Q-2, r. 27);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting pulp and paper mills was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting pulp and paper mills, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting pulp and paper mills

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c*, *d*, *e* and *h*, s. 46, pars. *c*, *f* and *g*, s. 53.30, 1st par., subpars. 4 and 5, s. 70, pars. 2, 5, 6 and 7, and ss. 115.27 and 115.34)

1. The Regulation respecting pulp and paper mills (chapter Q-2, r. 27) is amended by inserting “or mill” in subparagraph 1 of the second paragraph of section 26 after “if the complex”.

2. Section 28 is amended by replacing “RPR_{NP}” in the third paragraph by “RPR_{NF}”.

3. Section 29 is amended by replacing “RPR_{NP}” in the third paragraph by “RPR_{NF}”.

4. Section 30 is amended

(1) by striking out the second paragraph;

(2) by replacing “RPR_{NP}” in the fourth paragraph by “RPR_{NF}”;

(3) by striking out the fifth paragraph.

5. Section 31 is amended

(1) by striking out the second paragraph;

(2) by replacing “RPR_{NP}” in the fourth paragraph by “RPR_{NF}”;

(3) by striking out the fifth paragraph.

6. Section 70 is amended

(1) by replacing subparagraph 5 of the first paragraph by the following:

“(5) AOX

(a) once a week on a day on which bleached pulp is produced, where a chlorinated product is used as a pulp bleaching agent, for an effluent discharged into the environment, into a storm sewer or into a sewer system if, in the latter case, an effluent is also discharged into the environment or into a storm sewer;

(b) once a month, at an interval of at least 21 days, for an effluent discharged into a sewer system;”;

(2) by replacing “if all the standards” in the last paragraph by “if the standards provided for in subparagraphs 2 and 4 of the first paragraph”.

7. Section 71 is amended by replacing “of the first paragraph” in the last paragraph by “in subparagraphs 1 and 2 of the first paragraph”.

8. Section 75 is amended by adding the following paragraph:

“If the stored materials consist of treatment sludge, de-inking sludge or bark, the parameters referred to in section 104 must all be measured.”.

9. Section 104 is amended by replacing the title of the right column “Average concentration” by “Standards”.

10. Section 122 is amended by striking out “taken before treatment” in the first paragraph.

11. Section 131 is amended by replacing “à stocker” in paragraph 10 of the French text by “à entreposer”.

12. The following is inserted after the heading of Chapter VII and before section 138:

**“DIVISION I
MONETARY ADMINISTRATIVE PENALTIES**

137.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person, in contravention of this Regulation, who fails to keep any log, result, measurement or any information for the period provided for in the Regulation.

137.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who,

(1) under this Regulation, fails to set up a log or, where applicable, to keep it up to date;

(2) fails to send to the Minister or provide the Minister with the report provided for in section 65 or the first paragraph of section 113 in accordance with those sections.

137.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to send to the Minister, within the time and on the conditions provided for in this Regulation,

(a) a prevention and intervention program for accidental discharge or the update of such a program in accordance with section 2;

(b) one of the notices referred to in section 3;

(c) an estimation of the interim reference production rate along with supporting documents in accordance with the second paragraph of section 7;

(d) any other data or measurement or any report or analysis report required by this Regulation, in cases where no other monetary administrative penalties are provided for such failure;

(2) to use an interim reference production rate in the cases and on the conditions provided for in section 9;

(3) to comply with the conditions provided for in section 11 as to the surface of a watercourse receiving the discharge;

(4) to perform a test or an inspection in accordance with the third paragraph of section 62, section 63 or 64;

(5) to correct any malfunction or inaccuracy in the primary element in accordance with section 66;

(6) to comply with the conditions to take, perform, keep or transport the analyses provided for in any of sections 76 to 79, section 85 or the first or second paragraph of section 105;

(7) to have the analyses referred to in section 79, the third paragraph of section 85 or section 105 or the second paragraph of section 112 performed by a laboratory accredited by the Minister in accordance with those sections;

(8) to install, calibrate or maintain in working order a system or device referred to in section 81, in the cases and on the conditions provided for in that section;

(9) to install, maintain in working order, inspect or test a measurement and recording system in accordance with the second paragraph of section 105;

(10) to carry out any measurement or analysis, any calculation or recording or to take any sample, within the time and on the conditions provided for in this Regulation, in cases where no other monetary administrative penalties are provided for such failure.

137.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions of final effluent discharge provided for in section 10;

(2) to treat or discharge scrubbing water referred to in section 23 on the conditions provided for in that section;

(3) to separate cooling water from other process water in accordance with section 42;

(4) to treat or discharge sanitary wastewater in accordance with section 43 or 44;

(5) to install or maintain in working order a sampling station or a measurement system according to the conditions prescribed by any of sections 46 to 49 or the first or second paragraph of section 62, or fails to ensure access to those stations or systems for monitoring purposes in accordance with section 50;

(6) to install or maintain a drainage system for runoff water in the cases and on the conditions provided for in section 52 or 108;

(7) to ensure that an outdoor storage area is watertight or to collect water from the storage area in the cases and on the conditions provided for in the first or second paragraph of section 53;

(8) to comply with the sampling conditions provided for in section 67;

(9) to install or maintain a water collection system in accordance with section 102 or to treat the water in the cases and on the conditions provided for in that section;

(10) to comply with the conditions of elevation, grade, cover, landfill or storage of residual materials provided for in section 109, 114, 115, 116 or 118;

(11) to prohibit public access to a landfill site in accordance with section 110;

(12) to lay out water table observation wells in accordance with section 111;

(13) to comply with the requirements provided for in section 121 in respect of a permanently closed landfill site;

(14) to respect the frequencies and terms of sampling or measurements provided for in the first, second or third paragraph of section 122 in the cases and on the conditions provided for in that section;

(15) to respect the volumes of stored residual materials prescribed by section 127 or to treat excess residual materials in accordance with that section;

(16) to ensure that the storage area is watertight or to collect water from the storage area in accordance with section 128.

137.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to comply with the conditions provided for in section 22 as to the treatment of wastewater or sludge referred to in that section;

(2) to close a landfill site or to immediately notify the Minister thereof in the cases and on the conditions provided for in section 119;

(3) to obtain from an independent expert a closure report of a landfill site that complies with section 120 or to send it to the Minister within the period provided for in that section.

137.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) empties with the effluents the solids accumulated in any process water treatment equipment in contravention of section 21;

(2) establishes or alters an outdoor storage area referred to in section 51 without complying with the siting standards prescribed by that section;

(3) fails to install or maintain an emergency basin in a state of readiness in accordance with section 55;

(4) accepts residual materials other than those provided for in section 96, 117 or 129;

(5) establishes or enlarges a landfill facility in a prohibited place pursuant to section 99;

(6) landfills residual materials without complying with the conditions prescribed by section 100 or 101;

(7) deposits mill residual materials into the water in contravention of section 103;

(8) directs to a landfill site residual materials, sludge or residues that do not meet the conditions provided for in the first or second paragraph of section 106 or section 107.

137.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) contravenes a standard related to an effluent prescribed by any of sections 12 to 17;

(2) dilutes an effluent or combines it with another effluent in contravention of any of sections 18 to 20;

(3) fails to respect a daily or monthly limit of loss or discharge prescribed by section 24 or 25, any of sections 27 to 33 or 35 to 41 on the conditions provided for therein;

(4) contravenes a concentration standard provided for in section 45, the first or second paragraph of section 53, any of sections 57 to 59 or section 104;

(5) dilutes water referred to in section 89 before it is discharged into the environment or into a storm sewer.”.

13. The following is inserted before section 138:

**“DIVISION II
PENAL SANCTIONS”.**

14. Sections 138 to 141 are replaced by the following:

“**138.** Every person who fails to keep any log, result or measurement for the period provided for, in accordance with the fourth paragraph of section 62, section 64, the third paragraph of section 80, section 86, the third paragraph of section 98, the sixth paragraph of section 105 or the third paragraph of section 112 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

139. Every person who

(1) fails to keep the log provided for in the fourth paragraph of section 62, section 64 or the third paragraph of section 80,

(2) contravenes section 65 or the first paragraph of section 113,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

140. Every person who contravenes section 2 or 3, the second paragraph of section 7, section 9 or 11, the third paragraph of section 62, section 63, 64 or 66, any of sections 68 to 79, the first or second paragraph of section 80, any of sections 81 to 85, section 87, the first or second paragraph of section 98, the first, second, third, fourth or fifth paragraph of section 105, the first or second paragraph of section 112, the second paragraph of section 113 or the fourth paragraph of section 122 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

141. Every person who

(1) contravenes section 10 or 23, any of sections 42 to 44 or 46 to 50, section 52, the first or second paragraph of section 62, section 67 or 102, any of sections 108 to 111 or 114 to 116, section 118, the second paragraph of section 121, the first, second or third paragraph of section 122 or section 127 or 128,

(2) fails to ensure that the outdoor storage area referred to in section 53 is watertight or to collect water from those areas,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

141.1 Every person who

(1) contravenes section 22, 119 or 120,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

141.2. Every person who contravenes section 21, 51, 55 or 96, any of sections 99 to 101, section 103, the first or second paragraph of section 106, section 107, 117 or 129 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

141.3. Every person who contravenes

(1) any of sections 12 to 20, section 24 or 25, any of sections 27 to 33 or 35 to 41, section 45, any of sections 57 to 59, section 89 or 104,

(2) the standards applicable to water from stored materials in accordance with section 53,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

141.4. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

15. The heading of Schedule II is amended by striking out “monthly” before “report”.

16. The heading of Schedule III is amended by striking out “monthly” before “report”.

17. Schedule XVI is amended by replacing “(μhmos/cm)” in the table under “Conductivity” by “(μS/cm)”.

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

2814

Gouvernement du Québec

O.C. 676-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Halocarbons — Amendment

Regulation to amend the Regulation respecting halocarbons

WHEREAS, under subparagraphs *c* and *e* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination and define standards for the protection and quality of the environment;

WHEREAS, under paragraphs 14, 15, 16 and 18 of the first paragraph of section 70.19 of the Act, the Government may, by regulation, control hazardous materials and prescribe the preparation of registers, reports or other documents related to the materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting halocarbons (chapter Q-2, r. 29);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting halocarbons was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting halocarbons

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c* and *e*, s. 70.19, 1st par., subpars. 14, 15, 16, 18, and ss. 115.27 and 115.34)

1. The Regulation respecting halocarbons (chapter Q-2, r. 29) is amended by replacing section 20 by the following:

“**20.** No person may refill a refrigeration or air conditioning unit with a CFC.

No person may repair, transform or modify a unit designed to operate with a CFC, except to enable it to operate with a halocarbon other than a CFC or a substance other than a halocarbon.”

2. Section 27 is amended by striking out “As of 23 December 2005,” in the second paragraph.

3. Section 34 is replaced by the following:

“**34.** No person may charge or recharge a portable fire extinguisher with halon.”

4. Section 35 is revoked.

5. Section 41 is amended

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

“No person may use a solvent that contains a CFC or HCFC or use a product that contains such a solvent.”;

(2) by striking out the second paragraph;

(3) by replacing “The first and second paragraphs do” in the third paragraph by “The first paragraph does”.

6. The following is inserted after section 61:

**“CHAPTER V.1
MONETARY ADMINISTRATIVE PENALTIES**

61.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to see that a label is affixed to a container, unit or part in accordance with the second paragraph of section 9, 14, 15 or 32;

(2) to carry on his or her person a labour force environmental qualification attestation that complies with section 46 or 47;

(3) to maintain a log containing the information prescribed by section 59 or give a copy of the information to the owner in accordance with the second paragraph of that section;

(4) to retain the log provided for in section 59 or the copy of the information entered in the log in accordance with section 60.

61.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to file with the Minister a report containing the information prescribed by the second paragraph of section 12 or 13, section 37, the second paragraph of section 57 or section 61 in accordance with those sections.

61.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to conduct a leak test, in the cases provided for in the first paragraph of section 9 or section 22 or 28 in accordance with those sections;

(2) to ensure, in the cases provided for in section 50 or the first paragraph of section 51, that a person or enterprise, or, where applicable, a person in that person’s employ holds an environmental qualification attestation that complies with the requirements of those sections.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) sells or distributes a halocarbon referred to in section 7 without complying with the conditions provided for in that section;

(2) carries out the work referred to in section 43 without having the qualifications required by section 44 or 45.

61.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to use the appropriate equipment to recover a halocarbon or halon, or, where applicable, to have a halocarbon or halon confined within a container designed for that purpose, in accordance with the first or third paragraph of section 10, the third paragraph of section 11, the first paragraph of section 14, the first or third paragraph of section 15, the first paragraph of section 31, 32 or 36, in the cases provided for therein;

(2) to make the recovery or recycling equipment prescribed by any of sections 10, 14, 15, 31, 32 or 36 available to a person in his or her employ who carries out work referred to in section 16;

(3) to identify the nature of a halocarbon using a device designed for that purpose in the case provided for in the second paragraph of section 31;

(4) to comply with any of the conditions prescribed by sections 53 to 56.

The penalty provided for in the first paragraph may also be imposed on any person who installs or permits the installation on a chiller of an air extraction system whose emissions into the atmosphere exceed the standards prescribed by the first paragraph of section 27.

61.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) fails to notify the Minister in case of accidental release of a halocarbon into the atmosphere in accordance with subparagraph 1 or 2 of the first paragraph of section 13, as the case may be;

(2) temporary refills a chiller with a CFC without having immediately filed a report with the Minister containing the information prescribed by section 25.

61.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) manufactures, sells or distributes a pressurized container or an aerosol referred to in section 6, in contravention of section 6;

(2) fills or refills, charges or recharges with a halocarbon, a container, a unit or a fire extinguisher referred to in section 8, in contravention of section 8;

(3) manufactures, sells, distributes or installs a refrigeration or air conditioning unit or a chiller, in contravention of section 19, 21 or 23;

(4) refills a refrigeration or air conditioning unit with a CFC or repairs, transforms or modifies a unit designed to operate with a CFC in contravention of section 20;

(5) refills a chiller with a CFC referred to in the second paragraph of section 24 as of the date provided for in that section;

(6) operates a chiller with a CFC referred to in section 26 as of the date provided for in that section;

(7) manufactures, sells, distributes, installs, repairs, transforms or modifies an air conditioning unit referred to in section 30, in contravention of that section;

(8) manufactures, sells, distributes or installs a fire extinguisher operating with halon, in contravention of section 33;

(9) charges or recharges a portable fire extinguisher with halon, in contravention of section 34;

(10) manufactures, sells or distributes plastic foam or a product containing plastic foam referred to in section 39, in contravention of section 39.

The penalty referred to in the first paragraph may also be imposed on any person who uses

(1) a gas containing a CFC or HCFC for sterilization purposes in contravention of section 40;

(2) a solvent or a product referred to in the first or second paragraph of section 41 in conditions other than one of the conditions provided for in the third paragraph of that section;

(3) carbon tetrachloride or methyl chloroform or a product that contains either of those substances in conditions other than one of the conditions provided for in the second paragraph of section 42 in contravention of that section.

61.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) directly or indirectly emits a halocarbon or causes or allows a halocarbon to be emitted into the atmosphere in contravention of section 5;

(2) fails to recover a halocarbon in the cases provided for in the first or second paragraph of section 10, the first paragraph of section 14, the first or third paragraph of section 15, the first paragraph of section 31 or 32 or section 36;

(3) fails, in the case of a halocarbon leak, to take the measures referred to in the first or second paragraph of section 11 or the first paragraph of section 12;

(4) operates or permits the operation of an air extraction system whose emissions into the atmosphere exceed the standards prescribed by the second paragraph of section 27.”

7. The heading of Chapter VI is amended before section 62 by adding “SANCTIONS” after “PENAL”.

8. Sections 62 to 67 are replaced by the following:

62. Every person who contravenes the second paragraph of section 9, 14, 15 or 32, or section 46, 47, 59 or 60 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

63. Every person who contravenes the second paragraph of section 12 or 13 or section 37, the second paragraph of section 57 or section 61 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

64. Every person who contravenes section 7, the first or third paragraph of section 9, or section 22, 28, 43, 50 or 51 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

65. Every person who

(1) fails to use the appropriate equipment to recover a halocarbon or halon or, where applicable, to confine a halocarbon or halon within a container designed for that purpose, in accordance with the first or third paragraph of section 10, the first or third paragraph of section 11, the first paragraph of section 14, the first or third paragraph of section 15, the first paragraph of section 31, 32 or 36,

(2) contravenes section 16, the first paragraph of section 27, the second paragraph of section 31 or any of sections 53 to 56,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

66. Every person who

(1) contravenes the first paragraph of section 13 or section 25,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

67. Every person who contravenes section 6 or 8, any of sections 19 to 21, section 23, the second paragraph of section 24, section 26, 30, 33, 34 or any of sections 39 to 42 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

67.1. Every person who

(1) fails to recover the halocarbons in the situations referred to in the first or second paragraph of section 10, the first or second paragraph of section 11, section 14, 15, 31, 32 or 36,

(2) contravenes the first paragraph of section 12 or the second paragraph of section 27,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

67.2. Every person who contravenes section 5 commits an offence and is liable, in the case of a natural person, to a fine of \$12,500 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$37,500 to \$6,000,000.

67.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

9. Section 68 is revoked.

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

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Gouvernement du Québec

O.C. 677-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Hazardous materials
— Amendment**

Regulation to amend the Regulation respecting hazardous materials

WHEREAS, under subparagraphs *c* and *e* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination and define standards for the protection and quality of the environment;

WHEREAS, under paragraphs 14 to 17 of the first paragraph section 70.19 of the Act, the Government may, by regulation, control hazardous materials and prescribe the preparation of registers, reports or other documents or determine the qualities required of natural persons who carry on an activity involving a hazardous material;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting hazardous materials (chapter Q-2, r. 32);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting hazardous materials was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting hazardous materials, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hazardous materials

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c* and *e*, s. 70.19, 1st par., subpars. 14, 15, 16, and 17, and ss. 115.27 and 115.34)

1. The Regulation respecting hazardous materials (chapter Q-2, r. 32) is amended by striking out paragraph 3 of section 31.

2. Section 63 is replaced by the following:

“**63.** Steel underground tanks that are not protected against corrosion by one of the systems referred to in section 61 must be removed from the ground.

Despite the foregoing, an unprotected tank installed before 1 December 1997 need not be removed immediately from the ground if the assessment of the state of the tank is in zone 2, 3 or 4 of the graph of Schedule 7. In that case, the removal of the tank and the necessary

interventions are to be made according to the methods provided for in subparagraphs 2 to 4 of paragraph 3 of that Schedule.”.

3. Section 70 is replaced by the following:

“**70.** The owner or operator must ensure that the work related to the installation of an underground tank is supervised by a qualified professional and that the qualified professional inspects the underground tank before and after it is set in place. In case of damage, the owner or operator must have the tank repaired according to the requirements of the manufacturer.

The owner or operator sends to the Minister, once the installation is completed, a report prepared by the professional referred to in the first paragraph attesting that the installation complies with the applicable standards or indicating that those standards have not been complied with.”.

4. The following is inserted after section 138:

“CHAPTER VIII.1 MONETARY ADMINISTRATIVE PENALTIES

138.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to keep a copy of the shipping document referred to in section 21, during the period and on the conditions provided for in that section, or to present it to the Minister upon request in accordance with that section;

(2) to submit to the Minister the statement prescribed by section 22 in accordance with that section;

(3) to keep on the storage site, in accordance with the third paragraph of section 62, the last working order certification of a system referred to in that section which contains the required information;

(4) to keep on the storage site the results of the analyses referred to in the second paragraph of section 75 for the period provided for in that section;

(5) to keep on the storage site the certificates of installation or maintenance referred to in the second paragraph of section 90;

(6) to comply with the conditions relating to the keeping of a register or a report referred to in any of sections 105 to 107, 110, 131, 132 or 135 to 137, in particular to indicate therein the required information or, where applicable, to comply with the period provided for to do so.

138.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to enter into a written contract that contains the information prescribed by the second paragraph of section 11, prior to shipping a residual hazardous material, or to keep copies of the contract in accordance with that section;

(2) to keep the register referred to in the second paragraph of section 39 or to keep it at the storage sites for the period provided for in that section;

(3) to affix a tag on a receptacle, cargo container, tank or cargo tank in accordance with the first paragraph of section 46;

(4) to post a sign in accordance with the requirements of the second or third paragraph of section 46, section 76 or 100;

(5) to submit to the Minister the report referred to in the second paragraph of section 70 or section 74 in accordance with those sections;

(6) to have a closure report that complies with the requirements of the second or third paragraph of section 103 prepared or to send that closure report to the Minister in accordance with what is provided for in that section;

(7) to keep the information contained in the register referred to in section 108 in accordance with that section;

(8) to send to the Minister a report referred to in section 111 or 138 according to the frequency and schedule provided for therein;

(9) to send to the Minister, in the case referred to in the second paragraph of section 118 and as soon as possible, a notice containing the information prescribed by the third paragraph of that section;

(10) to keep the register provided for in section 130 or to keep it in accordance with section 133;

(11) to draw up the annual report provided for in section 134 in accordance with that section.

138.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to drain a transformer referred to in section 16 or to drain a basin referred to in section 17 according to the conditions provided for therein;

(2) to have the analyses referred to in section 18 carried out by a laboratory accredited by the Minister in accordance with that section;

(3) to ensure that a tank or connection referred to in section 28 is equipped with a sampling system in accordance with that section;

(4) to comply with the building, layout or maintenance conditions of a building, shelter, drain or site prescribed by any of sections 33 to 36;

(5) to collect or to evacuate the water referred to in section 38 in accordance with that section;

(6) to inspect, according to the prescribed frequency, the good condition and good working order of the storage facilities in accordance with the first paragraph of section 39;

(7) to store residual hazardous materials in accordance with the requirements of section 40;

(8) to comply with a condition prescribed by the first paragraph of section 45 in respect of a vessel containing residual hazardous materials;

(9) to comply with a condition prescribed by any of sections 47 to 49 in respect of a cargo container;

(10) to comply with a condition or standard prescribed by any of sections 53 to 55, 57, 58, 60, 61 or 66 to 69 in respect of a tank;

(11) to place a tank referred to in section 56 in an area having an impermeable basin that complies with the requirements of the first paragraph of that section;

(12) to have the working order of the corrosion protection system inspected in accordance with the requirements of the first or second paragraph of section 62;

(13) to have a qualified professional supervise the work related to the installation of an underground tank, to have the tank inspected by a professional or, in case of damage, to have the tank repaired in accordance with the first paragraph of section 70;

(14) to place a cargo tank in an impermeable area, in the cases referred to in the first paragraph of section 78, or to comply with the conditions prescribed by that section or prescribed by the third paragraph of that section in respect of that area;

(15) to convey the accumulated water in a loading or unloading area in accordance with the fourth paragraph of section 78;

(16) to equip a cargo tank with a safety device that complies with the requirements of section 79;

(17) to comply with the layout conditions provided for in section 82 or 83 as to the storage site of materials referred to therein;

(18) to protect a building or storage site by means of an intrusion detection system in the cases and according to the conditions provided for in section 85;

(19) to comply, in respect of the systems referred to in the first paragraph of section 90 or section 92, with the design, installation or maintenance conditions provided for therein;

(20) to lay out a final disposal site in a way that prevents intrusions in accordance with section 99;

(21) to fill holes, fissures and subsidence in accordance with section 102;

(22) to send to the Minister, before the expiry of a guarantee provided in one of the forms prescribed by the first paragraph of section 123 and within the time provided for in that section, the renewal of that guarantee or any other guarantee that complies with the requirements of that section;

(23) to keep in force a liability insurance contract that complies with the requirements of the third paragraph of section 124.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) stores residual hazardous materials in a cargo tank that does not comply with the conditions prescribed by section 77;

(2) pursues an activity when the person has not provided or renewed the guarantee or the civil liability insurance policy provided for in section 123 or in the second paragraph of section 125.

138.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to keep in good working order and in good condition the facilities, movable and immovable property, works and equipment referred to in section 29 or 37;

(2) to comply with the conditions prescribed by any of sections 41 to 44 as to the storage of the materials, objects or receptacles referred to therein;

(3) to pressure test an underground tank or piping when a leak is suspected in accordance with section 59;

(4) to remove from the ground an underground tank or piping referred to in section 63 or 64 according to the conditions prescribed therein;

(5) to replace the piping referred to in section 65;

(6) to set up a network of wells monitoring the quality of underground water in accordance with section 73;

(7) to cause to have analyzed the quality of the water of monitored wells, in accordance with the first paragraph of section 75, according to the frequency provided for in that section;

(8) to equip and protect any building or site referred to in section 84 or in any of sections 86 to 88 with the prescribed detection, extinguishing or emergency systems and devices, in the cases and on the conditions provided for therein;

(9) to ensure that all fire detection and intrusion detection systems comprise alarm transmission equipment in accordance with section 89;

(10) to ensure that every fire detection system comprises a fire alarm in accordance with section 91;

(11) to comply with the conditions relating to a final disposal site of hazardous materials prescribed by any of sections 95 to 97, in particular as to the various systems with which it is equipped and, where applicable, collected water;

(12) to ensure that the equipment and systems with which the final disposal site is equipped comply with the conditions prescribed by the first paragraph of section 98 or to maintain them periodically in accordance with the second paragraph of that section;

(13) to comply with the conditions prescribed by section 101 as to the final cover of a disposal site.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) violates the prohibitions provided for in any of sections 50 to 52 in respect of a tank;

(2) places, inside the same basin, tanks containing incompatible materials in contravention of the first paragraph of section 56;

(3) places, in the same loading or unloading zone, cargo tanks containing incompatible materials in contravention of the second paragraph of section 78.

138.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) fails to inform the Minister, within the time prescribed, in the case of

(a) accidental release of a hazardous material into the environment in accordance with subparagraph 2 of the first paragraph of section 9;

(b) a cessation of activities or the dismantling of any building in which there were hazardous materials in accordance with the first paragraph of section 13;

(c) contamination of ground water in accordance with the third paragraph of section 75;

(d) permanent termination of disposal operations in accordance with the first paragraph of section 103;

(2) fails, in the case of a cessation of activities, to decontaminate or dismantle the buildings and equipment referred to in the first paragraph of section 13 or, as the case may be, to decontaminate or ship to an authorized site materials from the dismantling in contravention of the second or third paragraph of that section;

(3) uses for energy generation purposes a residual hazardous material or used oil referred to in any of sections 24, 26 or 27 without complying with the conditions prescribed therein;

(4) uses a residual hazardous material for the manufacture of a fuel without complying with the conditions prescribed by section 25;

(5) abandons on its site an underground tank in contravention of the first paragraph of section 71;

(6) transports hazardous materials to a hazardous material disposal site without holding a permit in contravention of section 117.

138.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) ships a residual hazardous material to any person who is not authorized to receive such material in contravention of the first paragraph of section 11;

(2) entrusts hazardous materials to a carrier who does not hold the permit referred to in section 117 in contravention of the first paragraph of section 12;

(3) contravenes the prohibition provided for in section 15 as to reusing liquid from electrical equipment;

(4) stores residual hazardous materials in heaps outside a building without complying with the conditions prescribed by paragraph 3 or 4 of section 72.

138.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) emits, deposits, discharges, releases or allows the emission, deposit, discharge or release of a hazardous material into the environment or into a sewage system in contravention of the requirements of section 8;

(2) fails to take any of the measures prescribed by subparagraph 1 or 3 of the first paragraph of section 9 in the case of accidental release of a hazardous material into the environment;

(3) mixes or dilutes residual hazardous materials with other materials without complying with the condition prescribed by section 10;

(4) uses oil not approved to settle dust in contravention of section 14;

(5) fails to decontaminate or to fill with an inert material an abandoned underground tank in contravention of the second paragraph of section 71;

(6) stores, in heaps outside a building, residual hazardous materials that do not comply with the conditions prescribed by paragraph 1 or 2 of section 72;

(7) places in a final disposal site hazardous materials referred to in section 94;

(8) fails to equip a final disposal site with a collection system that complies with the requirements of section 97 or to treat the collected water in accordance with the requirements of that section.”.

5. The heading of Chapter IX is amended by replacing “PENAL” before section 139 by “PENAL SANCTIONS”.

6. Sections 139 to 143 are replaced by the following:

“**139.** Every person who contravenes section 21 or 22, the third paragraph of section 62, the second paragraph of section 75 or 90, any of sections 105 to 107, section 110, 131 or 132 or any of sections 135 to 137 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

140. Every person who contravenes the second paragraph of section 11 or 39, section 46, the second paragraph of section 70, section 74, 76 or 100, paragraph 1 or 2 of section 103, section 108 or 111, the second or third paragraph of section 118, or section 130, 133, 134 or 138 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

141. Every person who

(1) contravenes any of sections 16 to 18, section 28, any of sections 33 to 36, section 38, the first paragraph of section 39, section 40, the first paragraph of section 45, any of sections 47 to 49 or 53 to 55, section 57, 58, 60 or 61, the first or second paragraph of section 62, any of sections 66 to 69, the first paragraph of section 70, section 77, the first, third or fourth paragraph of section 78, section 79, 82, 83 or 85, the first paragraph of section 90, section 92, 99 or 102, the first or third paragraph of section 123, the third paragraph of section 124 or the second paragraph of section 125,

(2) fails to place a tank referred to in section 56 in an area having an impermeable basin that complies with the requirements of the first paragraph of that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

142. Every person who

(1) contravenes section 29 or 37, any of sections 41 to 44 or 50 to 52, section 59, any of sections 63 to 65, section 73, the first paragraph of section 75, the second paragraph of section 78, section 84, any of sections 86 to 88, or section 89, 91, or any of sections 95 to 98, or section 101,

(2) places, inside the same basin, tanks containing incompatible materials in contravention of the first paragraph of section 56,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

143. Every person who

(1) contravenes subparagraph 2 of the first paragraph of section 9, section 13, any of sections 24 to 27, the first paragraph of section 71, the third paragraph of section 75, the first paragraph of section 103 or section 117,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

143.1. Every person who contravenes the first paragraph of section 11 or 12, section 15 or paragraph 3 or 4 of section 72 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

143.2. Every person who contravenes subparagraph 3 of the first paragraph of section 9, section 10, the second paragraph of section 71, paragraph 1 or 2 of section 72 or section 94 or 97 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

143.3. Every person who contravenes section 8, subparagraph 1 of the first paragraph of section 9 or section 14 commits an offence and is liable, in the case of a natural person, to a fine of \$12,500 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$37,500 to \$6,000,000.

143.4. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

Gouvernement du Québec

O.C. 678-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Environmental standards for heavy vehicles
— Amendment**

Regulation to amend the Regulation respecting environmental standards for heavy vehicles

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting environmental standards for heavy vehicles (chapter Q-2, r. 33);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting environmental standards for heavy vehicles was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting environmental standards for heavy vehicles, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting environmental standards for heavy vehicles

Environment Quality Act
(chapter Q-2, ss.115.27 and 115.34)

1. The Regulation respecting environmental standards for heavy vehicles (chapter Q-2, r. 33) is amended by replacing the heading of Chapter V by “PENAL SANCTIONS”.

2. Sections 17 to 20 are replaced by the following:

“**17.** Every person who contravenes section 10 commits an offence and is liable, in the case of a natural person, to a fine of \$200 to \$2,000 or, in other cases, to a fine of \$400 to \$4,000.

18. Every person who contravenes section 11 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$50,000 or, in other cases, to a fine of \$2,000 to \$100,000.

19. Every person who contravenes the first paragraph of section 6 or section 7 or 8 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

20. Every person who offers for sale, sells or otherwise places at the disposal of a person a heavy vehicle that does not comply with this Regulation without having obtained and kept the attestation prescribed by section 11, or who, after the 30-day period set by that section and without having obtained and kept the attestation prescribed by that section, uses or allows the use of the vehicle commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$4,000 to \$200,000.”.

3. Sections 21 and 22 are struck out.

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

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Gouvernement du Québec

O.C. 679-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Land Protection and Rehabilitation Regulation — Amendment

Regulation to amend the Land Protection and Rehabilitation Regulation

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Land Protection and Rehabilitation Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Land Protection and Rehabilitation Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Land Protection and Rehabilitation Regulation

Environment Quality Act
(chapter Q-2, ss.115.27 and 115.34)

1. The Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) is amended by inserting the following after section 13:

“**13.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to keep an analysis report produced by an accredited laboratory for the period provided for in the third paragraph of section 8;

(2) to transmit to the Minister the attestation of conformity required under the second paragraph of section 9, according to the frequency provided for in that section.

13.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to transmit to the Minister, an analysis report made pursuant to section 8, according to the frequency provided for in the first paragraph of section 9.

13.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to sample groundwater, on the conditions and according to the frequency provided for in section 7 or have those samples analyzed by a laboratory accredited by the Minister in accordance with the first paragraph of section 8;

(2) to transmit to the Minister a groundwater monitoring program and the opinion of a professional, within the time prescribed and according to the conditions provided for in section 11;

(3) to review and update a groundwater monitoring program for the purposes and according to the frequency provided for in section 13 or to send the program to the Minister within the time provided for in that section.

13.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to carry on the monitoring of groundwater quality in accordance with section 4;

(2) to install a well system to monitor groundwater quality that complies with the requirements of section 6.

13.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails to inform the Minister if a limit value has been exceeded in accordance with the second paragraph of section 8.”.

2. Section 14 is replaced by the following:

“**14.** Every person who contravenes the third paragraph of section 8 or the second paragraph of section 9 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

14.1. Every person who contravenes the first paragraph of section 9 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

14.2. Every person who contravenes section 7, the first paragraph of section 8 or section 11 or 13 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

14.3. Every person who contravenes section 4 or 6 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

14.4. Every person who

(1) contravenes the second paragraph of section 8,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

14.5. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Regulation or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

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

2818

Gouvernement du Québec

O.C. 680-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Quality of the atmosphere
— Amendment**

Regulation to amend the Regulation respecting the quality of the atmosphere

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the quality of the atmosphere was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the quality of the atmosphere, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the quality of the atmosphere

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38) is amended by inserting the following after section 96.3:

“DIVISION XXX.1.1 MONETARY ADMINISTRATIVE PENALTIES

96.3.1. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to duct or to treat the odours referred to in the second paragraph of section 16 by equipment for the treatment of gas;

(2) to comply with the conditions prescribed by the third paragraph of section 16 as to the operating areas for the processes and the stocking areas;

(3) to sample or to analyze a contaminant referred to in section 96 according to the method provided for in paragraph *i* of that section or according to an equivalent method.

96.3.2. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails to comply with the conditions prescribed by the second paragraph of section 24 as to the location of a grain processing plant referred to in that section.

96.3.3. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to comply with the maximum quantities of organic compound emissions established by section 12 in the cases provided for in that section;

(2) to comply with the standards of reduction of organic compound emissions established by section 13 in the case provided for in that section;

(3) to comply with the values established by the first or second paragraph of section 16 as to the concentration of odours discharged into the atmosphere, in the cases provided for in that section;

(4) to take the necessary measures to ensure the purposes referred to in section 19 in the case of emission of dust in the cases provided for in that section;

(5) to comply with the hourly quantities of particulate matter emissions referred to in the first paragraph of section 24 or the concentration provided for in the first paragraph of section 25 for those matters in the cases and on the conditions provided for in those sections;

(6) to comply with the emission standards that apply to a gas turbine established by section 35 in the cases provided for in that section;

(7) to comply with the emission standards of particulate matters established

(a) by section 42 and applicable to a cement plant in the cases provided for in that section;

(b) by section 45 and applicable to a furnace or a boiler in the cases provided for in that section;

(c) by section 62 and applicable to certain operations related to the operation of a foundry in the cases provided for in that section.”

2. The heading of Division XXX.2 is amended by replacing “PENALTIES” before section 96.4 by “PENAL SANCTIONS”.

3. Section 96.6 is replaced by the following:

“**96.6.** Every person who contravenes section 96.1 or 96.2 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

96.7. Every person who

(1) contravenes the third paragraph of section 16 or paragraph *i* of section 96,

(2) fails to duct or to treat the odours referred to in the second paragraph of section 16 by equipment for the treatment of gas,

(3) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

96.8. Every person who contravenes the second paragraph of section 24 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

96.9. Every person who

(1) contravenes section 12, 13 or 19, the first paragraph of section 24, section 25, 35, 42, 45 or 62,

(2) fails to comply with the values established by the first or second paragraph of section 16 as to the concentration of odours discharged into the atmosphere,

commits an offence and is liable, in the case of natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.”

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

2819

Gouvernement du Québec

O.C. 681-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Water quality in swimming pools and other artificial pools
— Amendment**

Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting water quality in swimming pools and other artificial pools (chapter Q-2, r. 39);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting water quality in swimming pools and other artificial pools (chapter Q-2, r. 39) is amended by inserting the following after section 22:

**“CHAPTER V.1
MONETARY ADMINISTRATIVE PENALTIES**

22.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to enter the water monitoring results in the record in accordance with the first paragraph of section 21 or to do the certification required under the first or the second paragraph of that section;

(2) to post the record at the frequency or on the conditions prescribed in section 22.

22.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to keep a record containing the information prescribed by section 20;

(2) to ensure that the entries or certifications in the record are compliant as prescribed by the third paragraph of section 21;

(3) to keep, for the period provided for therein, the record or reports referred to in section 22 or to make them available to the Minister.

22.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to sample water at the frequencies or on the conditions prescribed by section 9, 10 or 11 or to make the results of the microbiological analyses available at the frequency provided for in the second paragraph of section 10;

(2) to collect, preserve, analyze or send water samples in accordance with the methods prescribed by section 13;

(3) to send water samples, forms or analysis results at the frequency or on the conditions prescribed by section 14;

(4) to evacuate the pool, close the access to the pool or increase the chlorine concentration at the frequency or on the conditions prescribed by the first paragraph of section 18.

22.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to ensure compliance with the microbiological or physicochemical quality of pool water prescribed by section 5;

(2) to ensure compliance with the chlorine, bromine or oxidation-reduction potential (ORP) standards prescribed by section 6;

(3) to ensure compliance with the pool water clarity standards prescribed by section 7;

(4) to drain or disinfect daily the type of pool referred to in section 8 before refilling or reusing the pool in accordance with the first paragraph of that section;

(5) to take the necessary measures to enable adequate monitoring of the quality of water made available to the users in the case or on the conditions provided for in section 12;

(6) to immediately communicate any result indicating that the water does not meet a microbiological standard to the person in charge of the pool, as prescribed by section 15;

(7) to take the necessary remedial measures if the pool water does not meet any of the water quality standards in Chapter II, to ascertain whether the system is being adequately maintained and operated, to adjust the level of residual disinfectant in the water or to collect or have a second sample collected to test for the presence of the identified microorganism in the cases or on the conditions provided for in section 16;

(8) to ensure that the parameters referred to in section 19 meet the standards in Chapter II before reopening the pool as prescribed by that section.

22.5. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails

(1) to drain or disinfect the type of pool referred to in section 8 following the presence of vomitus or feces in accordance with the first paragraph of that section;

(2) to immediately evacuate or close access to the pool in the cases provided for in section 17;

(3) to ensure that the values of the residual disinfectant and pH meet the standards in Chapter II before permitting access to the pool in the case provided for in the second paragraph of section 18.”.

2. The heading of Chapter VI is amended by replacing “OFFENCES” by “PENAL SANCTIONS”.

3. Sections 23 to 28 are replaced by the following:

“**23.** Every person who contravenes the first or second paragraph of section 21 or fails to post the record at the frequency or on the conditions prescribed by section 22 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

24. Every person who contravenes section 20 or the third paragraph of section 21 or fails to keep for the period provided for therein the record or reports referred to in section 22 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

25. Every person who contravenes section 9, 10, 11 or 13, the first, second or third paragraph of section 14 or the first paragraph of section 18 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

26. Every person who contravenes section 5, 6, 7, 8, 12, 15, 16 or 19 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

27. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

28. Every person who contravenes section 8 or 17 or the second paragraph of section 18 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

28.1. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2820

Gouvernement du Québec

O.C. 682-2013, 19 June 2013Environment Quality Act
(chapter Q-2)**Quality of drinking water**
— **Amendment**

Regulation to amend the Regulation respecting the quality of drinking water

WHEREAS, under subparagraphs *e*, *h.1* and *h.2* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment, determine the methods for for collecting, preserving and analyzing samples, and prescribe that any analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under sections 45 and 45.2 46 of the Act, the Government may, by regulation, provide standards related to drinking water and prescribe the requirements regarding the taking and forwarding of the water samples taken;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the quality of drinking water (chapter Q-2, r. 40);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the quality of drinking water was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the quality of drinking water, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the quality of drinking water

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. e, h.1 and h.2,
ss. 45, 45.2, 115.27 and 115.34)

- 1.** The Regulation respecting the quality of drinking water (chapter Q-2, r. 40) is amended in section 14.1 by inserting “educational institutions, correctional facilities or health and social services institutions” after “tourist establishments,” in the third paragraph
- 2.** Section 31 is amended by replacing “analysis request forms furnished by the Minister” in the first paragraph by “analysis request forms complying with the model provided by the Minister”.
- 3.** Section 39 is amended by replacing “≥ 5,000” and “≥ 20,000” in the table following the first paragraph by “≤ 5,000” and “≤ 20,000” respectively.
- 4.** Section 44.0.2 is amended by striking out “serving at least 1 residence” in the first paragraph.
- 5.** The following is inserted after section 44.5:

“CHAPTER V.2 MONETARY ADMINISTRATIVE PENALTIES

44.6. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

- (1) to send any document, declaration or notice referred to in section 1.3 in the manner prescribed by that section;
- (2) to be in possession of a copy of the contract referred to in section 9.1, keep it for at least 2 years or make it available to the Minister;
- (3) to send to the Minister a declaration or a modified declaration in the cases, within the periods and on the conditions provided for in section 10.1;

(4) to enter the results obtained pursuant to section 17 or 23 on the forms provided for therein;

(5) to sign the form referred to in the second paragraph of section 30 in the cases provided for therein or to keep or make available to the Minister a copy of the form during the period provided for in the third paragraph of that section;

(6) to send the analysis request forms with the samples referred to in the first paragraph of section 31;

(7) to certify compliance of the analysis referred to in the second paragraph of section 32, to keep the certification or to make it available to the Minister during the period provided for in that section;

(8) to keep a copy of the report referred to in the third paragraph of section 33 or to make it available to the Minister during the period provided for in that section;

(9) to enter the results obtained pursuant to the second paragraph of section 39 on the form provided for therein;

(10) to carry or to show upon request a valid certificate of qualification or competency certificate complying with section 44.0.1 in the cases provided for therein;

(11) to obtain or to keep or to make available to the Minister during the period of time provided a copy of the certificates of qualification or competency certificates referred to in the fifth paragraph of section 44.0.2;

(12) to comply with the conditions relating to the size and appearance of the pictograms referred to in the first paragraph of section 44.2;

(13) to enter in a record the information prescribed by the second paragraph of section 44.3, to keep the record on paper or to make it available to the Minister for 5 years in accordance with that paragraph;

(14) to keep a copy of the analysis request and the report referred to in the first paragraph of section 44.4 or to make them available to the Minister during the period provided for in that section;

(15) to comply with the periods or frequencies provided for in the third paragraph of section 53 or the second paragraph of section 53.0.1 for sending to the Minister the attestations or reports referred to therein, as the case may be;

(16) to provide a copy of the report referred to in the second paragraph of section 53.3 to the user requesting a copy in accordance with that paragraph;

(17) to comply with the requirements provided for in the third paragraph of section 53.3 relating to the posting of the report or the notice referred to therein.

44.7. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to make available to the Minister for a period of 10 years, from the date it is signed by a professional, the notice referred to in the second paragraph of section 6;

(2) to obtain an access right in writing in the cases and on the conditions provided for in section 9.1;

(3) to make available to the Minister, for a minimum period of 5 years, a copy of the plan and the document of explanation referred to in section 21.0.1, including the information provided for in that section;

(4) to enter each day in a record the information prescribed by the fourth paragraph of section 22, to sign the record or to keep it in paper form for a minimum of 2 years or to make it available to the Minister;

(5) to keep or to make available to the Minister, for a minimum period of 5 years, the data prescribed by the fifth paragraph of section 22;

(6) to maintain a record containing the information prescribed by the second paragraph of section 28 or to keep or to make available to the Minister such a record for a minimum period of 5 years;

(7) to send to the Minister the results of the analyses referred to in the first paragraph of section 33 within the periods and on the conditions for sending provided for therein;

(8) to immediately send to the Minister and the public health director the declaration provided for in the fourth paragraph of section 36;

(9) to comply with the requirements of section 36.1 regarding the content of the notice referred to therein;

(10) to immediately inform the Minister of Agriculture, Fisheries and Food in the cases provided for in the second paragraph of section 44.2;

(11) to make available to the Minister for at least 5 years the attestation referred to in section 53.2;

(12) to complete annually the report referred to in the first paragraph of section 53.3 in accordance with what is provided for therein;

(13) to keep the report referred to in the second paragraph of section 53.3 or to make it available to the Minister for a minimum period of 5 years.

44.8. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to notify any person or institution that had to be notified pursuant to section 36 when the situation referred to in section 41 occurs;

(2) to comply with the conditions provided for in section 44.1 relating to the possibility of supplying water referred to therein for personal hygiene purposes;

(3) to collect according to the frequency and on the conditions provided for in the first paragraph of section 44.3 the water samples prescribed therein;

(4) to send for analysis the samples referred to in the first paragraph of section 44.4 to a laboratory accredited by the Minister in accordance with that section;

(5) to send to the Minister the reports prescribed by the second paragraph of section 53.0.1 containing the information provided for therein.

44.9. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to ensure, by means of a prepared notice signed by a professional, that the equipment in place meets the requirements provided for in the second paragraph of section 6;

(2) to administer a water disinfection treatment in accordance with the conditions provided for in section 8 in the cases provided for therein;

(3) to equip with standby disinfection equipment complying with section 9 the disinfection systems referred to therein;

(4) to comply with the conditions provided for in section 9.2 relating to the products used for the treatment of water intended for human consumption;

(5) to collect or have collected the water samples referred to in section 11 according to the frequencies and on the conditions provided for therein;

(6) to collect at least 50% of the samples referred to in section 11 on the conditions provided for in section 12;

(7) to provide the person in charge of the supplying distribution system with the contact information prescribed by the second paragraph of section 12.1;

(8) to make sampling points referred to in the third paragraph of section 12.1 accessible to the employees or representatives of a municipality, for the purposes of sampling the water supplied;

(9) to collect or to have collected the water samples referred to in section 13 in the cases, on the conditions and according to the frequencies provided for therein;

(10) to collect or to have collected the water samples prescribed by the first or second paragraph of section 14 or 15 according to the frequencies and on the conditions provided for therein;

(11) to collect or to have collected samples from the water supplied in accordance with the terms and conditions provided for in the first paragraph of section 14.1;

(12) to measure the pH of the water for the samples referred to in section 17;

(13) to collect or to have collected the water samples prescribed by the first, second or third paragraph of section 18 or section 19 or 21 according to the frequencies and on the conditions provided for in those sections;

(14) to ensure that the sampling points where samples are collected enable to obtain data representative of the quality of water for the whole network in accordance with section 21.0.1;

(15) to collect or to have collected the monthly samples prescribed by the second paragraph of section 21.1;

(16) to equip every disinfection treatment facility that treats water supplied by a distribution system with the devices prescribed by the first, second or third paragraph of section 22 and complying with the requirements provided for therein;

(17) to measure daily the flow rate, volume, temperature and pH of the water in the accordance with the fourth paragraph of section 22;

(18) to equip a facility referred to in the fifth paragraph of section 22 with software that allows for continuous calculation and an alarm in accordance with that paragraph;

(19) to collect or to have collected the water samples prescribed by the first paragraph of section 22.0.1 according to the frequencies and on the conditions provided for therein;

(20) to measure the quantity of free residual disinfectant or, as the case may be, the free and total residual disinfectant, in the samples referred to in section 23;

(21) to collect the samples required by section 26 in accordance with the conditions provided for therein;

(22) to ensure, in the case of tank trucks, that the water transfer operations are performed under such sanitary conditions that the water quality is not affected in accordance with the first paragraph of section 27;

(23) to ensure that the water referred to in the second paragraph of section 27 meets the concentration of chlorine prescribed therein;

(24) to measure daily the quantity of free residual chlorine in the samples referred to in the first paragraph of section 28;

(25) to comply with the conditions prior to the transportation of water intended for human consumption provided for in the second or third paragraph of section 29;

(26) to ensure that the samples referred to in the first paragraph of section 30 are collected and kept in accordance to the provision of Schedule 4 or shipped to the analytical laboratory as soon as possible in accordance with that section;

(27) to send for analysis the samples referred to in the first paragraph of section 31 to a laboratory accredited by the Minister in accordance with that section;

(28) to analyze the water samples referred to in the first paragraph of section 32 in accordance with the methods prescribed therein;

(29) to give to users the notices prescribed by the fourth paragraph of section 36 according to the frequency and the conditions provided for therein;

(30) to collect or to have collected the minimum number of water samples prescribed by the first paragraph of section 39 according to the frequencies and the conditions provided for therein or provided for in the third or fourth paragraph of that section;

(31) to measure the quantity of free and total residual disinfectant in the samples referred to in the second paragraph of section 39;

(32) to collect or to have collected the water samples according to the frequencies and the conditions provided for or to certify to the Minister, where applicable, the efficiency of the necessary remedial measures in the cases provided for in the first paragraph of section 40;

(33) to take the measures relating to the collection of samples, their analysis and the verifications prescribed by the first or second paragraph of section 42 in the case provided for therein;

(34) to ensure that the duties referred to in section 44 are carried out by a person certified within the meaning of that section or under the supervision of such a person;

(35) to ensure that a person employed to perform a task referred to in the first, second, third or fourth paragraph of section 44.0.2 is certified within the meaning of section 44 or is under the supervision of such a person;

(36) to send to the Minister the attestation prescribed by the third paragraph of section 53 within the period and on the conditions provided for therein;

(37) to collect or to have collected the water samples referred to in the first paragraph of section 53.0.1 according to the frequencies and the conditions provided for or to send the samples to a laboratory referred to in that section;

(38) to hold the attestation referred to in section 53.2 in accordance with the conditions prescribed therein.

44.10. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to notify, as soon as possible, the Minister and the public health director of the region concerned in the case provided for in section 17.1 or to inform them of the measures referred to in that section on the conditions provided for therein;

(2) to communicate to the persons referred to in the fourth paragraph of section 35 and in accordance with the means prescribed the results of the analysis provided for therein;

(3) to take immediately in the case provided for in the second paragraph of section 35.1 remedial measures or to inform the Minister during business hours;

(4) to notify as soon as possible, the Minister and the public health director of the region concerned in the case provided for in the first paragraph of section 36 or to inform them of the measures referred to in that section on the conditions provided for therein;

(5) to comply with the conditions provided for in the fifth paragraph of section 39 permitting to consider as again complying the water referred to;

(6) to immediately notify the Minister and the public health director of the region concerned in the case provided for in the first paragraph of section 39.1 or to inform them of the measures referred to in that section on the conditions provided for therein;

(7) to maintain the advisory provided for in the second paragraph of section 39.1 as long as prescribed by that section;

(8) to immediately implement, in the case provide for in section 44.5, the remedial measures referred to therein, to notify the Minister and the public health director of the region concerned or to inform them of the measures taken.

44.11. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) uses to supply water intended for human consumption the tank of a vehicle used or having been used to transport substances unfit for human consumption, in contravention of the first paragraph of section 29;

(2) fails to immediately communicate the results of the analysis of the water referred to in section 35 to the persons prescribed by that section in accordance with the first, second, third or fifth paragraph of that section;

(3) fails to immediately notify the Minister in the case provided for in the first paragraph of section 35.1 or to inform the Minister of the actions referred to in that section on the conditions provided for therein;

(4) fails to immediately notify the users of a system that the water is considered unfit for consumption or to inform the public health director of the region concerned in accordance with the third paragraph of section 35.1.

44.12. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to comply with the requirements provided for in section 1.2 relating to the water disinfection treatment;

(2) to ensure that the water intended for human consumption complies with the standards of quality of drinking water prescribed by section 3;

(3) to treat the water in accordance with section 5 before making it available to the user;

(4) to ensure that the rates of effectiveness of the filtration and disinfection treatment referred to in the first paragraph of section 5.1 correspond to those prescribed therein, as the case may be;

(5) to treat water made available to the user in the manner referred to in the first paragraph of section 6 by a disinfection treatment whose proven rate of elimination effectiveness is that provided for in that provision;

(6) to notify the persons referred to in the second paragraph of section 12.1 in the cases provided for therein or, as the case may be, to take the corrective measures to remedy the situation;

(7) to ensure that the water used to fill the tank and intended for human consumption complies with the standards prescribed by the first paragraph of section 27;

(8) to notify the users by the appropriate means, as the case may be, as prescribed by the second or third paragraph of section 36;

(9) to immediately notify the person in charge of another distribution system in the case and on the conditions provided for in section 37;

(10) to post a notice complying with the first paragraph of section 38 or to interrupt any water service in the case and on the conditions provided for in that section;

(11) to notify the users in the case referred to in the second paragraph of section 38;

(12) to install or to maintain in place or ensure to be installed or maintained in place the pictograms complying with the conditions of visibility or manufacture provided for in the first paragraph of section 44.2.”

6. The heading of Chapter VI is amended by inserting “SANCTIONS” after “PENAL”.

7. Sections 45 to 49 are replaced by the following:

“**45.** Every person who contravenes section 10.1, the second or third paragraph of section 30, the second paragraph of section 32, the third paragraph of section 33, section 44.0.1, the fifth paragraph of section 44.0.2, the section paragraph of section 44.3 or the third paragraph of section 53 or 53.3 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

Every person who fails

(1) to be in possession of, to keep for at least 2 years or to make available to the Minister a copy of the contract referred to in section 9.1,

(2) to enter the results obtained pursuant to section 17 or 23 on the forms provided for therein,

(3) to send the analysis request forms with the samples referred to in the first paragraph of section 31,

(4) to enter the results obtained pursuant to the second paragraph of section 39 on the forms provided for therein,

(5) to comply with the conditions relating to the form of the pictograms referred to in the first paragraph of section 44.2,

(6) to keep a copy of the analysis request and report referred to in the first paragraph of section 44.4 or to make them available to the Minister during the period provided for in that section,

(7) to comply with the periods or frequencies provided for in the third paragraph of section 53 or the second paragraph of section 53.0.1 to send to the Minister the attestations or report referred to therein, as the case may be,

(8) to provide a copy of the report referred to in the second paragraph of section 53.3 to the user who so requests in accordance with that paragraph,

also commits an offence and is liable to the same fines.

46. Every person who contravenes the second paragraph of section 28, the first paragraph of section 33, section 36.1 or the second paragraph of section 44.2 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

Every person who fails

(1) to make available to the Minister for a period of 10 years, from the date it is signed by a professional, the notice referred to in the second paragraph of section 6,

(2) to obtain a written access right in the cases and on the conditions provided for in section 9.1,

(3) to make available to the Minister, for a minimum period of 5 years, a copy of the plan and the document of explanation referred to in section 21.0.1 and including the information provided for in that section ,

(4) to enter daily in a record the information prescribed by the fourth or fifth paragraph of section 22, to sign or keep in paper form for 2 years that record or to make it available to the Minister,

(5) to immediately send to the Minister and the public health director the declaration provided for in the fourth paragraph of section 36,

(6) to make available to the Minister for at least 5 years the attestation referred to in section 53.2,

(7) to complete or to keep the report referred to in the second paragraph of section 53.3 or to make it available to the Minister for a minimum period of 5 years,

also commits an offence and is liable to the same fines.

47. Every person who

(1) contravenes section 41 or 44.1 or the first paragraph of section 44.3,

(2) fails to send for analysis the samples referred to in the first paragraph of section 44.4 to a laboratory accredited by the Minister in accordance with that section,

(3) fails to send to the Minister the reports prescribed by the second paragraph of section 53.0.1 containing the information provided for therein,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

48. Every person who contravenes section 8, 9, 11 or 12, the third paragraph of section 12.1, section 13 or 14, the first paragraph of section 14.1, section 15, 18, 19 or 21, the second paragraph of section 21.1, the first, second or third paragraph of section 22, section 22.0.1 or 26, the second paragraph of section 27, the first paragraph of section 28, the second or third paragraph of section 29, the first paragraph of section 30, the first paragraph of section 32, the first, third or fourth paragraph of section 39, section 40, 42 or 44, the first, second, third or fourth paragraph of section 44.0.2 or the first paragraph of section 53.0.1 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails

(1) to ensure, by a prepared notice signed by a professional, that the equipment in place meets the requirements provided for in the second paragraph of section 6,

(2) to comply with the conditions provided for in section 9.2 relating to the products used for the treatment of water intended for human consumption,

(3) to provide to the person in charge of the supplying distribution system the contact information prescribed by the second paragraph of section 12.1;

(4) to measure the pH of the water for the samples referred to in section 17,

(5) to ensure that the sampling points where samples are collected enable to obtain data representative of the quality of water for the whole network in accordance with section 21.0.1,

(6) to measure daily the flow rate, volume, temperature and pH of the water in accordance with the fourth paragraph of section 22,

(7) to equip a facility referred to in the fifth paragraph of section 22 with software that allows for continuous calculation and an alarm complying with that paragraph,

(8) to measure the quantity of free residual disinfectant or, as the case may be, the free and total residual disinfectant in the samples referred to in section 23,

(9) to ensure, in the case of a tank truck, that the water transfer operations are performed under such sanitary conditions that the water quality is not affected in accordance with the first paragraph of section 27,

(10) to send for analysis the samples referred to in the first paragraph of section 31 to a laboratory accredited by the Minister in accordance with that section,

(11) to give users the notices prescribed by the fourth paragraph of section 36 according to the frequency and the conditions provided for therein,

(12) to measure the quantity of free and total residual disinfectant in the samples referred to in the second paragraph of section 39,

(13) to send to the Minister the attestation prescribed by the third paragraph of section 53 within the period and on the conditions provided for therein,

(14) to hold the attestation referred to in section 53.2 in accordance with the conditions provided for therein,

also commits an offence and is liable to the same fines.

49. Every person who

(1) contravenes section 17.1, the fourth paragraph of section 35, the second paragraph of section 35.1, the first paragraph of section 36, the fifth paragraph of section 39 or section 39.1 or 44.5,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

49.1. Every person who contravenes the first paragraph of section 29, the first, second, third or fifth paragraph of section 35 or the first or third paragraph of section 35.1 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

49.2. Every person who

(1) contravenes section 1,2, 3, 5 or 5.1, the first paragraph of section 6, the second or third paragraph of section 36, section 37 or 38,

(2) fails to notify the persons referred to in the second paragraph of section 12.1 in the cases provided for therein or, as the case may be, to take the corrective measures to remedy the situation,

(3) fails to ensure that the water used to fill the tank and intended for human consumption complies with the standards prescribed by the first paragraph of section 27,

(4) fails to install or maintain in place or to ensure to be installed or maintained in place pictograms complying with the conditions of visibility or manufacture provided for in the first paragraph of section 44.2,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

49.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

8. Schedule 4 to this Regulation is amended

(1) by replacing subparagraph 1 of the first paragraph of section 5 of Division IV of Chapter I under Title I by the following:

“(1) collect samples in containers provided by a laboratory accredited by the Minister by filling them to the brim;”;

(2) by replacing “HCI” in the first line under “Preservative” under note 1 of the Table *Preservation standards of organic substances* under Title II by “HCI”;

(3) by replacing “Must contain 1 mL of ammonium chloride per litre of sample” in the fourth line under “Preservative” under note 1 of the Table *Preservation standards of organic substances* under Title II by “Must contain 1 mL of ammonium chloride per 100 mg/L of sample”;

(4) by replacing in the lines under “Type of container” under note 2 of the Table *Preservation standards of organic substances* under Title II

(a) for “PO” and “PS” the word “Bottle” by “Container”;

(b) for “P” the words “Bottles and cap coatings” by “Containers and cap coatings, if applicable.”

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except paragraph 5 of section 44.9, introduced by section 5 of this Regulation, and subparagraph 2 of the second paragraph of section 48, replaced by section 7 of this Regulation, which come into force on 8 March 2017.

2821

Gouvernement du Québec

O.C. 683-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Recovery and reclamation of products by enterprises
— Amendment**

Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1) is amended by inserting the following after section 53:

**“CHAPTER VI.1
MONETARY ADMINISTRATIVE PENALTIES**

53.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to inform the Minister, within the period provided for in the first paragraph of section 6, of its intention to implement an individual program, to join a group of enterprises implementing a common program or to become a member of an organization referred to in section 4 or to submit to the Minister for that purpose the information and documents prescribed by the second or third paragraph of section 6;

(2) to attribute the costs related to the recovery and reclamation of a product only to that product and to internalize the costs in the price asked for the product as soon as it is put on the market as prescribed by the first paragraph of section 7;

(3) to comply with the conditions provided for in the second paragraph of section 7 relating to the visibility or disclosure of internalized costs;

(4) to provide for the management of recovered products in the manner prescribed by the second paragraph of section 8 and to obtain from the service providers and sub-contractors the information referred to in that paragraph;

(5) to provide to the Minister a document referred to in the third paragraph of section 8 where a management method may not be used, as required by that paragraph;

(6) to attach to the annual report an assessment of the implementation and effectiveness of the recovery and reclamation program at the frequency and on the conditions provided for in section 10;

(7) to send the Minister an annual report at the frequency and on the conditions provided for in the first paragraph of section 11 or to attach to the report an assessment at the frequency and on the conditions provided for in the second paragraph of that section;

(8) to record in a register the information referred to in the first paragraph of section 12, to provide a copy to the Minister on request in accordance with that paragraph or to keep the information for the period provided for in the second paragraph of that section;

(9) to record the information referred to in the fifth paragraph of section 13 and to keep the information for the period provided for therein;

(10) to include in the annual report the information provided for in the first paragraph of section 26, to provide the information in the manner provided for in the second paragraph of that section or to include the information in the assessment, as prescribed by the third paragraph of that section;

(11) to include in the annual report the information provided for in section 32;

(12) to include in the information, awareness and education activities specific activities adapted to various uses and clientele, on the conditions provided for in the first paragraph of section 38, or to include in the annual report the information provided for in the second paragraph of that section;

(13) to attach to the assessment a study or an update of such study required by section 45 or 51.

53.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to submit to the Minister an annual report at the frequency and on the conditions provided for in the first paragraph of section 9 or to submit the information in that report to an audit engagement as prescribed by the second paragraph of that section;

(2) to include in the recovery and reclamation program measures aimed at destroying personal and confidential information as prescribed by section 25.

53.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to recover and reclaim or to cause to be recovered and reclaimed the products referred to in the first paragraph of section 8 as prescribed by that section;

(2) to make the payment to the Green Fund required under the second paragraph of section 13 or the second or third paragraph of section 14 and at the frequency and in the manner provided for in the fourth paragraph of section 14;

(3) to transport, at the frequency and on the conditions provided for in the first paragraph of section 17, the recovered products to a site referred to in that section;

(4) to establish a drop-off centre on the conditions provided for in the first paragraph of section 18;

(5) to comply with the conditions relating to the drop-off centres or collection service for the industrial, commercial or institutional clientele provided for in the first paragraph of section 19;

(6) to offer a complementary collection service in the case and on the conditions provided for in the second paragraph of section 19;

(7) to offer access to and the deposit of products at the drop-off centres and the collection services free of charge as prescribed by section 21;

(8) to implement the recovery and reclamation program within the period prescribed by section 24, 31, 37, 44, 50 or 58 or to continue to implement a recovery system as prescribed by the first paragraph of section 59.

53.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to recover and reclaim or to cause to be recovered and reclaimed a product by means of a recovery and reclamation program on the conditions prescribed by section 2;

(2) to recover and reclaim or to cause to be recovered and reclaimed a component by means of a recovery and reclamation program on the conditions prescribed by section 3;

(3) to comply with any of the requirements relating to the recovery and reclaim program provided for in paragraphs 1 to 11 of section 5, 58 or 59;

(4) to set up drop-off centres on the conditions provided for in section 16 or 17.»

2. Chapter VII is replaced by the following:

**“CHAPTER VII
PENAL SANCTIONS**

54. Every person who

(1) contravenes section 6 or 7, the second or third paragraph of section 8, or section 10, 11, 26, 32, 38, 45 or 51,

(2) fails to provide the notice of intention or the information or documents prescribed by section 58 or the second paragraph of section 59,

commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

55. Every person who contravenes the first or second paragraph of section 9 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

56. Every person who

(1) contravenes the first paragraph of section 8, the second paragraph of section 13, the second, third or fourth paragraph of section 14, the first paragraph of section 18, section 19, 21, 24, 31, 37, 44 or 50,

(2) fails to transport, at the frequency and on the conditions provided for in the first paragraph of section 17, the recovered products to a site referred to in that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

56.1. Every person who

(1) contravenes section 2, 3 or 5,

(2) fails to set up drop-off centres on the conditions provided for in section 16 or 17,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

56.2. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

56.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2822

Gouvernement du Québec

O.C. 684-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Hot mix asphalt plants
— Amendment**

Regulation to amend the Regulation respecting hot mix asphalt plants

WHEREAS, under subparagraphs *e*, *h* and *h.2* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment, determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant, and prescribe that analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under paragraphs *b* and *c* of section 46 of the Act, the Government may make regulations to determine the standards of quality for any source of water supply and determine the maximum quantity or concentration of a contaminant the discharge of which is allowed into water;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48);

Whereas, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting hot mix asphalt plants was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting hot mix asphalt plants, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hot mix asphalt plants

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *e*, *h* and *h.2*, s. 46, pars. *b* and *c*, and ss.115.27 and 115.34)

1. The Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) is amended by striking out section 7.

2. Section 17 is replaced by the following:

“**17.** Methods of analysis: The water samples taken to ensure the enforcement of sections 15 and 16 must be sent, for analysis, to a laboratory accredited by the Minister under section 118.6 of the Act.”.

3. The following is inserted after section 25:

“DIVISION VI.1 MONETARY ADMINISTRATIVE PENALTIES

25.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to submit a new noise estimate to the Minister in the case provided for in the second paragraph of section 12.

25.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to comply with the location standards prescribed in the first paragraph of section 12 in the cases provided for therein;

(2) to send, for analysis, to an accredited laboratory the water samples referred to in section 17 in accordance with that section;

(3) to meet the conditions relating to the equipment of a hot mix asphalt plant provided for in section 18;

(4) to comply with the methods of measurement prescribed by section 20;

(5) to comply with the height prescribed by section 22 for a stack referred to therein;

(6) to control dust emissions referred to in section 24 by the means prescribed therein.

25.3. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who uses or installs equipment referred to in section 27 that is not in good working order or who uses, during production hours, such equipment that is not working optimally, in contravention of that section.

25.4. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) builds or alters a hot mix asphalt plant, or undertakes the operation or increases the production of such a plant, without the certificate of authorization required, as provided for in section 4;

(2) builds or installs a hot mix asphalt plant, or has areas for the loading, unloading or discharge of aggregate materials used for the needs of such plant, less than 300 m from a territory referred to in section 8, in contravention of that section;

(3) fails to comply with the location standards prescribed by section 9, 13 or 14 on the conditions provided for in those sections.

25.5. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who builds or installs a hot mix asphalt plant, or has areas for the loading, unloading or discharge of aggregate materials used for the needs of such plant, in a territory referred to in section 8, in contravention of that section.

25.6. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) fails to comply with the noise standards referred to in the second paragraph of section 10 in the case or on the conditions provided for in that section or in the second paragraph of section 12;

(2) discharges water into the environment that does not meet the emission standards prescribed by paragraph *a* or *b* of section 15 or section 16;

(3) emits into the atmosphere particulate matter that does not meet the emission standards prescribed by the first paragraph of section 19 or the opacity standards prescribed by the second paragraph of that section;

(4) fails to take the measures prescribed by section 23 so as to ensure that no loss of dust into the atmosphere is visible more than 2 m from the source of emission;

(5) fails to take the measures required to prevent the dust emissions referred to in section 25.

DIVISION VI.2 **PENAL SANCTIONS**

25.7. Every person who fails to submit a new noise estimate to the Minister in the case provided for in the second paragraph of section 12 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

25.8. Every person who contravenes the first paragraph of section 12, section 17, 18, 22, 22 or 24 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

25.9. Every person who contravenes section 27 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

25.10. Every person who

(1) contravenes section 4, 9, 13 or 14,

(2) builds or installs a hot mix asphalt plant, or has areas for the loading, unloading or discharge of aggregate materials used for the needs of such plant, less than 300 m from a territory referred to in section 8, in contravention of that section,

(3) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

25.11. Every person who builds or installs a hot mix asphalt plant, or has areas for the loading, unloading or discharge of aggregate materials used for the needs of such plant, in a territory referred to in section 8, in contravention of that section, commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

25.12. Every person who

(1) contravenes the second paragraph of section 10, section 15, 16, 19, 23 or 25,

(2) fails to comply with the noise standards referred to in the second paragraph of section 10 in the case and on the conditions provided for in the second paragraph of section 12,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

25.13. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

4. Section 28 is revoked.

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

2823

Gouvernement du Québec

O.C. 685-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Contaminated soil storage and contaminated soil transfer stations
— **Amendment**

Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation contaminated soil storage and contaminated soil transfer stations

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46) is amended by inserting the following chapter after section 68:

“CHAPTER III.1
MONETARY ADMINISTRATIVE PENALTIES

68.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to issue the document prescribed by the third paragraph of section 6 or, for the person who received the document, to keep it or make it available to the Minister for the period provided for in that section;

(2) to keep the logbook prescribed by the fourth paragraph of section 6 or to keep the logbook or make it available to the Minister for the period provided for in that section;

(3) to prepare the report prescribed by section 25;

(4) to keep or make available to the Minister the operations logbook and annexed documents referred to in section 50 for the period provided for in that section;

(5) to prepare the annual report prescribed by the first paragraph of section 61.

68.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to provide a storage site with a sign that complies with the requirements of paragraph 1 of section 19;

(2) to enter in a logbook the information prescribed by section 20, to keep the logbook or to make it available to the Minister for the period provided for in the fifth paragraph of that section;

(3) to provide a transfer station with a sign that complies with the requirements of paragraph 1 of section 48;

(4) to enter in a logbook the information prescribed by section 49, the second paragraph of section 51 or section 52 or 54 or to annex to the logbook the analysis reports prescribed by the first paragraph of section 51 or section 59;

(5) to enter in a report referred to in the first paragraph of section 52 the results of the analyses prescribed in that section.

The penalty provided for in the first paragraph may also be imposed on any person who, in contravention of a provision of this Regulation, fails to communicate or to send to the Minister any report or study, within the time prescribed in cases where no other monetary administrative penalties are provided for such failure.

68.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to determine, in accordance with section 14, 15, 42 or 43, the quality of the soils or water that may be altered by a storage site or transfer station;

(2) to take the necessary measures to prevent dust dispersal in accordance with section 18 or 53;

(3) to take a sample or measure, in accordance with the second paragraph of section 20, the first paragraph of section 52 or any of sections 56 to 58, by respecting, where applicable, the frequencies provided for in those sections;

(4) to protect contaminated soils at all times from bad weather in accordance with section 23;

(5) to provide land with a surface water drainage system in accordance with section 46;

(6) to ascertain, by means of an analysis report, the nature and concentration values of the substances present in the soils as prescribed by section 51;

(7) to analyze the samples referred to in section 59 in accordance with that section;

(8) to provide financial guarantee or to maintain or renew such a guarantee in accordance with this Regulation.

68.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to lay out a storage area that complies with the requirements of section 16;

(2) to install observation wells according to the conditions prescribed by section 17 or 47;

(3) to place a barrier or other device preventing access to a contaminated soil storage site or a contaminated soil transfer station at the entrance of such sites in accordance with paragraph 2 of section 19 or section 48;

(4) to respect the maximum contaminated soil storage time provided for in section 22 or 32;

(5) to provide a buffer zone that complies with the requirements of section 41;

(6) to comply with the conditions to store contaminated soils prescribed by section 44, in particular as regards the building or storage area;

(7) to maintain in working order at all times the systems or network referred to in section 55.

68.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) fails to comply with section 8 or 10;

(2) establishes, enlarges or operates a contaminated soil storage site or a contaminated soil transfer station without holding a certificate of authorization referred to in section 12 or 33;

(3) fails to treat all run-off liquid from the contaminated soils in accordance with the first paragraph of section 24 or section 45;

(4) fails to have a characterization study of the land performed within 6 months after operations of a contaminated soil storage site or a contaminated soil transfer station have permanently ceased in accordance with the third paragraph of section 27 or 62.

The penalty provided for in the first paragraph may also be imposed on any person who fails, on the conditions provided for in that paragraph, to inform the Minister

(1) of the recovery of the soils referred to in section 9 following an accidental spill;

(2) of the date on which a contaminated soil storage site or a contaminated soil transfer station ceases its operations in accordance with the first paragraph of section 27 or 62;

(3) of the excess of the values referred to in section 60 and to indicate to the Minister the remedial measures taken or to be taken.

68.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) stores contaminated soils elsewhere than on the site of origin or ships them to a location other than a site legally authorized to receive such soils, in contravention of the first or second paragraph of section 6;

(2) handles soils referred to in section 7 without complying with the conditions provided for in that section;

(3) establishes a contaminated soil storage site in a flood plain referred to in section 13 or sites a contaminated soil transfer station in a flood plain referred to in section 38;

(4) stores contaminated soils on a floor that is not impermeable or capable of supporting the soils in contravention of section 16;

(5) fails to transfer all contaminated soils to an authorized site in accordance with the second paragraph of section 27 or 62;

(6) accepts, in a contaminated soil transfer station, soils other than those referred to in section 28 or accepts in that transfer station soils that do not comply with the standards prescribed by section 29 or 30;

(7) sites a contaminated soil transfer station in contravention of section 39 or 40.

The penalty provided for in the first paragraph may also be imposed on any person who introduces, into a contaminated soil transfer station, materials that, under this Regulation, cannot be accepted by the transfer station.

68.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) disposes of contaminated soils referred to in section 4 on or in soils having a contaminant concentration lower than the contaminant concentration in the soils disposed of;

(2) mixes contaminated soils in contravention of the requirements of section 5;

(3) stores contaminated soils to be reclaimed without complying with the conditions provided for in section 11;

(4) stores contaminated soils without complying with the maximum volume provided for in section 21 or 31;

(5) discharges into the environment liquid that does not conform to the values referred to in the second paragraph of section 24;

(6) fails to take the measures prescribed by the fourth paragraph of section 27;

(7) accepts, in a contaminated soil transfer station, soils containing one or more volatile organic compounds in concentrations greater than the limit values referred to in section 30;

(8) discharges into the environment liquid recovered from contaminated soils that does not comply with the values referred to in section 45;

(9) fails to implement the remedial measures referred to in section 60;

(10) fails to take the measures prescribed by the fourth paragraph of section 62 in the case provided for in that section.”.

2. The heading of Chapter IV is amended by replacing “OFFENCES” before section 69 by “PENAL SANCTIONS”.

3. Sections 69 to 73 are replaced by the following:

“69. Every person who

(1) contravenes the third or fourth paragraph of section 6, section 50 or the first paragraph of section 61,

(2) fails to prepare the report prescribed by section 25,

commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

70. Every person who

(1) contravenes paragraph 1 of section 19, section 20, paragraph 1 of section 48 or section 49 or 54,

(2) fails to enter in a logbook the information prescribed by the second paragraph of section 51 or section 52, or to annex to the logbook the analysis reports prescribed by the first paragraph of section 51 or section 59;

(3) fails to enter in the report referred to in the first paragraph of section 52 the results of the analysis prescribed in that section;

(4) fails to send to the Minister a report or study in accordance with section 25, the third paragraph of section 27, the second paragraph of section 61 or the third paragraph of section 62, within the time prescribed in those sections,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

71. Every person who

(1) contravenes section 14, 15, 18, 23, 26, 42, 43, 46, 53, any of sections 56 to 58, or section 63 or 66,

(2) fails to take the samples referred to in the second paragraph of section 20 or in the first paragraph of section 52, in accordance with what is provided for therein, or to analyze, within the required time, the samples referred to in section 59,

(3) fails to ascertain the nature and concentration values of the substances present in the soils, as prescribed by section 51,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

72. Every person who

(1) fails to lay out a storage area that complies with the requirements of section 16,

(2) contravenes section 17, paragraph 2 of section 19, section 22, 32, 41, 44 or 47, paragraph 2 of section 48 or section 55,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

73. Every person who

(1) contravenes section 8, 9, 10 or 12, the first paragraph of section 24, the first or third paragraph of section 27, section 33 or 45 or the first or third paragraph of section 62,

(2) fails to inform the Minister in accordance with section 60,

(3) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

73.1. Every person who

(1) contravenes the first or second paragraph of section 6, section 7 or 13, the second paragraph of section 27, section 28, 29, 38, 39 or 40 or the second paragraph of section 62,

(2) stores contaminated soils on a floor or in a storage area that does not comply with the conditions provided for in section 16,

(3) accepts, in a contaminated soil transfer station, soils that do not meet the confinement conditions prescribed by section 30,

(4) introduces, in a contaminated soil transfer station, any other material that, under this Regulation, cannot be accepted by the contaminated soil transfer station,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

73.2. Every person who

(1) contravenes section 4, 5, 11 or 21, the second paragraph of section 24, the fourth paragraph of section 27, section 31 or the fourth paragraph of section 62,

(2) accepts, in a contaminated soil transfer station, soils containing one or more volatile organic compounds in concentrations greater than the limit values referred to in section 30,

(3) discharges into the environment liquid recovered from contaminated soils that does not comply with the values referred to in section 45,

(4) fails to implement the remedial measures referred to in section 60,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1),

to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

73.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

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Gouvernement du Québec

O.C. 686-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Charges payable for the disposal of residual materials

— **Amendment**

Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43), amended by Order in Council 547-2013 dated 5 June 2013;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) is amended by inserting the following after section 10:

“**10.1.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to send to the Minister the information provided for in the second paragraph of section 5 within the periods and on the conditions provided for therein;

(2) to notify the Minister if no charge is payable, within the periods and on the conditions provided for in the third paragraph of section 5;

(3) to sign the document and attest to the accuracy of the particulars it contains as prescribed in the fourth paragraph of section 5;

(4) to enter in a log the information provided for in the first paragraph of section 8 or to express the quantities in weight in accordance with the second paragraph of that section;

(5) to keep the logs at the disposal site or to make them available to the Minister for the period prescribed by the third paragraph of section 8;

(6) to send to the Minister an assessment of the quantity of residual materials disposed of according to the frequency and conditions provided for in section 9.

10.2 A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to pay disposal charges and additional charges in the amounts fixed in section 3 or to send the charges according to the frequency and conditions provided for in the first paragraph of section 5;

(2) to weigh on the premises, upon receipt, all materials received at the disposal site as prescribed by the first paragraph of section 7;

(3) to install, use and maintain devices for weighing so as to provide reliable data as prescribed by the second paragraph of section 7 or to calibrate the devices at the frequency provided for therein;

(4) in the case of materials received, sorted and recovered for reclamation purposes, to weigh the recovered materials before they are transported off-site as prescribed by the third paragraph of section 7.»

2. Section 11 is replaced by the following:

“**11.** Every person who contravenes the second, third or fourth paragraph of section 5 or section 8 or 9 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

11.1. Every person who contravenes section 3, the first paragraph of section 5 or section 7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

11.2 Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.”

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

Gouvernement du Québec

O.C. 687-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Charges payable for the use of water
— Amendment**

Regulation to amend the Regulation respecting the charges payable for the use of water

WHEREAS, under subparagraphs *e* and *e.1* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment and establish measures providing for the use of economic instruments;

WHEREAS, under paragraph *s* of section 46 of the Act, the Government may make regulations to regulate withdrawals of surface water or groundwater;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the charges payable for the use of water was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the charges payable for the use of water, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the charges payable for the use of water

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *e* and *e.1*, s. 46, par. *s*, and ss. 115.27, 115.34 and 124.1)

1. The Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1) is amended in section 4 by replacing the second sentence of the first paragraph by “The average volume is calculated on the basis of the monthly quantity of water used, divided by the number of days of use in the month concerned and is determined on the conditions provided for in section 3.1 of the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14).”.

2. The third paragraph of section 8 is amended by replacing «on the website of the Ministère du Développement durable, de l’Environnement et des Parcs at www.mddep.gouv.qc.ca» by «on the website of the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs. The person preparing the declaration must certify that the information it contains is accurate.».

3. The following is inserted after section 11:

“**11.1.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to indicate in the annual declaration referred to in the first paragraph of section 8, the amount of the charges payable and, where applicable, whether or not water is incorporated into the product;

(2) to comply with the time limits or the conditions for sending to the Minister an annual declaration referred to in section 8 in accordance with the second or third paragraph of that section;

(3) to keep or make available to the Minister, in accordance with the third paragraph of section 8, documents in support of the annual declaration referred to in the second paragraph of that section;

(4) to keep the register prescribed in the fourth paragraph of section 8.

11.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to determine the volume of water used in accordance with section 6;

(2) to pay the charges payable on the date or within the period provided for in section 7;

(3) to declare annually to the Minister the information listed in the second paragraph of section 8.”.

4. Section 12 is replaced by the following:

“**12.** Every person who contravenes the first, third or fourth paragraph of section 8 or fails to meet the transmission periods provided for in the second paragraph of that section commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

12.1. Every person who contravenes section 6 or 7 or fails to declare annually to the Minister the information listed in the second paragraph of section 8 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

12.2. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.”.

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

Gouvernement du Québec

O.C. 696-2013, 19 June 2013

Supplemental Pension Plans Act
(chapter R-15.1, s. 2)

An Act to amend the Supplemental Pension Plans Act and to provide for the possibility of opting to receive a pension paid by the Régie des rentes du Québec during the existence of certain plans in the pulp and paper sector
(2011, chapter 8)

AbitibiBowater Inc.

—Supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies' Creditors Arrangement Act —Amendment

CONCERNING the Regulation to amend the Regulation respecting supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies' Creditors Arrangement Act

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (chapter R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan it designates from the application of all or part of the Act, particularly by reason of the special characteristics of the plan and prescribe special rules applicable to the plan;

WHEREAS, under the first paragraph of section 2 of the Act to amend the Supplemental Pension Plans Act and to provide for the possibility of opting to receive a pension paid by the Régie des rentes du Québec during the existence of certain plans in the pulp and paper sector (2011, chapter 8), the Government may, if the conditions mentioned in that paragraph are met and if it makes a regulation under section 2 of the Supplemental Pension Plans Act relating to a pension plan to which Chapter X of the Act applies and to which an employer in the pulp and paper sector is a party, provide by regulation that members and beneficiaries of the pension plan may request that they receive benefits as a pension paid out of the assets administered by the Régie des rentes du Québec under section 230.0.0.4 of the Act without the plan having been amended to allow for the withdrawal of the employer who is a party to the plan or without the plan having been terminated;

WHEREAS, under the fifth paragraph of section 2 of the Act to amend the Supplemental Pension Plans Act and to provide for the possibility of opting to receive a pension paid by the Régie des rentes du Québec during the existence of certain plans in the pulp and paper sector, a

regulation made by the Government under that section or pursuant to section 2 of the Supplemental Pension Plans Act with respect to a pension plan to which section 2 of the former Act is not subject to the publication requirement or the requirement as regards its date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1) and may, if it so provides, have retroactive effect to a date that is prior to the date of its publication but not prior to 31 December 2008;

WHEREAS, on 17 August 2011, the Government made the Regulation respecting the supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies' Creditors Arrangement Act (chapter R-15.1, r. 6.1);

WHEREAS it is expedient to amend the Regulation to provide that the members and beneficiaries who opted to have a pension paid out of the assets administered by the Régie prior to 1 March 2013 can request that their benefits remain in the pension plan;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies' Creditors Arrangement Act, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies' Creditors Arrangement Act

Supplemental Pension Plans Act
(chapter R-15.1, s. 2)

An Act to amend the Supplemental Pension Plans Act and to provide for the possibility of opting to receive a pension paid by the Régie des rentes du Québec during the existence of certain plans in the pulp and paper sector
(2011, chapter 8, s. 2)

1. The Regulation respecting supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies' Creditors Arrangement Act (chapter R-15.1, r. 6.1) is amended by inserting, after section 46.17, the following:

“46.18. Notwithstanding section 46.9, the pension committee shall, no later than 8 July 2013, inform members and beneficiaries who opted to receive a pension paid out of the assets administered by the Régie that they may ask the pension committee to leave their benefits in the pension plan.

The notice sent by the pension committee must describe the proposed changes to the funding rules for a pension plan subject to this Regulation.

Should the members or beneficiaries not make a request to the pension committee, within 15 days after the notice is sent, to have their benefits remain in the pension plan, the members or beneficiaries will be deemed to have confirmed their choice of option.

Notwithstanding section 46.11, the time limit for proceeding to pay the benefits expires on 15 August 2013.

46.19. Notwithstanding section 41, the actuarial valuation report as at 31 December 2012 and the global report at that date shall be sent to the Régie no later than 31 August following the publication of this Regulation in the *Gazette officielle du Québec*.

The employer shall, until the actuarial valuation report as at 31 December 2012 and the global report at that date have been sent to the Régie, continue to pay the monthly amounts set out under subparagraph 1 of the second paragraph of section 10.

Where the monthly payments so paid are less than what should have been paid in accordance with subparagraph 2 of the second paragraph of section 10, the first monthly amount payable after the transmission of the reports to the Régie shall be increased by the difference between the monthly amounts paid and the amounts that should have been paid according to the reports, plus the interest provided for in section 48.”

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

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Gouvernement du Québec

O.C. 701-2013, 19 June 2013

Tax Administration Act
(chapter A-6.002)

Various regulations of a fiscal nature — Amendment

Regulations to amend various regulations of a fiscal nature

WHEREAS, under section 96 of the Tax Administration Act (chapter A-6.002), the Government may make regulations, in particular to prescribe the measures required to carry out the Act and to exempt from the duties provided for by a fiscal law, under the conditions which it prescribes, the prescribed international organizations, their head officers and their employees and the members of their families;

WHEREAS, under section 96.1 of the Tax Administration Act, the Government may set, by regulation, the tariff of fees payable by users of the service offered by the Agence du revenu du Québec with respect to advance rulings or paid advice;

WHEREAS, under subparagraphs *e*, *e.2* and *f* of the first paragraph of section 1086 of the Taxation Act (chapter I-3), the Government may make regulations to establish classes of property for the purposes of section 130 of the Act, to require any person included in one of the classes of persons it determines to file any return it may prescribe relating to any information necessary for the establishment of an assessment provided for in the Act and to send, where applicable, a copy of the return or of a part thereof to any person to whom the return or part thereof relates and to whom it indicates in the regulation, and to generally prescribe the measures required for the application of the Act;

WHEREAS, under paragraph *a* of section 81 of the Act respecting the Québec Pension Plan (chapter R-9), the Government may make regulations to prescribing anything that is to be prescribed, in particular under Title III of the Act;

WHEREAS, under the first paragraph of section 677 of the Act respecting the Québec sales tax (chapter T-0.1), the Government may make regulations to prescribe the measures required for the purposes of the Act;

WHEREAS it is expedient to amend the Regulation respecting fiscal administration (chapter A-6.002, r. 1) so that a tax refund owing to a person may be allocated to the payment of an amount owed by that person under the Environment Quality Act (chapter Q-2), to determine the corporations required to send their fiscal return by way of electronic filing, and to reflect a change that have occurred in the administrative structure of the Agence du revenu du Québec;

WHEREAS it is expedient to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families (chapter A-6.002, r. 4) to delete the International Organization of Securities Commissions (IOSCO) as such an organization, pursuant to the Protocol to terminate the agreement between the Gouvernement du Québec and that organization that came into force on 17 September 2012;

WHEREAS it is expedient to amend the Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation, des enquêtes et du registraire des entreprises of the Agence du revenu du Québec (chapter A-6.002, r. 4.1) to reflect a change that have occurred in the administrative structure of the Agence du revenu du Québec;

WHEREAS it is expedient to amend the Regulation respecting the Taxation Act (chapter I-3, r. 1), the Regulation respecting contributions to the Québec Pension Plan (chapter R-9, r. 2) and the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) primarily to give effect to the fiscal measures announced by the Minister of Finance in the Budget Speech of 30 March 2010, 17 March 2011 and 20 March 2012 and in Information Bulletins published, in particular on 6 July 2011, 21 December 2011, 13 January 2012, 31 May 2012, 6 July 2012 and 31 January 2013 as well as to the legislative amendments made to the Tax Administration Act, the Taxation Act and the Act respecting Québec sales tax by chapter 25 of the statutes of 2010, chapters 6 and 34 of the statutes of 2011 and chapters 8 and 28 of the statutes of 2012;

WHEREAS it is expedient to amend the Regulation respecting the Taxation Act so that only one copy of an information return is sent to the person concerned by the return;

WHEREAS it is expedient, with a view to more efficient application of the Tax Administration Act, the Taxation Act and the Act respecting the Québec sales tax, to amend the Regulation respecting fiscal administration, the Regulation respecting the Taxation Act and the Regulation respecting the Québec sales tax to make technical, terminological and consequential amendments;

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

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

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or revoked by the regulations attached to this Order in Council warrants the absence of prior publication and such coming into force;

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

WHEREAS, under section 97 of the Tax Administration Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, if it so provides, apply to a period prior to its publication;

WHEREAS, under the second paragraph of section 1086 of the Taxation Act, the regulations made under the Act come into force on the date of their publication in the *Gazette officielle du Québec* or on any later date fixed therein and they may also, once published and if they so provide, apply to a period prior to their publication, but not prior to the taxation year 1972;

WHEREAS, under section 82.1 of the Act respecting the Québec Pension Plan, every regulation made under Title III of the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein and may, once published and where it so provides, take effect from a date prior to its publication but not prior to the date from which the legislation under which it is made takes effect;

WHEREAS, under the second paragraph of section 677 of the Act respecting the Québec sales tax, a regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec*, unless the regulation fixes another date which may in no case be prior to 1 July 1992;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Economy:

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

—Regulation to amend the Regulation respecting fiscal administration;

—Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families;

—Regulation to amend the Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation, des enquêtes et du registraire des entreprises of the Agence du revenu du Québec;

—Regulation to amend the Regulation respecting the Taxation Act;

—Regulation to amend the Regulation respecting contributions to the Québec Pension Plan;

—Regulation to amend the Regulation respecting the Québec sales tax.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fiscal administration

Tax Administration Act
(chapter A-6.002, s. 96, 1st par. and s. 97)

1. Section 31R1 of the Regulation respecting fiscal administration (chapter A-6.002, r. 1) is amended by inserting the following after subparagraph *f* of the first paragraph:

“(g) the Environment Quality Act (chapter Q-2).”

2. Section 31R2 of the Regulation is replaced by the following:

“**31R2.** For the purposes of the allocation, the Minister receives, from each Minister or body responsible for the application or the administration of an Act referred to in section 31R1, the information listed in the second or third paragraph, as the case may be, concerning a person indebted under that Act.

Where the debtor is a natural person, the information referred to in the first paragraph is the following:

(a) the person’s name;

(b) the person’s address;

(c) the person’s date of birth;

(d) the person’s Social Insurance Number;

(e) the Québec business number assigned to the person under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable; and

(f) the amount of the person’s debt.

Where the debtor is a person other than a natural person, the information referred to in the first paragraph is the following:

(a) the person’s name;

(b) the address of the person’s head office or principal establishment;

(c) the person’s identification number assigned by the Minister, where applicable;

(d) the Québec business number assigned to the person under the Act respecting the legal publicity of enterprises, where applicable; and

(e) the amount of the person’s debt.”

3. Section 31R4 of the Regulation is replaced by the following:

“**31R4.** After the allocation provided for in section 31R3, the Minister sends to each Minister or body concerned the information listed in the second or third paragraph, as the case may be, concerning the debtor.

Where the debtor is a natural person, the information referred to in the first paragraph is the following:

(a) the information under subparagraphs *a* to *e* of the second paragraph of section 31R2; and

(b) the amount allocated to the debt.

Where the debtor is a person other than a natural person, the information referred to in the first paragraph is the following:

(a) the information under subparagraphs *a* to *d* of the third paragraph of section 31R2; and

(b) the amount allocated to the debt.”

4. (1) The Regulation is amended by inserting the following before section 37.1.3R1:

“**37.1.2R1.** For the purposes of section 37.1.2 of the Act, a prescribed corporation for a taxation year means any corporation whose gross revenue, within the meaning of section 1 of the Taxation Act (chapter I-3), for that year exceeds \$1,000,000, except

(a) an insurance corporation within the meaning of section 1 of the Taxation Act;

(b) a corporation not resident in Canada;

(c) a corporation reporting in elected functional currency within the meaning of section 21.4.16 of the Taxation Act; and

(d) a corporation that is exempt under Title I of Book VIII of Part I of the Taxation Act from tax payable.

For the purposes of the first paragraph, a corporation is considered to be a corporation resident in Canada if it is considered to reside there for the purposes of the Taxation Act and to be a corporation not resident in Canada in all other cases.”

(2) Subsection 1 applies to taxation years that end after 31 May 2010.

5. (1) Section 40.1.1R1 of the Regulation is replaced by the following:

“**40.1.1R1.** For the purposes of section 40.1.1 of the Act, a financial management officer, a socioeconomic research and planning officer or a computer and administrative processes analyst who is governed by the collective labour agreement for professionals and who carries out duties at the Direction générale des enquêtes et des poursuites pénales within the Agency is authorized to lay an information in writing and under oath.”

(2) Subsection 1 has effect from 26 November 2012, except that where section 40.1.1R1 of the Regulation applies before 26 February 2013, it is to be read with the word “associée” inserted after the words “Direction générale”.

6. (1) Section 40.3R2 of the Regulation is replaced by the following:

“**40.3R2.** For the purposes of section 40.3 of the Act, the general director of investigations and public prosecutions, a senior director or a director who carries out duties at the Direction générale des enquêtes et des poursuites pénales within the Agency is authorized to keep the deposits paid under that section. Those deposits are paid into a trust account opened in a financial institution for that purpose by that person.”

(2) Subsection 1 has effect from 26 November 2012, except that where section 40.3R2 of the Regulation applies before 26 February 2013, it is to be read with the words “general director” and “Direction générale” replaced respectively by the words “associate general director” and “Direction générale associée”.

7. (1) Section 69.0.0.12R1 of the Regulation is replaced by the following:

“**69.0.0.12R1.** For the purposes of section 69.0.0.12 of the Act, the general director of investigations and public prosecutions, a senior director or a director who carries out duties at the Direction générale des enquêtes et des poursuites pénales within the Agency is authorized to communicate information contained in a tax file to a member of a police force, to a department or to a public body.”

(2) Subsection 1 has effect from 26 November 2012, except that where section 69.0.0.12R1 of the Regulation applies

(1) before 26 February 2013, it is to be read with the words “general director” and “Direction générale” replaced respectively by the words “associate general director” and “Direction générale associée”; and

(2) before 5 June 2013, it is to be read without reference to “; to a department or to a public body”.

8. (1) Section 96R14.1 of the Regulation is amended by striking out the definition of “person of Indian descent”.

(2) Subsection 1 has effect from 24 March 2006.

9. (1) Section 96R14.2 of the Regulation is amended by striking out “or a person of Indian descent”.

(2) Subsection 1 applies in respect of supplies acquired after 23 March 2006.

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

Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families

Tax Administration Act
(chapter A-6.002, s. 96, 1st par., subpar. *b* and s. 97)

1. (1) Schedule A to the Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families (chapter A-6.002, r. 4) is amended by striking out “International Organization of Securities Commissions (IOSCO);”.

(2) Subsection 1 has effect from 17 September 2012.

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

Regulation to amend the Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation, des enquêtes et du registraire des entreprises of the Agence du revenu du Québec

Tax Administration Act
(chapter A-6.002, s. 96.1)

1. The title of the Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation, des enquêtes et du registraire des entreprises of the Agence du revenu du Québec (chapter A-6.002, r. 4.1) is replaced by the following:

“Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation et du registraire des entreprises of the Agence du revenu du Québec”.

2. Section 1 of the Regulation is revoked.

3. Section 2 of the Regulation is amended by replacing the first paragraph by the following:

“**2.** The Agency is authorized to collect from any person who requests an advance ruling from the Direction générale de la législation et du registraire des entreprises, fees amounting to \$107 for every hour or part of an hour required to prepare that ruling.”.

4. Section 3 of the Regulation is amended by replacing the first paragraph by the following:

“**3.** Subject to section 4, the Agency is also authorized to collect from any person who requests a written opinion from the Direction générale de la législation et du registraire des entreprises that is intrinsically in the nature of an opinion that could be obtained from the private sector, fees amounting to \$107 for every hour or part of an hour required to prepare that written opinion.”.

5. Section 4 of the Regulation is amended by replacing the portion before paragraph *a* by the following:

“**4.** Except where a taxpayer in whose name a request for a written opinion is made gives written authorization to the Agency to collect fees for preparing a written opinion, the Agency is not authorized to collect such fees, where”.

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

Regulation to amend the Regulation respecting the Taxation Act

Taxation Act
(chapter I-3, s. 1086, 1st par., subpar. *f* and 2nd par.)

1. (1) Section 1R6 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by replacing paragraph *a* by the following:

“(a) it is controlled, within the meaning of subparagraph *b* of the first paragraph of section 739 of the Act, but otherwise than by reason of a right referred to in paragraph *b* of section 20 of the Act, by the other corporation; or”.

(2) Subsection 1 has effect from 22 March 2011.

2. (1) Section 41.1.1R1 of the Regulation is amended by replacing paragraphs *a* and *b* by the following:

“(a) 27 cents, except where paragraph *b* applies; and

“(b) 24 cents if the individual referred to in that section 41.1.1 is engaged principally in selling or leasing automobiles and an automobile is made available in the year to the individual or a person related to the individual by the individual’s employer or a person related to the employer.”.

(2) Subsection 1 applies from the taxation year 2013. In addition, where paragraphs *a* and *b* of section 41.1.1R1 of the Regulation apply to the taxation year 2012, the

reference in paragraph *a* to the figure “24” is to be read as a reference to “26” and the reference to figure “21” in paragraph *b* is to be read as a reference to “23”.

3. (1) Section 87R5 of the Regulation is amended

(1) in the French text by replacing “pour le bénéfice” in subparagraphs *ii* and *iii* of paragraph *d* by “au bénéfice”;

(2) by adding the following after paragraph *f*:

“(g) an amount that may be forgiven in respect of a student loan under section 11.1 of the Canada Student Loans Act (Revised Statutes of Canada, 1985, chapter S-23) or section 9.2 of the Canada Student Financial Assistance Act (Statutes of Canada, 1994, chapter 28).”

(2) Paragraph 2 of subsection 1 has effect from 1 January 2013.

4. Section 92.5R3 of the Regulation is amended in the French text by replacing the portion before subparagraph *a* of the first paragraph by the following:

“**92.5R3.** Pour l’application de l’article 92.5 de la Loi, une créance prescrite est une créance, autre qu’un titre de créance indexé, dont un intérêt dans celle-ci est acquis par un contribuable et à l’égard de laquelle l’une des conditions suivantes est remplie:”

5. Section 92.11R1 of the Regulation is amended in the French text by replacing the definition of “prestation de décès” by the following:

““prestation de décès” ne comprend pas une participation de police ou l’intérêt sur celle-ci, laissé en dépôt auprès d’un assureur, ni un montant à payer supplémentaire par suite d’un décès par accident;”

6. Section 92.11R3 of the Regulation is amended in the French text by replacing “pour le bénéfice” in paragraph *c* by “au bénéfice”.

7. (1) Section 130R15 of the Regulation is amended by replacing the definition of “thermal waste” by the following:

““thermal waste” means waste heat energy extracted from a distinct point of rejection in an industrial process that would otherwise

(a) be vented to the atmosphere or transferred to a liquid; and

(b) not be used for a useful purpose;”

(2) Subsection 1 applies in respect of property acquired after 21 March 2011.

8. (1) Section 133.2.1R1 of the Regulation is amended by replacing paragraphs *a* and *b* by the following:

“(a) the product obtained by multiplying \$0.54 by the number of those kilometres, up to and including 5,000;

“(b) the product obtained by multiplying \$0.48 by the number of those kilometres in excess of 5,000; and”

(2) Subsection 1 applies in respect of kilometres driven after 31 December 2012. In addition, where paragraphs *a* and *b* of section 133.2.1R1 of the Regulation apply in respect of the number of kilometres driven after 31 December 2011 and before 1 January 2013, they are to be read with “\$0.52” in paragraph *a* replaced by “\$0.53”, and “\$0.46” in paragraph *b* replaced by “\$0.47”.

9. (1) Section 152R1 of the Regulation is amended

(1) by inserting the following definition after the definition of “reinsurance commission”:

““reinsurance recoverable amount” has the meaning assigned by section 840R1;”

(2) by inserting the following definition after the definition of “claim liability”:

““deposit accounting insurance policy” has the meaning assigned by subparagraph *p* of the first paragraph of section 835 of the Act;”

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

10. (1) Section 152R4 of the Regulation is amended by replacing the first paragraph by the following:

“**152R4.** Any amount determined under this chapter is determined net of relevant reinsurance recoverable amounts and without reference to any amount in respect of a deposit accounting insurance policy.”

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

11. (1) The Regulation is amended by inserting the following after section 157.3R2:

“**157.5R1.** For the purposes of section 157.5 of the Act, “prescribed annuity contract” has the meaning assigned by sections 92.11R14 to 92.11R19.”

(2) Subsection 1 has effect from 19 February 2011.

12. (1) Section 257R1 of the Regulation is replaced by the following:

“**257R1.** Assistance referred to in subparagraph *i* of paragraph *d* of section 257 of the Act does not include assistance that would be described in section 101R2 if that section applied to any capital property and also covered a deduction allowed under any of sections 773, 774 and 965.33 of the Act, section 208 or 209 of the Act respecting the sociétés d’entraide économique (chapter S-25.1), as they read before their repeal, and any of sections 125, 127 and 130 of the Act respecting certain caisses d’entraide économique (chapter C-3.1), as they read before their repeal, or assistance that a taxpayer has received or is entitled to receive and that is prescribed assistance under section 241.0.1R2, or that would be prescribed assistance under that section if that section applied in respect of, or for the acquisition of, a share of the capital stock of a corporation that is registered under the Act respecting Québec business investment companies (chapter S-29.1).”

(2) Subsection 1 has effect from 30 November 2011.

13. Section 336R1 of the Regulation is amended by replacing the definition of “anniversary of taxation” by the following:

““tax anniversary date” in respect of an annuity contract means the day of the second anniversary of the contract occurring after 22 October 1968;”

14. Section 360R2 of the Regulation is amended by striking out the definition of “disposition of property”.

15. (1) Section 578.2R1 of the Regulation is amended by adding the following after paragraph *b*:

“(c) the distribution by Electrolux AB on 12 June 2006 of shares of Husqvarna AB.”

(2) Subsection 1 has effect from 12 June 2006.

16. Section 686R1 of the Regulation is amended in the French text by replacing “pour le bénéfice” in paragraphs *a* and *b* by “au bénéfice”.

17. (1) Chapter II of Title XXV of the Regulation, comprising section 710R1, is revoked.

(2) Subsection 1 has effect from 1 January 2012.

18. (1) The heading of Chapter III of Title XXV of the Regulation is replaced by the following:

“GIFTS”.

(2) Subsection 1 has effect from 23 March 2011.

19. (1) Section 712R1 of the Regulation is amended

(1) by replacing the definition of “donee” by the following:

““donee” means a person or an entity referred to in section 716R1, in subparagraph 2 of subparagraph *i* of paragraph *c* of section 710 of the Act, in paragraph *d* or *e* of that section 710 or in any of paragraphs *a* and *h* to *j* of the definition of “qualified donee” in section 999.2 of the Act;”

(2) by replacing the definition of “particular person” by the following:

““particular person” means a person or an entity referred to in any of subparagraphs *i*, *iv* and *v* of paragraph *a* of the definition of “qualified donee” in subsection 1 of section 149.1 of the Income Tax Act whose registration as a qualified donee has not been revoked by the Minister of Revenue of Canada, or in any of paragraphs *b* to *e* and *g* to *i* of the definition of “qualified donee” in section 999.2 of the Act;”

(2) Subsection 1 has effect from 1 January 2012.

20. (1) The Regulation is amended by inserting the following after section 716R1:

“**716.0.10R1.** The information return required to be filed with the Minister under section 716.0.10 of the Act must contain

(a) a description of the transferred property;

(b) the fair market value of the transferred property at the time of the transfer;

(c) the date on which the property was transferred;

(d) the name and address of the transferee of the property; and

(e) if the transferor of the property or a person not dealing at arm’s length with the transferor issued the receipt referred to in section 712 of the Act, the information contained in that receipt.”

(2) Subsection 1 has effect from 23 March 2011.

21. (1) Section 739R1 of the Regulation is replaced by the following:

“**739R1.** For the purposes of subparagraph *a* of the first paragraph of section 739 of the Act, the prescribed tax is the tax provided for in Part VII of the Income Tax Act (Statutes of Canada, 1970-71-72, chapter 63), as it read on 31 March 1977.”

(2) Subsection 1 has effect from 22 March 2011.

22. (1) Section 752.0.10.1R1 of the Regulation is revoked.

(2) Subsection 1 has effect from 1 January 2012.

23. (1) Section 752.0.10.3R1 of the Regulation is amended

(1) by replacing the definition of “donee” by the following:

““donee” means a person or an entity to which an individual has made a gift, and that is referred to in section 752.0.10.12R1, in the definition of “total cultural gifts” or “total musical instrument gifts” in the first paragraph of section 752.0.10.1 of the Act, in paragraph *b* of the definition of “total gifts of qualified property” in the first paragraph of that section 752.0.10.1 or in any of paragraphs *a* and *h* to *j* of the definition of “qualified donee” in section 999.2 of the Act;”;

(2) by replacing the definition of “particular person” by the following:

““particular person” means a person or an entity referred to in any of subparagraphs *i*, *iv* and *v* of paragraph *a* of the definition of “qualified donee” in subsection 1 of section 149.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) whose registration as a qualified donee has not been revoked by the Minister of Revenue of Canada, or in any of paragraphs *b* to *e* and *g* to *i* of the definition of “qualified donee” in section 999.2 of the Act;”.

(2) Subsection 1 has effect from 1 January 2012.

24. (1) The Regulation is amended by inserting the following after section 752.0.10.12R1:

“**752.0.10.25R1.** The information return required to be filed with the Minister under section 752.0.10.25 of the Act must contain

(*a*) a description of the transferred property;

(*b*) the fair market value of the transferred property at the time of the transfer;

(*c*) the date on which the property was transferred;

(*d*) the name and address of the transferee of the property; and

(*e*) if the transferor of the property or a person not dealing at arm’s length with the transferor issued the receipt referred to in section 752.0.10.3 of the Act, the information contained in that receipt.”.

(2) Subsection 1 has effect from 23 March 2011.

25. (1) Section 752.0.11.1R1 of the Regulation is amended by inserting the following after paragraph *x*:

“(x.1) a blood coagulation monitor, including disposable peripherals, for use by an individual who requires anti-coagulation therapy;”.

(2) Subsection 1 applies in respect of expenses incurred after 31 December 2011.

26. Section 771R9 of the Regulation is amended in the French text

(1) by replacing “pour le bénéfice” in the portion before paragraph *a* by “au bénéfice”;

(2) by replacing “pour son bénéfice” in subparagraph *ii* of paragraph *b* by “à son bénéfice”.

27. Section 771R10 of the Regulation is amended in the French text by replacing “pour son bénéfice” in paragraph *a* by “à son bénéfice”.

28. Section 771R11 of the Regulation is amended in the French text by replacing “pour son bénéfice” in paragraphs *a* and *b* by “à son bénéfice”.

29. The Regulation is amended by inserting the following after section 785.1R1:

“TITLE XXXI.1

“PRESCRIBED PAYMENTS

“**786.1R1.** For the purposes of paragraph *b* of section 786.1 of the Act, a payment is prescribed in respect of a taxation year that ends after 22 March 2003 and before 29 October 2008 if it is made by Western Co-operative Fertilizers Limited

(*a*) after 22 March 2004 and before 31 March 2005, to Saskatchewan Wheat Pool;

(*b*) after 22 March 2004 and before 1 November 2007, to United Grain Growers Limited;

(c) after 30 March 2005 and before 13 March 2008, to Saskatchewan Wheat Pool Inc.; and

(d) after 12 March 2008 and before 29 October 2008, to Viterra Inc.”

30. (1) Section 818R53 of the Regulation is amended

(1) by replacing the definition of “reinsurance recoverable” by the following:

““reinsurance recoverable” means the aggregate of all amounts each of which is an amount reported as a reinsurance asset of the insurer at the end of a taxation year in respect of an amount recoverable from a reinsurer;”;

(2) by replacing the definitions of “Canadian reserve liabilities”, “weighted Canadian liabilities” and “weighted total liabilities” by the following definitions:

““Canadian reserve liabilities” of an insurer at the end of a taxation year means the amount determined under section 818R53.2;

““weighted Canadian liabilities” of an insurer at the end of a taxation year means the amount determined under section 818R53.1;

““weighted total liabilities” of an insurer at the end of a taxation year means the amount determined under section 818R53.3.”

(2) Subparagraph 1 applies in respect of taxation years that begin after 31 December 2010.

31. (1) The Regulation is amended by inserting the following after section 818R53:

“818R53.1. Weighted Canadian liabilities of an insurer at the end of a taxation year means the aggregate of

(a) 300% of the excess amount determined by the following formula:

$A - B$; and

(b) the amount determined by the following formula:

$C - D$.

In the formulas in the first paragraph,

(a) A is the aggregate of all amounts each of which is an amount that is in respect of an insurance business carried on by the insurer in Canada and that is reported as a liability of the insurer at the end of the year, other

than a liability in respect of an amount payable out of a segregated fund, in respect of a life insurance policy in Canada, other than an annuity, or an accident and sickness insurance policy;

(b) B is the aggregate of the insurer’s policy loans at the end of the year, other than policy loans in respect of annuities, and the reinsurance recoverable reported by the insurer at the end of the year relating to its liabilities described in subparagraph a;

(c) C is the aggregate of all amounts each of which an amount in respect of an insurance business carried on by the insurer in Canada that is reported as a liability of the insurer at the end of the year, except to the extent that the amount is

i. in respect of an insurance policy described in subparagraph a,

ii. a liability in respect of an amount payable out of a segregated fund, or

iii. a debt incurred or assumed by the insurer to acquire a property of the insurer; and

(d) D is the aggregate of the insurer’s policy loans in respect of annuities at the end of the year and the reinsurance recoverable, reported by the insurer at the end of the year relating to its liabilities described in subparagraph c.

“818R53.2. Canadian reserve liabilities of an insurer at the end of a taxation year means the amount determined by the following formula:

$A - B$.

In the formula in the first paragraph,

(a) A is the total of the insurer’s liabilities and reserves, other than liabilities and reserves in respect of a segregated fund, at the end of the taxation year, in respect of

i. life insurance policies in Canada,

ii. fire insurance policies issued or effected in respect of property situated in Canada, and

iii. insurance policies of any other class covering risks ordinarily within Canada at the time the policy was issued or effected; and

(b) B is the aggregate of the reinsurance recoverable reported as a reinsurance asset by the insurer at the end of the year relating to its liabilities and reserves described in subparagraph a.

“**818R53.3.** Weighted total liabilities of an insurer at the end of a taxation year means the aggregate of

(a) 300% of the excess amount determined by the following formula:

A – B; and

(b) the amount determined by the following formula:

C – D.

In the formulas in the first paragraph,

(a) A is the aggregate of all amounts each of which is an amount that is in respect of an insurance business carried on by the insurer and that is reported as a liability of the insurer, other than a liability in respect of an amount payable out of a segregated fund, in respect of a life insurance policy, other than an annuity, or an accident and sickness insurance policy;

(b) B is the aggregate of the insurer’s policy loans and foreign policy loans at the end of the year, other than policy loans and foreign policy loans in respect of annuities, and the reinsurance recoverable reported by the insurer at the end of the year relating to its liabilities described in subparagraph *a*;

(c) C is the aggregate of all amounts each of which an amount in respect of an insurance business carried on by the insurer and that is reported as a liability of the insurer at the end of the year, except to the extent that the amount is

i. in respect of an insurance policy described in subparagraph *a*,

ii. a liability in respect of an amount payable out of a segregated fund, or

iii. a debt incurred or assumed by the insurer to acquire a property of the insurer; and

(d) D is the aggregate of the insurer’s policy loans and foreign policy loans in respect of annuities at the end of the year and the reinsurance recoverable reported by the insurer at the end of the year relating to its liabilities described in subparagraph *c*.”

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

32. (1) Section 818R55 of the Regulation is amended by replacing subparagraph *b* of the second paragraph by the following:

“(b) B is the amount of the insurer’s Canadian outstanding premiums and policy loans at the end of the year, to the extent that the Canadian outstanding premiums and the amount of policy loans are in respect of policies referred to in subparagraphs i to iii of subparagraph *a* of the second paragraph of section 818R53.2 and were not otherwise deducted in computing the amount of the insurer’s Canadian reserve liabilities at the end of the year.”

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

33. (1) Section 818R57 of the Regulation is amended by replacing subparagraph i of paragraph *a* by the following:

“i. the total of the insurer’s Canadian outstanding premiums and policy loans at the end of the year, to the extent that each of those amounts is in respect of policies referred to in subparagraphs i to iii of subparagraph *a* of the second paragraph of section 818R53.2 and was not otherwise deducted in computing the amount of the insurer’s Canadian reserve liabilities at the end of the year, and”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

34. (1) Section 818R60 of the Regulation is amended by replacing paragraph *a* by the following:

“(a) the amount by which the insurer’s mean Canadian reserve liabilities for the year exceeds 50% of the aggregate of its premiums receivable and deferred acquisition expenses at the end of the year and its premiums receivable and deferred acquisition expenses at the end of its preceding taxation year, to the extent that those amounts were included in the insurer’s Canadian reserve liabilities for the year or the preceding taxation year, as the case may be, in respect of the insurer’s business in Canada; and”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

35. (1) Section 818R77 of the Regulation is amended by replacing subparagraph i of paragraph *b* by the following:

“i. goodwill;”.

(2) Subsection 1 applies to taxation years that begin after 12 October 2011. In addition, it applies from the taxation year 2005 in respect of a taxpayer who has made a valid election for the purposes of the Income Tax Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement)

under subsection 29(8) of the Regulations Amending the Income Tax Regulations (SOR 2011-188, (2011) 145 Can. Gaz. Part II, 1852), and Chapter V.2 of Title II of Book I of the Taxation Act (chapter I-3) applies in respect of that election.

36. (1) The Regulation is amended by inserting the following after section 818R78.1:

“**818R78.2.** A computation that is required to be made under this Title in respect of an insurer’s taxation year that included 31 December 2010 and that is relevant to a computation, in this section referred to as the “transition year computation”, that is required to be made under this Title in respect of the insurer’s first taxation year that begins after that date is, for the purposes only of the transition year computation, to be made using the same definitions, rules and methodologies that are used in the transition year computation.”

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

37. (1) Section 818R81 of the Regulation is amended by replacing paragraphs *b* and *c* by the following:

“(b) the insurer or, as the case may be, the Minister must designate for a taxation year investment property of the insurer for the year with a total value for the year equal to the amount by which the insurer’s mean Canadian reserve liabilities for the year in respect of its accident and sickness insurance business exceeds the insurer’s mean Canadian outstanding premiums for the year in respect of that business;

“(c) the insurer or, as the case may be, the Minister must designate for a taxation year investment property of the insurer for the year with a total value for the year equal to the amount by which the insurer’s mean Canadian reserve liabilities for the year in respect of its insurance business in Canada, other than a life insurance business or an accident and sickness insurance business, exceeds 50% of the aggregate of all amounts each of which is the amount, at the end of the year or at the end of its preceding taxation year, of a premium receivable or a deferred acquisition expense of the insurer in respect of that business, to the extent that the amount is included in the insurer’s Canadian reserve liabilities at the end of the year or at the end of the preceding taxation year, as the case may be; and”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

38. (1) Section 840R1 of the Regulation is amended

(1) by inserting the following definition after the definition of “qualified annuity”:

““reinsurance recoverable amount” means the amount reported as a reinsurance asset of an insurer at the end of a taxation year in respect of an amount recoverable from a reinsurer;”;

(2) by inserting the following definition after the definition of “cash surrender value”:

““deposit accounting insurance policy” has the meaning assigned by subparagraph *p* of the first paragraph of section 835 of the Act;”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

39. (1) The Regulation is amended by inserting the following after section 840R8:

“**840R8.1.** For the purposes of this chapter, any reference to an amount or item reported as an asset or a liability of an insurer at the end of a taxation year is a reference,

(a) if reporting by the insurer to the relevant authority is required at the end of the year, to the amount or item that is reported, at the end of the year, as an asset or a liability in the insurer’s non-consolidated balance sheet accepted by the relevant authority; and

(b) in any other case, to the amount or item that is reported, at the end of the year, as an asset or a liability in the insurer’s non-consolidated balance sheet that is prepared in a manner consistent with the requirements that would have applied had reporting to the relevant authority been required at the end of the year.”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

40. (1) Section 840R11 of the Regulation is replaced by the following:

“**840R11.** Any amount determined under this chapter is determined net of relevant reinsurance recoverable amounts.”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

41. (1) Section 840R12 of the Regulation is amended by adding the following after paragraph *b*:

“(c) in the case of sections 840R10 and 840R16, those amounts are determined without reference to any amount in respect of a deposit accounting insurance policy.”.

(2) Subsection 1 applies to taxation years that begin after 31 December 2010.

42. Section 840R13 of the Regulation is amended in the French text by replacing “pour le bénéfice” in paragraphs *a* and *b* by “au bénéfice”.

43. Section 840R22 of the Regulation is amended in the French text by replacing “pour le bénéfice” in paragraphs *a* and *b* by “au bénéfice”.

44. Section 840R23 of the Regulation is amended in the French text by replacing paragraph *b* by the following:

“*b*) dans le cas d’une prestation prévue en remplacement d’un règlement en espèces lors de l’expiration ou de l’échéance d’une police ou en acquittement d’une participation de police, les taux que l’assureur a utilisés dans le calcul du montant de cette prestation;”.

45. Section 840R36 of the Regulation is amended in the French text by replacing “pour le bénéfice” in subparagraph *e* of the second paragraph by “au bénéfice”.

46. (1) The Regulation is amended by inserting the following after section 862R1:

**“CHAPTER I.1
“EMPLOYEE LIFE AND HEALTH TRUSTS**

“**869.2R1.** For the purposes of subparagraph iii of paragraph *g* of section 869.2 of the Act, a prescribed payment is a payment referred to in section 9500 of the Income Tax Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).”.

(2) Subsection 1 has effect from 1 January 2010.

47. (1) Section 895R1 of the Regulation is amended by replacing subparagraph ii of paragraph *a* by the following:

“ii. an educational institution outside Canada providing post-secondary education and that is

(1) a university, college or other institution, at which a beneficiary, within the meaning of section 890.15 of the Act, was enrolled in a course of not less than 13 consecutive weeks duration, or

(2) a university at which a beneficiary, within the meaning of section 890.15 of the Act, was enrolled full-time in a course of not less than 3 consecutive weeks duration;”.

(2) Subsection 1 applies in respect of educational assistance payments made after 31 December 2010.

48. (1) Sections 966R2 and 966R3 of the Regulation are replaced by the following:

“**966R2.** For the purposes of section 966 of the Act, a life annuity contract means a contract between an individual and a person licensed or otherwise authorized by the laws of Canada or of a province to carry on in Canada an annuities business under which that person agrees to make annuity payments to one person or partnership, referred to in this section and in sections 966R3 and 966R4 as “annuitant”, or jointly to two or more annuitants.

“**966R3.** To qualify as a life annuity contract, the contract must specify that the annuity payments covered by section 966R2 will begin on a specific date and will be paid annually or at more frequent periodic intervals to the annuitant throughout the lifetimes of one or more individuals, each of whom is referred to in section 966R4 as “identified individual”.”.

(2) Subsection 1 applies to taxation years that end after 31 December 1996. In addition, for those taxation years, the adjusted cost basis of a policy holder’s interest in a life insurance policy is to be determined as if subsection 1 applied to taxation years that begin after 31 December 1980.

49. (1) Section 966R4 of the Regulation is amended by replacing paragraphs *b* to *d* by the following:

“(b) the annuity payments will end after a specified period of not less than 10 years or, if the identified individual dies before the end of that period, on the identified individual’s death;

“(c) the annuity payments will be paid to the annuitant throughout the lifetime of the identified individual or for a longer guaranteed time and, in the latter case, the payments will be made to a specified person;

“(d) an additional payment will be made on the death of the identified individual;”.

(2) Subsection 1 applies to taxation years that end after 31 December 1996. In addition, for those taxation years, the adjusted cost basis of a policy holder’s interest in a life insurance policy is to be determined as if subsection 1 applied to taxation years that begin after 31 December 1980.

50. (1) The heading of Chapter II of Title XXXVI of the Regulation is replaced by the following:

“DISBURSEMENT QUOTA”.

(2) Subsection 1 applies to taxation years that end after 3 March 2010.

51. (1) Section 985.9R1 of the Regulation is revoked.

(2) Subsection 1 applies to taxation years that end after 3 March 2010.

52. (1) Section 985.9R2 of the Regulation is amended

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

“**985.9R2.** The amount referred to in subparagraph *i* of subparagraph *b* of the second paragraph of section 985.9 of the Act is determined, for a taxation year of a registered charity, in accordance with the following rules:

(*a*) the registered charity chooses a number, not less than 2 nor more than 8, of equal and consecutive periods that total 24 months and that end immediately before the beginning of the year;

(*b*) for each period chosen in accordance with subparagraph *a*, it adds together all the amounts each of which is the value, determined in accordance with section 985.9R3, of property or a portion thereof owned by the registered charity and not directly used in charitable activities or in administration on the last day of that period;

(*c*) it adds together all the amounts each of which is the result of the addition under subparagraph *b* for a period chosen in accordance with subparagraph *a*; and

(*d*) it divides the amount obtained under subparagraph *c* by the number of periods chosen under subparagraph *a*.”;

(2) by replacing subparagraphs *a* and *b* of the second paragraph by the following:

“(a) the number of periods chosen by a registered charity for a taxation year under subparagraph *a* of the first paragraph or, in the case of a charitable foundation, under that subparagraph *a* or subparagraph *a* of the first paragraph of section 985.9.2R2, as it applied for the taxation year, as the case may be, must, unless otherwise authorized by the Minister, be used for that taxation year and for all subsequent taxation years; and

“(b) a registered charity is deemed to have existed on the last day of each of the periods chosen by it.”;

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

“A registered charity that is a charitable foundation may, for its first taxation year that begins after 31 December 1986, change the number of periods chosen previously under subparagraph *a* of the first paragraph of section 985.9.2R2, as it applied at that time, as the case may be, and the new number must, unless otherwise authorized by the Minister, be used for that taxation year and for all subsequent taxation years.”.

(2) Subsection 1 applies to taxation years that end after 3 March 2010.

53. (1) Section 985.9R3 of the Regulation is amended in the first paragraph

(1) by replacing the portion before subparagraph *b* by the following:

“**985.9R3.** For the purposes of the first paragraph of section 985.9R2, the value of property or a portion thereof owned by a registered charity and not directly used in charitable activities or in administration on the last day of a period must be determined as of that day and be equal to,

(*a*) in the case of a non-qualified investment, within the meaning of subsection 1 of section 149.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), of a private foundation, its fair market value on that day or its cost amount to the private foundation, whichever is greater.”;

(2) by replacing subparagraph *iii* of subparagraph *b* by the following:

“*iii.* an interest in immovable property, the fair market value of that interest on that day, less the amount of any debt bearing a reasonable rate of interest incurred by the registered charity in respect of the acquisition of that interest and secured by the immovable property or the interest therein.”;

(3) by replacing subparagraph *v* of subparagraph *b* by the following:

“*v.* an interest in property where the registered charity does not have the present use or enjoyment of the interest, nil.”;

(4) by replacing subparagraph *c* by the following:

“(c) in the case of property described in subparagraph *b* that is either property owned in connection with the charitable activities of the registered charity and is a share of a limited-dividend housing company referred to in paragraph *c* of section 998 of the Act or a debt arising from a loan, or property that has ceased to be used for charitable purposes and is being held pending disposition or pending use for charitable purposes, or property that has been acquired for use for charitable purposes, the lesser of the fair market value of the property on that day and the amount determined in accordance with the following formula:

$$(A / 0.035) \times (12 / B).”$$

(2) Subsection 1 applies to taxation years that end after 3 March 2010.

54. (1) The Regulation is amended by inserting the following after section 985.9R3:

“**985.9R4.** Sections 985.9R2 and 985.9R3 apply to a registered museum, a registered cultural or communications organization or a recognized political education organization, as the case may be, as if it were a charity registered as a charitable organization.”

(2) Subsection 1 applies to taxation years that end after 3 March 2010.

55. (1) Section 998R1 of the Regulation is amended by inserting the following after paragraph *d*:

“(d.1) the Public Sector Pension Investment Board;”

(2) Subsection 1 has effect from 1 October 2003.

56. (1) Section 1015R1 of the Regulation is amended by adding the following definition after the definition of “remuneration”:

““tax credit for experienced workers” in respect of a taxation year means the product obtained by multiplying 5 by the amount that may be deducted in computing the employee’s income otherwise payable for the year under section 752.0.10.0.3 of the Act, according to the information indicated in the employee’s last return referred to in section 1015.3 of the Act furnished by the employee to the employer.”

(2) Subsection 1 applies from the taxation year 2012.

57. (1) Section 1015R10 of the Regulation is replaced by the following:

“**1015R10.** The amount that an employer is required to deduct or withhold under the Act from any payment of remuneration made to an employee is equal to the amount determined in accordance with the tables drawn up by the Minister under section 1015 of the Act, having regard to the amount of the remuneration paid to the employee, the length of the pay period, the amount of the employee’s personal tax credits and the amount of the employee’s tax credit for experienced workers.”

(2) Subsection 1 applies from the taxation year 2012.

58. (1) Section 1015R24 of the Regulation is amended by replacing subparagraph *a* of the first paragraph by the following:

“(a) the product obtained by multiplying the aggregate of the employee’s personal tax credits and the amount of the employee’s tax credit for experienced workers in respect of the year, as shown in the return, by the quotient obtained by dividing the percentage referred to in section 750.1 of the Act for the year by the rate provided for in paragraph *a* of section 750 of the Act; and”

(2) Subsection 1 applies from the taxation year 2012.

59. (1) Section 1029.8.1R1 of the Regulation is amended

(1) by striking out subparagraph iii of paragraph *a*;

(2) by adding the following after subparagraph ii of paragraph *e*:

“iii. the Aerospace Manufacturing Technology Centre (AMTC);”

(3) by adding the following after paragraph *j*:

“(k) the Institut national de santé publique du Québec.”

(2) Subsection 1 applies in respect of scientific research and experimental development conducted after 31 December 2011 pursuant to an eligible research contract entered into after that date.

60. (1) Section 1029.8.1R2 of the Regulation is amended

(1) by adding the following after subparagraph ii of paragraph *f*:

“iii. its Centre collégial de transfert de technologie en télécommunications (C2T3);”

(2) by inserting the following after subparagraph *i*:

“(i.1) the Centre des technologies de l’eau;”.

(2) Paragraph 1 of subsection 1 applies in respect of scientific research and experimental development conducted after 31 December 2008 pursuant to an eligible research contract entered into after that date.

(3) Paragraph 2 of subsection 1 applies in respect of scientific research and experimental development conducted after 31 December 2009 pursuant to an eligible research contract entered into after that date.

61. (1) Section 1029.8.21.17R1 of the Regulation is amended

(1) by adding the following after subparagraph ii of paragraph *f*:

“iii. its Centre collégial de transfert de technologie en télécommunications (C2T3);”;

(2) by inserting the following after subparagraph *l*:

“(l.1) the Centre des technologies de l’eau;”.

(2) Paragraph 1 of subsection 1 applies in respect of eligible liaison and transfer services rendered after 31 December 2008 pursuant to a contract entered into after that date.

(3) Paragraph 2 of subsection 1 applies in respect of eligible liaison and transfer services rendered after 31 December 2009 pursuant to a contract entered into after that date.

62. (1) Section 1079.1R3 of the Regulation is amended by replacing subparagraph i of subparagraph *b* of the second paragraph by the following:

“i. as a form of assistance from a government, municipality or other public authority, whether as a subsidy, grant, forgivable loan, deduction from tax, other than an amount described in subparagraph *b* of the second paragraph of section 1079.1 of the Act, or investment allowance, or as any other form of assistance, or”.

(2) Subsection 1 had effect from 19 February 2003.

63. Section 1086R1 of the Regulation is amended by replacing the fifth paragraph by the following:

“Where a particular qualifying person, within the meaning of section 47.18 of the Act, has agreed to sell or issue a security, within the meaning of that section, of the particular qualifying person or of a qualifying person with which it does not deal at arm’s length, to a taxpayer

who is an employee of the particular qualifying person or of a qualifying person with which it does not deal at arm’s length, and the taxpayer has acquired the security under the agreement in circumstances referred to in section 58.0.1 of the Act, as it read before being repealed, each of the particular qualifying person, the qualifying person of which the security is acquired and the qualifying person that is the taxpayer’s employer must, for the taxation year in which the security is acquired, file an information return in prescribed form in respect of the benefit that the taxpayer would be deemed to have received, but for that section 58.0.1, because of the taxpayer’s office or employment in that year and, for that purpose, an information return filed by one of the qualifying persons in respect of the taxpayer’s acquisition of the security is deemed to be filed by each of the qualifying persons.”.

64. (1) Section 1086R3 of the Regulation is amended by replacing the third paragraph by the following:

“Where, in a taxation year, any of sections 928, 932 and 933 of the Act applies in respect of a trust governed by a registered retirement savings plan, the trustee of that plan must file an information return in prescribed form.”.

(2) Subsection 1 applies in respect of investments acquired after 22 March 2011.

65. (1) Section 1086R4 of the Regulation is amended

(1) by replacing the portion before paragraph *a* by the following:

“**1086R4.** Every carrier of a registered retirement income fund must file an information return in prescribed form”;

(2) by replacing “beneficiary” in paragraphs *a* and *c* by “annuitant”;

(3) by replacing “section 961.20 or 961.21” in paragraph *c* by “section 961.21”;

(4) by adding the following paragraph:

“In this section, “carrier” has the meaning assigned by paragraph *b* of section 961.1.5 of the Act and “annuitant” has the meaning assigned by paragraph *d* of that section.”.

(2) Paragraph 3 of subsection 1 applies in respect of investments acquired after 22 March 2011.

66. Section 1086R10 of the Regulation is amended by replacing “two copies” in the first paragraph by “one copy”.

67. Section 1086R11 of the Regulation is amended by replacing “two copies” by “one copy”.

68. (1) Section 1086R30 of the Regulation is amended by replacing “subparagraph *a* or *b*” in subparagraph *c* of the first paragraph by “subparagraphs *a*, *b*, *e* and *f*”.

(2) Subsection 1, where it amends subparagraph *c* of the first paragraph of section 1086R30 of the Regulation to make a reference to subparagraph *e* of the second paragraph of section 311.1 of the Taxation Act (chapter I-3), applies in respect of amounts paid after 31 December 2009.

(3) Subsection 1, where it amends subparagraph *c* of the first paragraph of section 1086R30 of the Regulation to make a reference to subparagraph *f* of the second paragraph of section 311.1 of the Taxation Act, applies in respect of amounts paid after 31 December 2010, and if it relates to expenses incurred by a taxpayer participating in a social assistance and support program, in respect of an amount paid in a taxation year prior to 1 January 2011 for which the Minister of Revenue could, on 21 December 2010 and under section 1010 of that Act, determine or redetermine the tax payable and make an assessment, reassessment or additional assessment.

69. Section 1086R33 of the Regulation is amended by replacing the first paragraph by the following:

“**1086R33.** Every eligible employer must file a statement of the amount of wages that is eligible income, in relation to a foreign researcher’s employment with the eligible employer, paid for a taxation year to the foreign researcher by the eligible employer, and give one copy of the statement to the foreign researcher in person or send the copy to the foreign researcher at the foreign researcher’s last known address, on or before the last day of February of each year in respect of the preceding calendar year.”.

70. Section 1086R34 of the Regulation is revoked.

71. Section 1086R35 of the Regulation is amended by replacing the first paragraph by the following:

“**1086R35.** Every eligible employer must file a statement of the amount of wages that is eligible income, in relation to the employment of a foreign researcher on a post-doctoral internship with the eligible employer, paid for a taxation year to the foreign researcher on a post-doctoral internship by the eligible employer, and give one copy of the statement to the foreign researcher in person or send the copy to the foreign researcher at the foreign researcher’s last known address, on or before the last day of February of each year in respect of the preceding calendar year.”.

72. Section 1086R36 of the Regulation is amended by replacing the first paragraph by the following:

“**1086R36.** Every eligible employer must file a statement of the amount of wages that is eligible income, in relation to a foreign expert’s employment with the eligible employer, paid for a taxation year to the foreign expert by the eligible employer, and give one copy of the statement to the foreign expert in person or send the copy to the foreign expert at the foreign expert’s last known address, on or before the last day of February of each year in respect of the preceding calendar year.”.

73. Section 1086R37 of the Regulation is amended by replacing the first paragraph by the following:

“**1086R37.** Every eligible employer must file a statement of the amount of wages that is eligible income, in relation to a foreign specialist’s employment with the eligible employer, paid for a taxation year to the foreign specialist by the eligible employer, and give one copy of the statement to the foreign specialist in person or send the copy to the foreign specialist at the foreign specialist’s last known address, on or before the last day of February of each year in respect of the preceding calendar year.”.

74. Section 1086R38 of the Regulation is amended by replacing the first paragraph by the following:

“**1086R38.** Every eligible employer must file a statement of the amount of wages that is eligible income, in relation to a foreign professor’s employment with the eligible employer, paid for a taxation year to the foreign professor by the eligible employer, and give one copy of the statement to the foreign professor in person or send the copy to the foreign professor at the foreign professor’s last known address, on or before the last day of February of each year in respect of the preceding calendar year.”.

75. Section 1086R48 of the Regulation is amended by striking out “two copies of the certificate must” in the second paragraph.

76. Section 1086R70 of the Regulation is amended

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

“**1086R70.** Every person required under this Title to file an information return, other than the information returns required by sections 1086R16, 1086R52 and 1086R88, must, subject to the second paragraph, send to each person in respect of whom the return is filed one copy of the part of the return concerning the person; the copy of the return must be sent to the person at the person’s last known address or delivered personally to the person, on or before the day on which the return is required to be sent to the Minister.”;

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

“The information return may, if the person has received the express consent of the person in respect of which it is filed, be sent in an electronic format on or before the date on which the return is to be filed with the Minister.”.

77. (1) Sections 1086R73 to 1086R75 of the Regulation are revoked.

(2) Subsection 1 applies to fiscal years that begin after 31 December 2011.

78. (1) Section 1086R92 of the Regulation is amended by replacing the second paragraph by the following:

“For the purposes of the first paragraph, a prescribed person means an individual, other than a trust, except if the individual

(a) holds a permit issued under the Educational Childcare Act (chapter S-4.1.1);

(b) is recognized as a person responsible for home day care by a person holding a childcare centre permit issued under the Educational Childcare Act; or

(c) provides day care in Québec that in the calendar year generates turnover of not less than \$30,000.”.

(2) Subsection 1 applies in respect of day care expenses paid for services provided from the year 2011.

79. Section 1086R96 of the Regulation is amended by replacing the third paragraph by the following:

“La Financière agricole du Québec must also send to the participant one copy of the portion of the information return that concerns the participant; the copy must be sent to the participant at the participant’s last known address or delivered personally to the participant, on or before the last day of the second month that follows the end of the fiscal period of the participant’s farming business.”.

80. (1) Class 12 in Schedule B to the Regulation is amended in the first paragraph

(1) by replacing paragraph *c* by the following:

“(c) a kitchen utensil costing less than

i. \$100, if acquired before 26 May 1976,

ii. \$200, if acquired after 25 May 1976 and before 2 May 2006, or

iii. \$500, if acquired after 1 May 2006;”;

(2) by replacing paragraph *e* by the following:

“(e) a medical or dental instrument costing less than

i. \$100, if acquired before 26 May 1976,

ii. \$200, if acquired after 25 May 1976 and before 2 May 2006, or

iii. \$500, if acquired after 1 May 2006;”;

(3) by replacing paragraph *h* by the following:

“(h) a tool, other than an electronic communication device or electronic data processing equipment that is acquired after 1 May 2006 and can be used for a purpose other than that of measuring, locating or calculating, costing less than

i. \$100, if acquired before 26 May 1976,

ii. \$200, if acquired after 25 May 1976 and before 2 May 2006, or

iii. \$500, if acquired after 1 May 2006;”.

(2) Subsection 1 has effect from 2 May 2006.

81. (1) Class 29 in Schedule B to the Regulation is amended by replacing the portion of subparagraph iii of subparagraph *c* of the first paragraph before subparagraph 1 by the following:

“iii. after 18 March 2007 and before 1 January 2014, if the property is machinery, or equipment, that”.

(2) Subsection 1 has effect from 1 January 2012.

82. (1) Class 43.1 in Schedule B to the Regulation is amended in the first paragraph

(1) by replacing the portion of subparagraph *c* before subparagraph 1 of subparagraph *i* by the following:

“(c) is property that, as the case may be,

i. is part of a system, other than an enhanced combined cycle system, that”;

(2) by replacing the portion of subparagraph ii of subparagraph *c* before subparagraph 2 by the following:

“ii. is part of an enhanced combined cycle system that

(1) is used by the taxpayer, or by a lessee of the taxpayer, to generate electrical energy using only a combination of natural gas and thermal waste from one or more natural gas compressor systems located on a natural gas pipeline;”;

(3) by adding the following after subparagraph ii of subparagraph c:

“iii. is equipment that is used by the taxpayer, or by a lessee of the taxpayer, to generate electrical energy in a process all or substantially all of the energy input of which is thermal waste, other than

(1) equipment that uses heat produced by a gas turbine that is part of the first stage of a combined cycle system, and

(2) equipment that, on the date of its acquisition, uses chlorofluorocarbons or hydrochlorofluorocarbons within the meaning assigned by the Ozone-Depleting Substances Regulations, 1998, made under the Canadian Environmental Protection Act (Statutes of Canada, 1999, chapter 33).”.

(2) Subsection 1 applies in respect of property acquired after 21 March 2011.

83. (1) Schedule C to the Regulation is revoked.

(2) Subsection 1 has effect from 1 January 2012.

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

Regulation to amend the Regulation respecting contributions to the Québec Pension Plan

Act respecting the Québec Pension Plan (chapter R-9, ss. 59, 81, par. a and 82.1)

1. (1) Section 6 of the Regulation respecting contributions to the Québec Pension Plan (chapter R-9, r. 2) is amended by adding the following after subparagraph xviii of subparagraph a of the first paragraph:

“xix. 5.1% for the year 2013; or”.

(2) Subsection 1 applies from 1 January 2013.

2. (1) Section 8 of the Regulation is amended

(1) by adding the following after subparagraph r of the first paragraph:

“(s) 5.1% for the year 2013.”;

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

“(c) 5.1% for the year 2013.”.

(2) Subsection 1 applies from 1 January 2013.

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

Regulation to amend the Regulation respecting the Québec sales tax

An Act respecting the Québec sales tax (chapter T-0.1, s. 677, 1st and 2nd pars.)

1. Section 0R1 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is replaced by the following:

“**0R1.** For the purposes of this Regulation, unless the context indicates otherwise,

“Act” means the Act respecting the Québec sales tax (chapter T-0.1);

“tax fraction”, at a particular time, means the amount determined by the formula

$$A / B.$$

For the purposes of the formula in the definition of “tax fraction” in the first paragraph,

(1) A is the rate of tax applicable in respect of the supply or bringing into Québec, and

(2) B is the total of 100% and the rate of tax referred to in subparagraph 1.”.

2. Section 17R11 of the Regulation is amended by replacing the first paragraph by the following:

“**17R11.** The bringing into Québec of the railway rolling stock that is imported in circumstances described in the code referred to in section 11 of the Value of Imported Goods (GST/HST) Regulations (SOR 91-30) in which the rolling stock becomes subject to customs duties by reason of the fact that it is used temporarily in Canada, is a prescribed circumstance.”.

3. Section 22.30R2 of the Regulation is amended by replacing the definition of “leg” by the following:

““leg” means a part of a flight of an aircraft that begins where passengers embark or disembark the aircraft, where freight is loaded on the aircraft or unloaded from it or where the aircraft is stopped to allow for its servicing or refuelling, and that ends where it is next stopped for any of those purposes.”.

4. (1) Section 22.30R5 of the Regulation is amended by replacing subparagraph *a* of subparagraph 2 of the first paragraph by the following:

“(a) that section were read with the first paragraph replaced by the following:

“Every person resident in Québec who is liable, in respect of goods, to pay tax imposed under the Customs Act on imported goods, or who would be so liable if the goods were subject to tax, is required to pay to the Minister a tax calculated at the rate of 9.975% on the value of the property.”; and”.

(2) Subsection 1 applies in respect of any supply made after 31 December 2012.

5. Section 22.30R11 of the Regulation is replaced by the following:

“**22.30R11.** A supply made in Canada of a service provided by telephone and accessed by calling a number beginning with the digits 1-900 or containing the local telephone prefix 976 is a prescribed supply if the telephone call originates in Québec.”.

6. Section 22.30R14 of the Regulation is replaced by the following:

“**22.30R14.** A supply of an air navigation service, within the meaning of subsection 2(1) of the Civil Air Navigation Services Commercialization Act (Statutes of Canada, 1996, chapter 20) is a prescribed supply if the leg of the flight in respect of which the service is performed originates in Québec.”.

7. (1) The Regulation is amended by inserting the following after section 24.1R1:

“PRESCRIBED MANDATARIES

“**29.1R1.** For the purposes of section 29.1 of the Act, an entity listed in Schedule III is a prescribed mandatory, except for the following entities:

(1) the Fondation de la faune du Québec;

(2) the Services juridiques communautaires de Pointe-Saint-Charles et Petite-Bourgogne local legal aid centre;

(3) the Centre communautaire juridique de Montréal regional legal aid centre.”.

(2) Subsection 1 applies from 1 April 2013.

8. (1) Section 81R2 of the Regulation is amended

(1) by replacing subparagraph *a* of paragraph 6 by the following:

“(a) the conveyance referred to in paragraph 1 of section 81 of the Act by reason of the reference to the heading referred to in subparagraph *i* of paragraph *f* of section 3 of the Non-Taxable Imported Goods (GST/HST) Regulations (SOR 91-31) is diverted for maintenance, overhaul or repair in Québec.”;

(2) by replacing subparagraph *a* of paragraph 7 by the following:

“(a) the work is part of a shipment of art brought into Québec on consignment and the total value of the shipment, determined in accordance with the second paragraph of section 17 of the Act, is at least \$250,000.”;

(3) by replacing subparagraph *b* of paragraph 8 by the following:

“(b) the code referred to in subparagraph *ii* of paragraph *h* of section 3 of the Non-Taxable Imported Goods (GST/HST) Regulations.”.

(2) Paragraph 2 of subsection 1 applies in respect of goods brought into Québec after 31 December 2012. In addition, where subparagraph *a* of paragraph 7 of section 81R2 of the Regulation applies in respect of goods brought into Québec,

(1) after 30 June 2006 and before 1 January 2008, the reference to “\$267,500” is to be read as a reference to “\$265,000”; and

(2) after 31 December 2007 and before 1 January 2013, the reference to “\$267,500” is to be read as a reference to “\$262,500”.

9. (1) Section 279R1 of the Regulation is amended by replacing paragraph 1 by the following:

“(1) the Société des loteries du Québec and a corporation, referred to in section 279R28, that is a subsidiary wholly-owned corporation of the Société des loteries du Québec are registrants referred to in that section 279.”.

(2) Subsection 1 has effect from 1 July 1992.

10. (1) Section 279R2 of the Regulation is amended

(1) by inserting the following definition after the definition of “non-taxable reimbursement”:

““period cost” for a particular period, in respect of a supply to the gaming authority of corporeal movable property or an immovable made by way of lease, means the total of

(1) the total of all amounts each of which is the portion of the capital cost of the corporeal movable property or immovable to the supplier that is reasonably allocated to a lease interval for which a payment forming part of the consideration for the supply becomes due in the particular period or is paid in the particular period without having become due;

(2) the total of all amounts each of which is an amount, other than an amount referred to in paragraph 1, that is a cost to the supplier that is reasonably attributable to the making of the supply for a lease interval referred to in that paragraph, other than, in the case of a supply to which section 279R29 applies, the portion, if any, of that cost that is deducted from the value of the consideration for the supply in determining, under that section, the amount deemed to be the tax payable in respect of the supply;

(3) any capital loss on the disposition of the corporeal movable property or immovable by the supplier that is recovered from the authority during the particular period; and

(4) an amount that, at any time in the particular period, the supplier recognizes in the supplier’s books of account as an unrecoverable loss, being the amount by which the unamortized capital cost of the corporeal movable property or immovable exceeds its fair market value at that time;”;

(2) by replacing the definition of “promotional supply” by the following:

““promotional supply”, by the gaming authority, means

(1) a supply of property, other than a supply by way of sale of capital property of the authority, made for no consideration or for nominal consideration; or

(2) a supply by way of sale of the following property or services for consideration that is less than the basic cost to the authority of the property or service:

(a) a service or incorporeal movable property purchased by the authority;

(b) corporeal movable property, other than capital property of the authority;”;

(3) by replacing the portion of the definition of “reimbursement” before paragraph 1 by the following:

““reimbursement” means an amount of consideration, within the meaning of section 1 of the Act, that”;

(4) by inserting the following definition after the definition of “non-gaming activity”:

““non-gaming reimbursement” means a reimbursement paid or payable by the gaming authority that is in respect of an expense incurred by a distributor of the authority and that is part of the cost to the authority of making non-gaming supplies;”;

(5) by replacing paragraph 1 of the definition of “non-taxable reimbursement” by the following:

“(1) consideration, other than interest, for a supply made to the distributor, other than a supply that would be deemed under section 350.11 of the Act not to be a supply if it were made to the authority instead of to the distributor, that is

(a) an exempt supply of movable property or a service;

(b) a zero-rated supply; or

(c) a taxable supply all or part of the consideration for which is, by reason of section 68 of the Act, not included in calculating the tax payable in respect of the supply; or”;

(6) by inserting the following definition after the definition of “instant win ticket”:

““lease interval”, in respect of a supply by way of lease of property, means the period to which a payment forming part of the consideration for the supply is attributable and that is all or part of the period during which possession or use of the property is provided under the agreement for the supply;”;

(2) Paragraphs 1, 3, 4 and 6 of subsection 1 have effect from 1 July 1992, except that where the definition of “period cost” in section 279R2 of the Regulation applies in respect of any supply made before 4 October 2003, it is to be read without reference to paragraphs 3 and 4 of that definition.

(3) Paragraph 2 of subsection 1 applies in respect of any supply made after 5 July 2000.

(4) Paragraph 5 of subsection 1 has effect from 3 October 2003.

11. (1) Section 279R3 of the Regulation is amended

(1) by replacing the portion before paragraph 1 by the following:

“**279R3.** For the purposes of sections 279R1 to 279R29, the basic cost to the gaming authority of movable property or a service is equal to,”;

(2) by replacing paragraph 4 by the following:

“(4) in the case of incorporeal movable property or a service, the consideration paid or payable by the authority to purchase the property or service.”.

(2) Subsection 1 applies in respect of any supply made after 5 July 2000.

12. (1) The Regulation is amended by inserting the following after section 279R3:

“**279R3.1.** A supply of a particular property or service, made by the gaming authority, is not included in the definition of “promotional supply” in section 279R2 if the authority would, in the absence of this section, be entitled to include, in determining the total referred to in paragraph 2 of the second paragraph of section 279R13 or paragraph 2 of the second paragraph of section 279R18, all or a portion of an input tax credit in respect of

(1) the particular property or service;

(2) a service of manufacturing the particular property;
or

(3) other corporeal movable property acquired or brought into Québec by the authority for use as an ingredient in preparing the particular property or for the purpose of being incorporated into, forming a constituent or component part of, or being consumed or expended directly in the process of the manufacturing of the particular property.

“**279R3.2.** For the purposes of the definition of “promotional supply” in section 279R2, if, in making a supply of property or a service, the gaming authority accepts from the recipient of the supply a coupon, a ticket, a receipt, a device that, without regard to section 350.7 of the Act, is a gift certificate or any other device that may be exchanged for the property or service or that entitles the recipient to a reduction of the price of the property or service — the amount of the reduction in this section referred to as the “coupon value” —, or applies, as a reduction of, or credit

against, the price of the property or service, an amount — in this section referred to as the “credit value” — that has been credited in favour of the recipient by the authority, the consideration for the supply is deemed to be equal to the amount that would, without regard to sections 350.1 to 350.5 of the Act, be the consideration for the supply less the coupon value or credit value, as the case may be.

“**279R3.3.** Section 279R3.2 does not apply in respect of a supply of property or service made by the gaming authority if

(1) section 350.2 of the Act applies in respect of the supply;

(2) the consideration for the supply is reduced in circumstances in which section 448 of the Act applies; or

(3) the property or service is given in exchange, or the reduction or credit is provided, in lieu of refunding or reducing all or part of the consideration for the non-gaming supply, made by the authority, of another property or service.”.

(2) Subsection 1 applies in respect of any supply made after 5 July 2000.

13. (1) Section 279R13 of the Regulation is amended

(1) by replacing the French text of the portion before the formula in the first paragraph by the following:

“**279R13.** La formule à laquelle le paragraphe 1^o du deuxième alinéa de l'article 279R12 fait référence est la suivante:”;

(2) by inserting the following after subparagraph *c* of paragraph 1 of the second paragraph:

“(c.1) an amount, other than an amount described in subparagraph ii of subparagraph *e*, of tax in respect of a supply made by a person not resident in Canada who is deemed under section 23 of the Act to have been made outside Québec, that would have become payable by the authority during the period if the supply had been made in Québec by a registrant;”;

(3) by adding the following after subparagraph iii of subparagraph *e* of paragraph 1 of the second paragraph:

“iv. an amount that would have become payable by the authority during the period as tax under section 16 of the Act in respect of an exempt supply of an immovable made to the authority by way of lease by a wholly-owned subsidiary of the authority that had acquired the immovable for consideration equal to fair market value, if the supply

had been a taxable supply and if the amount of consideration for the supply that had become due in the period or was paid in the period without having become due were equal to the greater of the period cost of the supply for the period and the total of any amounts of consideration for the supply, as otherwise determined for the purposes of Title I of the Act, that became due in the period or were paid in the period without having become due, or

“v. an amount determined under the seventh paragraph; and”;

(4) by replacing the portion of paragraph 1 of the fifth paragraph before subparagraph *a* by the following:

“(1) A.3 is a reimbursement, other than a non-gaming reimbursement, that became payable during the period, or that was paid during that period without having become payable, by the authority to a distributor of the authority, other than:”;

(5) by replacing paragraph 2 of the fifth paragraph by the following:

“(2) A.4 is the tax rate set out in the first paragraph of section 16 of the Act.”;

(6) by replacing the sixth paragraph by the following:

“The amount referred to in subparagraph iii of subparagraph *e* of paragraph 1 of the second paragraph is equal to the amount by which the amount described in paragraph 1 exceeds the amount described in paragraph 2:

(1) the total of all amounts each of which is tax that would have become payable by the authority during the period under section 16 of the Act in respect of a supply, other than a supply referred to in subparagraph iv or v of subparagraph *e* of paragraph 1 of the second paragraph, made to the authority that is a taxable supply of property or a service made at less than fair market value, or an exempt supply by way of lease of corporeal movable property or an immovable, if the supply had been a taxable supply made for consideration equal to fair market value;

(2) the total amount of tax under section 16 of the Act that became payable by the authority during the period in respect of the supplies described in paragraph 1.”;

(7) by adding the following after the sixth paragraph:

“The amount referred to in subparagraph v of subparagraph *e* of paragraph 1 of the second paragraph is equal to the amount by which the amount described in paragraph 1 exceeds the amount described in paragraph 2:

(1) the amount of tax that would have become payable by the authority during the period under section 16 of the Act in respect of a taxable supply of property made to the authority by way of lease by a wholly-owned subsidiary of the authority that had acquired the property for consideration equal to fair market value, if the consideration for the supply, equal to the period cost of the supply for the period, became due in the period and if that were the only consideration for the supply that became due in the period or was paid in the period without having become due;

(2) the total amount of tax under section 16 of the Act that became payable by the authority during the period in respect of the supply.”.

(2) Paragraph 2 of subsection 1 applies in respect of any supply made after 3 October 2003.

(3) Paragraphs 3, 4, 6 and 7 of subsection 1 have effect from 1 July 1992, except that where paragraph 1 of the sixth paragraph of section 279R13 of the Regulation applies in respect of a supply made before 4 October 2003, the reference to “corporeal movable property or an immovable” is to be read as a reference to “an immovable”.

(4) Paragraph 5 of subsection 1 applies in respect of any reporting period that begins after 31 December 2012. In addition, where section 279R13 of the Regulation applies

(1) in respect of any reporting period that begins after 31 December 2010 and before 1 January 2012, the reference in paragraph 2 of the fifth paragraph to “7.5%” is to be read as a reference to “8.5%”; and

(2) in respect of any reporting period that begins after 31 December 2011 and before 1 January 2013, the reference in paragraph 2 of the fifth paragraph to “7.5%” is to be read as a reference to “9.5%”.

14. (1) Section 279R14 of the Regulation is amended

(1) in the French text by replacing the portion before the formula in the first paragraph by the following:

“**279R14.** La formule à laquelle le paragraphe 2° du deuxième alinéa de l'article 279R12 fait référence est la suivante:”;

(2) by replacing paragraphs 1 and 2 of the third paragraph by the following:

“(1) B.4 is an amount of salaries, wages or other remuneration, other than an amount described in paragraph 1 of the fourth paragraph, paid or payable by the distributor, or by a person — in this paragraph and in

paragraph 1 of the fourth paragraph referred to as the “distributor’s subsidiary” — that is a wholly owned subsidiary of the distributor, to an employee of the distributor or of the distributor’s subsidiary;

“(2) B.5 is the extent, expressed as a percentage, to which the amount of salaries, wages or other remuneration is

(a) a cost to the distributor of supplying the casino operating service to the authority; or

(b) a cost to the authority of the management, administration and carrying on of the day-to-day operations of the authority’s gaming activities that are connected with a casino of the authority; and”;

(3) by replacing paragraphs 1 and 2 of the fourth paragraph by the following:

“(1) B.6 is a particular amount that is paid by, or is in respect of a supply of property or a service made by, the distributor or the distributor’s subsidiary to an employee of the distributor or of the distributor’s subsidiary or to a person related to such an employee, and that the employee is required under any of sections 37, 41, 41.1.1 and 41.1.2 of the Taxation Act (chapter I-3) to include in computing the employee’s income for a taxation year of the employee; and

“(2) B.7 is the extent, expressed as a percentage, to which the particular amount is

(a) a cost to the distributor of supplying the casino operating service to the authority; or

(b) a cost to the authority of the management, administration and carrying on of the day-to-day operations of the authority’s gaming activities that are connected with a casino of the authority.”.

(2) Paragraphs 2 and 3 of subsection 1 apply in respect of any reporting period that ends after 1 January 1996.

15. (1) Section 279R15 of the Regulation is amended

(1) in the French text by replacing the portion before the formula in the first paragraph by the following:

“**279R15.** La formule à laquelle le paragraphe 3° du deuxième alinéa de l’article 279R12 fait référence est la suivante:”;

(2) by replacing the portion of paragraph 1 of the second paragraph before subparagraph *a* by the following:

“(1) C.1 is the total of all amounts each of which is an amount that, but for section 350.11 of the Act, would be consideration for a supply, other than a supply of a casino operating service, made by a distributor of the authority to the authority or would be a reimbursement paid or payable by the authority to a distributor of the authority, other than a reimbursement that is a non-gaming reimbursement, a non-taxable reimbursement or a reimbursement of the cost to the distributor of a right to play or participate in a game of chance given away free of charge by the distributor or a reimbursement of salaries, wages or other remuneration paid or payable by the distributor to an employee of the distributor to the extent that that remuneration is a cost to the distributor of supplying a casino operating service to the authority, where”;

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

“(2) C.2 is the tax rate set out in the first paragraph of section 16 of the Act.”.

(2) Paragraph 2 of subsection 1 has effect from 1 July 1992.

(3) Paragraph 3 of subsection 1 applies in respect of any reporting period that begins after 31 December 2012. In addition, where section 279R15 of the Regulation applies

(1) in respect of any reporting period that begins after 31 December 2010 and before 1 January 2012, the reference in paragraph 2 of the second paragraph to “7.5%” is to be read as a reference to “8.5%”; and

(2) in respect of any reporting period that begins after 31 December 2011 and before 1 January 2013, the reference in paragraph 2 of the second paragraph to “7.5%” is to be read as a reference to “9.5%”.

16. (1) Section 279R16 of the Regulation is amended

(1) in the French text by replacing the portion before the formula in the first paragraph by the following:

“**279R16.** La formule à laquelle le paragraphe 4° du deuxième alinéa de l’article 279R12 fait référence est la suivante:”;

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

“(3) D.3 is the tax rate set out in the first paragraph of section 16 of the Act.”.

(2) Paragraph 2 of subsection 1 applies in respect of any reporting period that begins after 31 December 2012. In addition, where section 279R16 of the Regulation applies

(1) in respect of any reporting period that begins after 31 December 2010 and before 1 January 2012, the reference in paragraph 3 of the second paragraph to “7.5%” is to be read as a reference to “8.5%”; and

(2) in respect of any reporting period that begins after 31 December 2011 and before 1 January 2013, the reference in paragraph 3 of the second paragraph to “7.5%” is to be read as a reference to “9.5%”.

17. (1) Section 279R17 of the Regulation is amended

(1) in the French text by replacing the portion before the formula in the first paragraph by the following:

“**279R17.** La formule à laquelle le sous-paragraphe *a* du paragraphe 5^o du deuxième alinéa de l’article 279R12 fait référence est la suivante:”;

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

“(2) E.2 is the extent, expressed as a percentage, to which the benefit amount is a cost to the authority of making non-gaming supplies other than the supply referred to in subparagraph ii of subparagraph *a* of paragraph 1; and”.

(2) Paragraph 2 of subsection 1 has effect from 1 July 1992.

18. (1) Section 279R19 of the Regulation is amended by replacing paragraph 1 by the following:

“(1) was acquired or brought into Québec by the authority for consumption or use in gaming activities of the authority, in improving capital property used in gaming activities of the authority, in making promotional supplies or in making supplies of financial services that relate to gaming activities of the authority;”.

(2) Subsection 1 has effect from 1 July 1992, except that, in respect of any supply made before 4 October 2003, it does not apply to an input tax credit or an imputed input tax credit that the gaming authority claimed in a return filed before 3 October 2003 under Chapter VIII of Title I of the Act respecting the Québec sales tax (chapter T-0.1).

19. (1) Section 279R27 of the Regulation is amended

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

“ $A \times (B - C)$.”;

(2) by replacing paragraphs 1 and 2 of the second paragraph by the following:

“(1) A is the tax rate set out in the first paragraph of section 16 of the Act;

“(2) B is the amount of those expenses; and”;

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

“(3) C is the total determined in respect of the authority for that reporting period in accordance with element C of the formula described in section 13 of the Games of Chance (GST/HST) Regulations (SOR/98-440, (1998) 132 Can. Gaz., Part II, 2556).”.

(2) Subsection 1 applies in respect of any reporting period that begins after 31 December 2012. In addition, where section 279R27 of the Regulation applies

(1) in respect of any reporting period that ends after 31 December 2007 and that begins before 1 January 2013, the reference in paragraph 2 of the second paragraph to “element B” is to be read as a reference to “element C”;

(2) in respect of any reporting period that begins after 31 December 2010 and before 1 January 2012, the reference in the formula in the first paragraph to “7.5%” is to be read as a reference to “8.5%”; and

(3) in respect of any reporting period that begins after 31 December 2011 and before 1 January 2013, the reference in the formula in the first paragraph to “7.5%” is to be read as a reference to “9.5%”.

20. (1) The Regulation is amended by inserting the following after section 279R27:

“**279R27.1.** If the gaming authority — in this section referred to as the “reporting authority” — is the distributor of another provincial gaming authority in relation to a game of chance conducted by or on behalf of the other authority, the following rules apply:

(1) in applying sections 279R12 to 279R25 and Title I of the Act in determining the imputed tax payable on gaming expenses and the input tax credits of the reporting authority, any amount paid or payable by the reporting authority on behalf of the other authority in respect of the acquisition, or bringing into Québec, of property or a service for consumption, use or supply in relation to the conduct of the game is to be taken into account as if

(a) the game were conducted by the reporting authority as part of the gaming activities of the reporting authority and not of the other authority;

(b) the property or service were acquired, or brought into Québec, and the amount were paid or payable by the reporting authority on its own account and not by the other authority;

(c) the rights to play or participate in the game were rights of the reporting authority and not of the other authority; and

(d) persons, other than the reporting authority, acting as distributors of the other authority in relation to the game were distributors of the reporting authority, and not of the other authority, in relation to the game;

(2) no amount that would, but for section 350.11 of the Act, be consideration for a supply by the reporting authority to the other authority in relation to the game is to be included in the total referred to in paragraph 1 of the second paragraph of section 279R15; and

(3) no amount of a reimbursement paid or payable by the other authority to the reporting authority in respect of an expense incurred or to be incurred by the reporting authority that is attributable to the game is to be included in the total referred to in paragraph 1 of the fifth paragraph of section 279R13 or in paragraph 1 of the second paragraph of section 279R15.”

(2) Subsection 1 has effect from 1 July 1992.

21. (1) Section 300.2R1 of the Regulation is amended by replacing paragraphs 1 to 4 by the following:

“(1) where the property is a drawing, a print, an etching, a sculpture, a painting or other similar work of art, \$2,000;

“(2) where the property is jewellery, \$2,000;

“(3) where the property is a rare folio, a rare book, or a rare manuscript, \$2,000;

“(4) where the property is a stamp, the face value of the stamp; and”.

(2) Subsection 1 has effect from 1 January 2013.

22. (1) Section 346R1 of the Regulation is amended by adding the following after paragraph 2:

“(3) the marketing by the operator of a joint venture, under any agreement between the operator and a co-venturer, of all or part of the co-venturer’s share of the output of the joint venture, provided that the output arises from an activity conducted under the agreement referred to in section 346 of the Act;

“(4) the transportation of natural gas liquids by means of a pipeline that operates as a common carrier of natural gas liquids;

“(5) the operation of a facility that is used to generate electricity;

“(6) the operation of a transmission line that is used to transmit electrical power;

“(7) the processing of output — in this paragraph referred to as the “refinement” — that arises from the exploration or exploitation of a timber resource, including any jointly conducted exploration or exploitation activity of which the output is processed under the agreement referred to in section 346 of the Act in respect of the refinement and the marketing of the processed or unprocessed output that arises from that activity;

“(8) the production of a fertilizer and its marketing;

“(9) the disposal of waste, including the collection and transportation of waste that is in furtherance of that disposal;

“(10) the exercise of rights or privileges, or the performance of obligations, of ownership of an interest in an animal for the purposes of deriving revenue from prize-winning, stud service fees or sale;

“(11) the maintenance of a road, other than maintenance that is an exempt supply;

“(12) the operation and maintenance of the North Warning System;

“(13) the operation of a farming business within the meaning of the Taxation Act (chapter I-3);

“(14) the production of liquid methanol from natural gas;

“(15) the generation and recording of seismic data; and

“(16) the operation of a lumber, plywood, shake and shingle, pulp, paper or similar wood processing facility.”.

(2) Subsection 1 has effect from 1 July 1992.

23. (1) Section 350.51R5 of the Regulation is amended in the first paragraph

(1) by replacing subparagraph 4 by the following:

“(4) the value of the consideration paid or payable in respect of the supply;”;

(2) by replacing subparagraph 10 by the following:

“(10) the total amount for the supply that consists of the tax paid or payable, the goods and services tax paid or payable and the value of the consideration paid or payable in respect of the supply;”.

(2) Subsection 1 has effect from 1 January 2013.

24. (1) Section 350.51R7 of the Regulation is amended by replacing subparagraph 3 of the first paragraph by the following:

“(3) the estimated value of the consideration payable in respect of the supply;”.

(2) Subsection 1 has effect from 1 January 2013.

25. (1) Section 389R8 of the Regulation is amended

(1) by replacing “\$500,000” in paragraphs 1 and 2 by “\$1,000,000”;

(2) by replacing “\$2,000,000” in paragraphs 3 and 4 by “\$4,000,000”.

(2) Subsection 1 applies in respect of the determination of a rebate under sections 383 to 388 and 394 to 397.2 of the Act respecting the Québec sales tax (chapter T-0.1) for any claim period that begins after 31 December 2012.

26. (1) Section 389R9 of the Regulation is amended

(1) by replacing “\$500,000” wherever that figure appears in paragraphs 1 and 2 by “\$1,000,000”;

(2) by replacing “\$2,000,000” in paragraph 3 by “\$4,000,000”.

(2) Subsection 1 applies in respect of the determination of a rebate under sections 383 to 388 and 394 to 397.2 of the Act respecting the Québec sales tax (chapter T-0.1) for any claim period that begins after 31 December 2012.

27. (1) Section 389R10 of the Regulation is amended in subparagraph 2 of the second paragraph

(1) by inserting the following after subparagraph *c*:

“(c.1) the tax imposed in respect of the property or service under Part IX of the Excise Tax Act that became due or was paid without having become due by the particular person during the period;”;

(2) by replacing subparagraph *e* by the following:

“(e) interest, a penalty or other amount paid by the particular person during the period if it was charged to the particular person by the supplier of the property or service because an amount of consideration, or an amount of a duty or tax referred to in subparagraph *c* or *c.1*, that was payable in respect of the supply or bringing into Québec, was overdue.”.

(2) Subsection 1 applies in respect of any supply or bringing into Québec of a property or service in respect of which the tax becomes payable after 31 December 2012 and is not paid before 1 January 2013.

28. (1) The Regulation is amended by inserting the following after section 389R11:

“PRESCRIBED MANDATARIES

“**399.1R1.** For the purposes of section 399.1 of the Act, an entity listed in Schedule III is a prescribed mandatory.”.

(2) Subsection 1 applies from 1 April 2013.

29. (1) Section 425.1R1 of the Regulation is amended by replacing paragraph 2 by the following:

“(2) the value of the consideration for the supply for the purpose of determining the tax payable under section 16 of the Act;”.

(2) Subsection 1 applies in respect of any consideration for a supply that becomes due after 31 December 2012 and is not paid before 1 January 2013.

30. (1) Section 425.1R4 of the Regulation is amended by replacing paragraph 2 by the following:

“(2) in the case of the information described in paragraph 2 of section 425.1R1, in the box “Valeur pour TVQ” or in a similar box;”.

(2) Subsection 1 applies in respect of any consideration for a supply that becomes due after 31 December 2012 and is not paid before 1 January 2013.

31. (1) Section 434R0.11 of the Regulation is amended by replacing “\$219,000” in paragraph 2 by “\$418,952”.

(2) Subsection 1 applies in respect of the determination of the net tax of a registrant for any reporting period that begins after 31 December 2012.

32. (1) Section 434R0.12 of the Regulation is amended by replacing “\$219,000” in paragraphs 2 and 3 by “\$418,952”.

(2) Subsection 1 applies in respect of the determination of the net tax of a registrant for any reporting period that begins after 31 December 2012.

33. Section 434R0.13 of the Regulation is amended by replacing “\$32,850” in subparagraph *b* of subparagraph 4 of the second paragraph and in subparagraphs *i* and *ii* of subparagraph *c* of that subparagraph 4 by “\$31,421”.

(2) Subsection 1 applies in respect of the determination of the net tax of a registrant for any reporting period that begins after 31 December 2012.

34. (1) Section 434R4 of the Regulation is amended by replacing “\$10,500” in paragraph 2 of the definition of “specified supply” by “\$10,000”.

(2) Subsection 1 has effect from 1 January 2013.

35. (1) Section 434R7 of the Regulation is amended by replacing “\$10,500” in subparagraph *ii* of subparagraph *a* of subparagraph 3 of the second paragraph by “\$10,000”.

(2) Subsection 1 has effect from 1 January 2013.

36. (1) Section 434R8.5 of the Regulation is amended

(1) by replacing “\$500,000” in paragraphs 1 and 2 by “\$1,000,000”;

(2) by replacing “\$2,000,000” in paragraphs 3 and 4 by “\$4,000,000”.

(2) Subsection 1 applies in respect of the determination of the net tax of a registrant for any reporting period that begins after 31 December 2012.

37. (1) Section 434R8.6 of the Regulation is amended

(1) by replacing “\$500,000” wherever that figure appears in paragraphs 1 and 2 by “\$1,000,000”;

(2) by replacing “\$2,000,000” in paragraphs 3 and 4 by “\$4,000,000”.

(2) Subsection 1 applies in respect of the determination of the net tax of a registrant for any reporting period that begins after 31 December 2012.

38. (1) Section 434R8.8 of the Regulation is amended in subparagraph 2 of the second paragraph

(1) by inserting the following after subparagraph *c*:

“(c.1) the tax imposed in respect of the property or service under Part IX of the Excise Tax Act that became due or was paid without having become due by the registrant during the period;”;

(2) by replacing subparagraph *e* by the following:

“(e) interest, a penalty or other amount paid by the registrant during the period if it was charged to the registrant by the supplier because an amount of consideration, or an amount of a duty or tax referred to in subparagraph *c* or *c.1*, that was payable in respect of the supply or bringing into Québec, was overdue.”.

(2) Subsection 1 applies in respect of any supply or bringing into Québec of a property or service in respect of which the tax becomes payable after 31 December 2012 and is not paid before 1 January 2013.

39. (1) Section 678R1 of the Regulation is revoked.

(2) Subsection 1 applies from 1 April 2013.

40. (1) Schedule III to the Regulation is amended

(1) by replacing “(section 678R1)” by “(section 399.1R1)”;

(2) by striking out “Fondation universitaire de l’Université du Québec”.

(2) Subsection 1 has effect from 1 April 2013.

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

Gouvernement du Québec

O.C. 724-2013, 19 June 2013

Sustainable Forest Development Act
(chapter A-18.1)

Scaling of timber harvested in forests in the domain of the State

Regulation respecting the scaling of timber harvested in forests in the domain of the State

WHEREAS, under subparagraph 1 of section 72 of the Sustainable Forest Development Act (chapter A-18.1), the Government may, by regulation, determine the scaling standards for timber harvested in the forests in the domain of the State, in particular, the scaling methods and the standards applicable to timber transportation, to the transmission of scaling or inventory data, to the verification of data and to corrections to scaling, including the assistance that the person or body required to scale the timber must provide to the Minister;

WHEREAS, under subparagraph 2 of section 72 of the Act, the Government may, by regulation, set the fees payable by the person or body required to scale the timber for the loss of scaling, inventory or transportation forms that were in the possession of the person or body, and vary the fees depending on the type or number of forms lost;

WHEREAS, under subparagraph 3 of section 72 of the Act, the Government may, by regulation, determine the provisions of a regulation whose violation constitutes an offence and specify, from among the fines prescribed in section 244, the one to which an offender is liable for a given offence;

WHEREAS the Government made the Regulation respecting the scaling of timber harvested in forests in the domain of the State (chapter A-18.1, r. 5);

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the scaling of timber harvested in forests in the domain of the State was published in Part 2 of the *Gazette officielle du Québec* of 13 February 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the scaling of timber harvested in forests in the domain of the State, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the scaling of timber harvested in forests in the domain of the State

Sustainable Forest Development Act
(chapter A-18.1, s. 72)

DIVISION I GENERAL

§1. *Scope*

1. This Regulation applies to every person or body

(1) authorized to harvest timber in the forests in the domain of the State and required by the Minister to scale the timber;

(2) that buys timber from the forests in the domain of the State and is required to scale the timber according to the harvest agreement or timber sales contract to which it is a party.

In addition, paragraphs 1 to 4, 6 and 7 of section 8 and sections 9, 10 and 31 apply to any person or body that buys standing timber in inventory with the timber marketing board.

§2. *Definitions*

2. In this Regulation, unless the context indicates otherwise,

“culler” means any natural person who holds a licence issued under the Cullers Act (chapter M-12.1); (*mesureur de bois*)

“harvest” means cutting, lopping, hauling, removing and topping of timber; (*récolte*)

“harvest year” means the period between 1 April of a year and 31 March of the following year; (*année de récolte*)

“lot” means spread timber, a pile of timber, scattered timber or pieces of timber; (*lot*)

“solid volume” means the actual volume of a piece of timber; (*volume solide*)

“volume table” means a table that makes it possible to determine the volume of a piece of timber, using one or more of its other known dimensions; (*tarif de cubage*)

“working day” means a juridical day excluding Saturdays and 24 and 31 December. (*jour ouvrable*)

DIVISION II

SCALING METHODS AND AUTHORIZATION OF THE METHOD

3. The application for authorization of the scaling method must be made on the form provided for that purpose by the Minister.

Where the beginning of harvest and transportation take place during the same month, the person or body referred to in the first paragraph of section 1 must be in possession of the scaling authorization before the beginning of harvested timber transportation.

Where the beginning of harvest and transportation do not take place during the same month, the person or body referred to in the first paragraph of section 1 must be in possession of the scaling authorization before the end of the month of the beginning of harvest or within the following 5 days, but always before the beginning of harvested timber transportation.

The authorization issued by the Minister indicates, in particular, the method that must be applied and the sampling parameters.

4. Scaling must be made according to species or group of species and quality, using one of the following methods:

(1) scaling by the piece, which consists in calculating the solid volume of each piece of sawn timber from its length and diameters;

(2) scaling of sawn and piled timber, which consists in calculating the solid volume of a pile of timber logs of the same class of length of 20 centimetres by measuring the diameter of cuts at one or both ends, adjusted if necessary according to the results obtained after sampling of a quantity of logs taken randomly and scaled according to the method provided for in subparagraph 1;

(3) scaling by apparent volume, which consists in calculating the apparent volume of piles of sawn and piled timber to be transformed into solid volume, from their height, width and length, using a piling factor set by the Minister or established on the basis of sampling taken randomly in all piles;

(4) scaling of unsawn timber, which consists in calculating the solid volume of unsawn and piled trunks from the measurement of the diameter of the widest cut on the trunks or part of the trunks and in establishing, by sampling, a stump volume table that makes it possible to calculate the average volume of the trunks based on their diameter;

(5) scaling chips, which consists in calculating the solid volume of a quantity of chips or comminuted timber by subtracting its mass in water from its mass in air;

(6) mass/volume scaling, which consists in calculating the solid volume of a quantity of timber from its total mass converted into a solid volume using the mass/volume conversion factor that may be set by the Minister or established by sampling representing the ratio between the total mass of the samples taken at random from the aggregate of the mass and the solid volume of those same samples, solid volume which will be determined according to one of the methods described in subparagraph 1, 2, 4 or 5;

(7) scaling after transportation without weighing, which consists in calculating the solid volume of a quantity of timber according to the predetermined volume of each load, from sampling applied on the aggregate of loads and whose samples are scaled according to one of the methods described in subparagraph 1, 2, 3 or 4, or from the complete scaling of the same quantity of timber, according to one of the same methods;

(8) mass scaling, which consists in calculating only the loading mass where forest biomass or other material of the same class may not be measured otherwise and must be calculated in metric tons.

If none of the methods provided for in the subparagraphs of the first paragraph apply to scaling, the solid volume of timber must be calculated by multiplying the number of logs of the lot by the average volume estimated for log representing that lot.

5. All timber harvested in a harvest year must be scaled and the scaling data must be reported to the Minister not later than within 5 months after the end of that year.

At the expiry of that period, the volume of unscaled timber entered on the form sent to the Minister in accordance with section 20 will be considered the solid volume of that timber.

DIVISION III SCALING SITES

6. Timber harvested in a forest in the domain of the State must be scaled in the cutting area before it is transported, or outside the cutting area after it is transported according to the terms of the authorization of the scaling method and in accordance with that method.

The scaling data must be entered on a scaling form complying with the model drawn up by the Minister for the scaling method chosen, which is numbered according to the sequence unit issued by the Minister.

During scaling, the data must be recorded directly on the completed scaling form.

Every scaling form must be duly completed, dated and signed by a culler.

DIVISION IV SCALING IN THE CUTTING AREA BEFORE TRANSPORTATION

7. A paper copy of the scaling forms must be deposited, for verification purposes, in a sealed container located where the timber was scaled or in any other place indicated by the Minister as soon as the forms are completed, dated and signed by the culler.

The deposit in the sealed container must take place on the day on which the completed form is printed.

8. Scaled timber may not be transported outside the cutting area unless the driver of the road vehicle in which the timber was loaded is in possession of a transport voucher on which the following information appears:

- (1) the GPS coordinates of the timber loading point into the driver's vehicle, trailer or semi-trailer;
- (2) the source and destination of the timber;
- (3) the date and time of departure from the timber loading point;

(4) the registration number of the vehicle and, where applicable, the trailer or semi-trailer;

(5) the compilation unit number under which the timber was scaled, as indicated on the authorization of the scaling method;

(6) the name of the person in charge of loading the timber;

(7) the name of the driver of the vehicle.

9. During transportation, a copy of the transport voucher must be deposited at the place indicated in a sealed container.

10. The transport voucher, which must be handed over on arrival at the timber unloading point, must be completed by indicating the date and hour of arrival, by a person in charge who is present when the timber is received or by the driver of the road vehicle where no person in charge is present.

The original or, failing that, a copy of the voucher must be kept and filed in a register kept for that purpose by the timber recipient.

DIVISION V SCALING OUTSIDE THE CUTTING AREA AFTER TRANSPORTATION

11. Unscaled timber may not be transported outside the cutting area unless the driver of the road vehicle in which the timber was loaded is in possession of a timber transportation authorization and loading registration form complying with the model drawn up for that purpose by the Minister and in which the following information appears:

- (1) the information referred to in paragraphs 1 to 4, 6 and 7 of section 8;
- (2) the compilation unit number under which timber will be declared, as indicated on the scaling authorization;
- (3) the species or group of species of the timber transported.

12. During transportation, a copy of the form referred to in section 11 must be deposited in a sealed container at the place indicated by the Minister. Despite the foregoing, no form may be deposited in the sealed container where,

among the information referred to in section 11, the following data that are validated by a computer system, must appear in the automated timber transportation authorization and loading registration form:

- (1) the GPS coordinates of the timber loading point into the driver's vehicle, trailer or semi-trailer;
- (2) the date and time of departure from the timber loading point;
- (3) the compilation unit number;
- (4) the species or group of species of the timber transported.

In addition, to be exempted from the deposit of the form in a sealed container during transportation, each load from the cutting areas covered by the container must have an automated form.

13. Every timber transportation authorization and loading registration form must be handed over on arrival at the timber unloading point and be completed indicating the date, hour of arrival and, where applicable, the weighing data. It must then be signed by a culler before it is sent to the Minister.

The original or, failing that, a copy of the form must be kept and filed in a register kept for that purpose by the timber recipient.

14. Every scaling form must be completed, dated and signed by the culler not later than the fifth working day following the day on which the timber is received.

A paper copy of every scaling form, as well as a summary of the registrations of the timber transportation authorization and loading registration forms complying with the model drawn up for that purpose by the Minister must be deposited, for verification purposes, in a sealed container situated on the premises where the timber was scaled as soon as the documents are completed, dated and signed by the culler.

The deposit in the sealed container of the completed scaling form must take place on the day it is printed.

The deposit in the sealed container of the summary of the registrations of the timber transportation authorization and completed loading registration forms must take place on the day it is printed.

§1. Verification of weigh scales

15. Every weigh scale used within the scope of scaling timber from lands in the domain of the State must be verified once a week by the operator or owner of the weigh scale during the period of transportation of timber from lands in the domain of the State.

16. The culler must validate the information contained in the weigh scale control form complying with the model drawn up for that purpose by the Minister and then sign it. The culler must send to the Minister, electronically, on the day it is signed, the weigh scale control form duly completed, signed and dated.

17. Where non-compliance with the operation of the weigh scale or a discrepancy in relation to the limits of error, according to the applicable scale, indicated in Schedule 1, is noted, every person or body referred to in the first paragraph of section 1, the owner or operator must take the necessary corrective measures.

18. The person or body referred to in the first paragraph of section 1 must cease to use the weigh scale for weighing timber from lands in the domain of the State where a verification shows a discrepancy in relation to the limits of error, according to the applicable scale, equal to or greater than 5 times those indicated in Schedule 1.

Where the person or body referred to in the first paragraph of section 1 is not the owner of the weigh scale, it may not be used unless the person or body has received from the owner or operator of the weigh scale a written declaration stating that it complies with and does not exceed the limits of error provided for in Schedule 1.

DIVISION VI TRANSMISSION OF CERTAIN FORMS CONTAINING SCALING OR INVENTORY DATA

19. Every scaling form, duly completed, dated and signed by the culler, must be sent to the Minister by the person or body referred to in the first paragraph of section 1 so that the Minister receives it not later than the fifth working day following the day on which the paper copy of the form was deposited in the sealed container.

Every timber transportation authorization and loading registration form must be sent by the person or body referred to in the first paragraph of section 1 to the Minister so that the Minister receives it not later than the fifth working day following the day on which it was duly completed in accordance with section 14.

In the case referred to in subparagraph 3 of the first paragraph of section 27, the form need not be sent to the Minister.

20. An inventory estimating the volume of the timber felled but not yet scaled or declared on the last day of a calendar month must be sent by the person or body referred to in the first paragraph of section 1 to the Minister every month so that the Minister receives it not later than the fifth working day of the month following the month for which the inventory was made.

The inventory must indicate the location of the timber included in the inventory, be entered on a form complying with the model drawn up for that purpose by the Minister and be signed by a culler. It is used to determine, on the basis of written data, the volume harvested until the timber is scaled and the scaling data is declared to the Minister.

21. A paper copy of an inventory form of the timber transportation authorization and loading registration forms must be produced and sent to the Minister by the person who was granted the sequence unit number or who had a series of forms bearing the same number transferred not later than on 30 April of each year.

DIVISION VII FEES PAYABLE FOR THE LOSS OF SCALING, INVENTORY OR TRANSPORTATION FORMS

22. Every form must bear a sequence unit number granted by the Minister and be reserved for scaling and controlling timber harvested on lands in the domain of the State.

23. The numbers of the forms must be generated by ascending order and be consecutive for each sequence unit number.

24. The following fees are payable for the loss of forms:

- (1) \$30 per form;
- (2) \$300 for a sequence of 10 forms and more.

The fees for the loss of forms must be paid within 30 days following receipt of the invoice.

25. As of 1 April 2014, the fees are adjusted on 1 April of each year by applying to their value for the preceding year the annual percentage change, computed for the month of December of the preceding year, in the general Consumer Price Index (CPI) for Québec, published by Statistics Canada.

The adjusted fees are rounded off as follows:

(1) where the adjusted fee is equal to or greater than \$25 but less than \$100, it is rounded off to the nearest multiple of \$0.25;

(2) where the adjusted fee is equal to or greater than \$100, it is rounded off to the nearest multiple of \$1.00.

The result of an adjustment that is equidistant from 2 multiples must be rounded off to the higher of the two.

The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec* and by any other appropriate means.

§1. Paper forms

26. The destruction or a missing form or sequence of forms are considered to be a loss of forms.

27. No fees are payable in the following cases:

- (1) the state of the forms makes them unusable;
- (2) the destruction of forms is evidenced by a police report or attested by an insurance company;
- (3) the Minister authorizes the use of forms in a transportation control project;
- (4) following a written declaration to the Minister by the printer of forms to the effect that the paper forms listed therein do not exist and were not delivered to the person who was granted the sequence unit number.

In the case referred to in subparagraph 1 of the first paragraph, the original must be provided to the Minister.

In the case referred to in subparagraph 3 of the first paragraph, the person who was granted the sequence unit number must provide the Minister with the original of all the forms used which are exempt from the application of section 19.

§2. Electronic forms

28. A break in the sequence of form numbers is considered to be a loss of forms.

29. No fees are payable in the event of a computer breakdown having as consequences the loss of form and a number error.

30. Any break in the sequence of form numbers must be indicated to the Minister within 5 days following the sequence break.

The break must not be corrected before its indication.

DIVISION VIII STANDARDS APPLICABLE TO SEALED CONTAINERS

31. Every person or body referred to in the first paragraph of section 1 must ensure that every sealed container required for the purposes of this Regulation meets the following standards:

- (1) be made of a hard structure;
- (2) have a volume of not less than 0.1 m³;
- (3) be waterproof and impervious enough to shelter the documents deposited therein from bad weather;
- (4) be equipped with a padlocked door allowing the persons in charge of the application of this Regulation to have access to the documents deposited therein;
- (5) bear the notice “scaling”, in the case of a sealed container referred to in section 7 or 14, or the notice “transportation”, in the case of a sealed container referred to in section 9 or 12;
- (6) the container bearing the notice “scaling” must be installed before the beginning of scaling timber and remain on the cutting area as long as there is timber to be scaled on the cutting area covered by a scaling project;
- (7) the container bearing the notice “transportation” must be installed before the beginning of transportation operations and remain on the premises until all timber has been transported to its destination or outside the cutting area where timber has not been sent directly to destination;
- (8) be located in an accessible place.

DIVISION IX VERIFICATION OF SCALING AND CORRECTION

32. Timber scaled on the cutting area must be left undisturbed at the place where it was scaled for at least 2 working days after the day on which the paper copy of the scaling forms containing the data relating to the scaled timber is deposited in the sealed container.

Timber scaled after transportation must be left undisturbed at the place where it was scaled for at least 1 working day after the day on which the paper copy of the scaling forms containing the data relating to the scaled timber is deposited in the sealed container, except for timber last scaled according to each of the methods used under subparagraphs 6 and 7 of the first paragraph of section 4, which must be left at the place where it was scaled for 5 working days or until other timber is scaled according to the same methods.

The first and second paragraphs also apply where a correction to the scaling modifies the duties to be paid. The prescribed time periods are calculated from the date of the transmission to the Minister of the new form indicating the correction.

33. Timber must be re-scaled or the scaling corrected or cancelled, as the case may be, on the request of the Minister, in the following cases:

- (1) where the verification carried out by the Minister shows measurement discrepancies greater than 3% in volume;
- (2) where the verification carried out by the Minister shows one or more errors or omissions that could cause a discrepancy in the quantity of timber that has been scaled, counted or sampled;
- (3) scaling has not been carried out by a culler who holds a licence issued under the Cullers Act (chapter M-12.1);
- (4) sampling does not comply with what is provided in the scaling authorization;
- (5) sampling is not carried out according to the timber scaling instructions in connection with the scaling method selected provided for in the manual referred to in the third paragraph;
- (6) timber is piled in a manner to prevent it to be scaled using a scaling tool;
- (7) scaling, timber transportation authorization and loading registration forms contain erroneous, false or misleading information;
- (8) the compilation unit indicated on the transportation authorization form does not correspond, in particular, to the timber load concerned, to the good source of timber or the good destination of timber;

(9) the culler did not classify the logs using the quality grids provided for in the manual;

(10) the culler did not evaluate the volumetric reduction in accordance with the types of defect provided for in the manual referred to in the third paragraph.

Where re-scaling is required, the re-scaled timber must be left undisturbed at the place where it was scaled until the expiry of one of the time periods provided for in the first and second paragraphs of section 32, as the case may be.

In all cases, the culler must take the corrective measures to the form according to the form amendment rules provided for in the manual referred to in the third paragraph of section 70 of the Sustainable Forest Development Act (chapter A-18.1).

§1. Assistance that the person or body required to scale the timber must provide to the Minister

34. A person or body who carries out scaling must make its staff available, free of charge, at the Minister's request, during an inspection on the site where scaling takes place.

That person or body must give access, free of charge, to the Minister to every site where scaling takes place and to every timber delivery point, and to the scaling systems, and monitoring equipment required by the scaling method chosen by the Minister.

DIVISION X **OFFENCES**

35. Every person or body referred to in the first paragraph of section 1 that harvests timber in forests in the domain of the State and that contravenes any of the second and third paragraphs of section 3, sections 5 to 14, 19 to 21, the second and third paragraphs of section 27, sections 32 and 33 is liable to the fine provided for in paragraph 3 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

Every person or body referred to in the first paragraph of section 1 that harvests timber in forests in the domain of the State and that contravenes any of sections 22 and 23 is liable to the fine provided for in paragraph 1 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

36. Every road vehicle driver who contravenes any of sections 8, 9, 10, 11, 12 or 13 is liable to the fine provided for in paragraph 3 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

Where an offence referred to in the first paragraph is committed by the driver of a heavy vehicle, within the meaning of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3), every owner or operator of the vehicle, within the meaning of that Act, who has failed to take the necessary means to ensure that the driver of the vehicle complies with the provisions referred to in the first paragraph is liable to the same penalty as that provided for in that paragraph.

37. Every person who contravenes any of sections 15 to 18 is liable to the fine provided for in paragraph 3 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

38. Every person who contravenes section 30 is liable to the fine provided for in paragraph 1 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

39. Every person or body referred to in the first paragraph of section 1 that harvests timber in forests in the domain of the State and that contravenes section 31 is liable to the fine provided for in paragraph 1 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

40. A person or body that carries out scaling and that contravenes section 34 is liable, per day of refusal to comply with that section, to the fine provided for in paragraph 1 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

DIVISION XI **MISCELLANEOUS**

41. This Regulation replaces the Regulation respecting the scaling of timber harvested in forests in the domain of the State (chapter A-18.1, r. 5).

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

SCHEDULE 1

Limits of error of Measurement Canada for weigh scales graduated in 10 or 20 kg

Mass verified on a weigh scale graduated at 10 kg		Limits of error in kg	Mass verified on a weigh scale graduated at 20 kg		Limits of error in kg
from	to		from	to	
10	5,000	10	20	10,000	20
5,010	13,000	20	10,020	26,000	40
13,010	21,000	30	26,020	42,000	60
21,010	29,000	40	42,020	58,000	80
29,010	37,000	50	58,020	74,000	100
37,010	45,000	60	74,020	90,000	120
45,010	53,000	70	90,020	106,000	140
53,010	61,000	80	106,020	122,000	160
61,010	69,000	90	122,020	138,000	180
69,010	77,000	100	138,020	154,000	200
77,010	85,000	110	154,020	170,000	220
85,010	93,000	120	170,020	186,000	240
93,010	101,000	130	186,020	202,000	260

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Gouvernement du Québec

O.C. 725-2013, 19 June 2013

Sustainable Forest Development Act
(chapter A-18.1)

Forest Protection

Forest Protection Regulation

WHEREAS, under paragraph 1 of section 195 of the Sustainable Forest Development Act (chapter A-18.1), the Government may, by regulation, determine the reimbursement mechanisms for expenses incurred in forest fire suppression operations;

WHEREAS, under paragraph 2 of section 195 of the Act, the Government may, by regulation, determine the cases in which a fire permit under section 190 is not required or is not issued;

WHEREAS, under paragraph 3 of section 195 of the Act, the Government may, by regulation, determine the conditions a fire permit holder must satisfy when making a fire in or near a forest;

WHEREAS, under paragraph 4 of section 195 of the Act, the Government may, by regulation, prescribe safety standards for the prevention and suppression of forest fires;

WHEREAS, under paragraph 5 of section 195 of the Act, the Government may, by regulation, determine the provisions of a regulation whose violation constitutes an offence and specify, among the fines prescribed by section 244, the one to which an offender is liable for a given offence;

WHEREAS, under paragraph 1 of section 210 of the Act, the Government may, by regulation, determine the reimbursement mechanisms for expenses incurred to implement action plans against destructive insects and cryptogamic diseases;

WHEREAS, under paragraph 3 of section 210 of the Act, the Government may, by regulation, determine the provisions of a regulation whose violation constitutes an offence and specify, among the fines prescribed by section 244, the one to which an offender is liable for a given offence;

WHEREAS the Government made the Forest Protection Regulation (chapter A-18.1, r. 10);

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Forest Protection Regulation was published in Part 2 of the *Gazette officielle du Québec* of 13 February 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Forest Protection Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Forest Protection Regulation

Sustainable Forest Development Act
(chapter A-18.1, ss. 195 and 210)

DIVISION I RATE OF REIMBURSEMENT OF CERTAIN EXPENSES INCURRED BY AN ORGANIZATION RESPONSIBLE FOR PROTECTING FORESTS

1. The rate of reimbursement of expenses incurred in forest fire suppression operations by an organization responsible for protecting forests is fixed at 50%.

2. The rate of reimbursement of expenses incurred to implement action plans against destructive insects or cryptogamic diseases by an organization responsible for protecting forests is fixed at 50%.

DIVISION II PERMIT FOR MAKING A FIRE IN OR NEAR A FOREST

3. Any person may obtain a permit under section 190 of the Sustainable Forest Development Act (chapter A-18.1) if the person

(1) has built and kept a firebreak between the forest and the matter to be burnt, by removing from the surface any combustible matter over a distance equal to at least 5 times the height of the piles; and

(2) in or near a forest, when a blueberry field is burnt for regeneration aiming at the production of blueberries, the person has built and kept a firebreak around the field,

by removing from the surface any combustible matter down to the mineral ground over a minimum distance of 3 m.

4. No permit is necessary to make a camp fire in or near a forest or to make a fire to clear residential or vacation resort land.

DIVISION III SAFETY STANDARDS FOR THE PREVENTION AND EXTINCTION OF FOREST FIRES

5. Any person who owns or uses in or near a forest a machine, a building or any other installation, must comply with the following safety standards:

(1) any motorized or mechanized machinery used in a forest must be equipped with a fire extinguisher in working order and complying with the standards recognized by the Canadian Standards Association or the Underwriters' Laboratories of Canada;

(2) any skid plate installed under an engine must be installed so as to allow the removal of combustible matter that could gather there;

(3) any operator working on a motorized or mechanized piece of machinery must remove from it any debris or dirt that could start a fire;

(4) any operator working on a motorized or mechanized piece of machinery must turn off all electrical circuits when it is not in use;

(5) the exhaust system of any engine must be equipped with a muffler with a spark arrester and be in working order;

(6) it is forbidden to smoke or to use an open flame within 15 m from a fuel storage or handling point;

(7) the owner or operator of a motorized or mechanized piece of machinery used in the forest must allow the representative of the forest protection organization to inspect it;

(8) it is forbidden to use in the forest a motorized or mechanized piece of machinery that is a fire hazard;

(9) any building or other installation situated in or near the forest and equipped with a coal or wood stove or with an inside or outside fireplace, must have a stack or pipe equipped in each case with a spark arrester in working order made of metal parts whose openings have a maximum width of 1 cm;

(10) any vegetation within 3 m of the outlet of a stack must be removed;

(11) any fuel and any flammable product of the same nature must be stored in tightly closed containers, outside of dwellings;

(12) all dried vegetation and dead wood must be cleared from the surroundings of a building or installation over a distance of at least 10 m;

(13) any building or other installation must be provided with means for extinguishing and tools for fighting fires at their beginning;

(14) any sawmill in or near the forest must be established where the ground is mineral;

(15) any flammable matter must be removed and the premises kept clear of such matter around a sawmill, its outbuildings, wood piles and debris dumps over a distance of at least 30 m;

(16) a sawmill and its outbuildings must be equipped with fire and spark arresting devices;

(17) from 1 April to 15 November, sawdust, slabwood or other sawmill debris may be burnt only in a burner with metal sides having a stack equipped with a spark arrester in working order, whose openings have a maximum width of 1.5 cm.

6. No person may smoke in or near a forest from 1 April to 15 November while working or travelling, except in a building or a closed vehicle.

7. Any person who starts a fire in or near a forest must

(1) in the case of a camp fire or a fire to clear residential or vacation resort land, first clear the place where the person must start the fire by removing all humus, dead wood, branches, scrub and dry leaves from the surface within a radius large enough to prevent the fire from spreading;

(2) have in his or her possession, on the premises where the person wishes to make a fire, the equipment required to prevent the fire from spreading and to extinguish it;

(3) in the case of a fire to clear residential or vacation resort land, have piled or placed in rows having a height of not more than 2 metres the matter to be burnt and over a maximum surface of 6 square metres (6 m²) and have built and kept a firebreak between the forest or any combustible

matter and the matter to be burnt, by removing from the surface any combustible matter over a distance equal to at least 5 times the height of the piles; and

(4) remain on the premises until the fire is completely extinguished.

DIVISION IV OFFENCE

8. Every person who contravenes section 5, 6 or 7 commits an offence and is liable to the fine provided for in paragraph 3 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

DIVISION V FINAL

9. This Regulation replaces the Forest Protection Regulation (chapter A-18.1, r. 10).

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

2851

Gouvernement du Québec

O.C. 731-2013, 19 June 2013

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6)

Conditions governing admission of the public, maintenance of public order and safety of persons in State casinos — Amendment

Rules to amend the Rules respecting conditions governing admission of the public, maintenance of public order and safety of persons in State casinos

WHEREAS, under subparagraph *h* of the first paragraph of section 20.2 of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6), the Régie des alcools, des courses et des jeux may make rules to establish standards relating to the maintenance of public order and the safety of persons in State casinos and their appurtenances;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Rules to amend the Rules respecting conditions governing admission of the public, maintenance of public order and safety of persons in State casinos was published in Part 2 of the *Gazette officielle du Québec* of 1 May 2013 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS the board made the Rules to amend the Rules respecting conditions governing admission of the public, maintenance of public order and safety of persons in State casinos without amendment at its sitting of 17 June 2013;

WHEREAS it is expedient to approve the Rules;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security and the Minister of Finance and the Economy:

THAT the Rules to amend the Rules respecting conditions governing admission of the public, maintenance of public order and safety of persons in State casinos, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Rules to amend the Rules respecting conditions governing admission of the public, maintenance of public order and safety of persons in State casinos

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6, s. 20.2, 1st par., subpar. h)

1. The Rules respecting conditions governing admission of the public, maintenance of public order and safety of persons in State casinos (chapter L-6, r. 8) are amended in section 6 by striking out “a coat or” in the first paragraph after “State casino with”.

2. Section 8 is revoked.

3. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

2852

Gouvernement du Québec

O.C. 733-2013, 19 June 2013

Highway Safety Code
(chapter C-24.2)

Visibility and traffic of farm machines wider than 2.6 metres

Regulation respecting the visibility and traffic of farm machines wider than 2.6 metres

WHEREAS, under subparagraph 20.4 of the first paragraph of section 621 of the Highway Safety Code (chapter C-24.2), the Government may by regulation prescribe safety standards and traffic rules relating to farm machines, combinations of farm vehicles and the road vehicles escorting them, and define the expression “combination of farm vehicles”;

WHEREAS, under subparagraph 20.5 of the first paragraph of section 621 of the Code, the Government may also by regulation determine the provisions of a regulation related to such machines and vehicles, the violation of which constitutes an offence, and indicate for each offence the minimum and the maximum amounts of the fine to which the offender is liable;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting safety standards and traffic rules relating to farm machines wider than 2.6 metres was published in the *Gazette officielle du Québec* of 11 April 2012 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the visibility and traffic of farm machines wider than 2.6 metres, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the visibility and traffic of farm machines wider than 2.6 metres

Highway Safety Code
(chapter C-24.2, s. 621, 1st par., subpars. 20.4 and 20.5)

1. This Regulation applies to farm machines and combinations of farm vehicles wider than 2.6 metres and that are not oversized vehicles in respect of their width under the Vehicle Load and Size Limits Regulation (chapter C-24.2, r. 31).

This Regulation does not apply to farm machines or combinations of farm vehicles when they only cross a public highway.

2. In this Regulation,

“amber beacon or strobe light” means a 360-degree rotating amber lamp that flashes at a rate of not less than 60 and not more than 90 flashes per minute and that has a lens not less than 10 cm high, or an equivalent light bar; (*feu jaune rotatif ou stroboscopique*)

“combination of farm vehicles” means a combination consisting of a farm machine or a farm motor vehicle within the meaning of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) drawing a farm machine or a farm trailer; (*ensemble de véhicules agricoles*)

“escort vehicle” means

(1) a vehicle whose gross vehicle weight rating is under 4,500 kg, except a moped, a motorcycle or a three-wheel vehicle; or

(2) a vehicle whose gross vehicle weight rating is 4,500 kg or more and whose net mass is 4,000 kg or less that originally had an open truck box and a tailgate or is a sport utility vehicle; (*véhicule d'escorte*)

“flashing amber warning lamp” means an amber lamp whose effective projected luminous area is not less than 77.5 cm², that flashes at a rate of not less than 60 and not more than 120 flashes per minute and is bidirectional, and that conforms to SAE Standard J974 entitled “Flashing Warning Lamp for Agricultural Equipment”, revised in April 2011, or SAE Standard J845 entitled “Optical Warning Devices for Authorized Emergency, Maintenance, and Service Vehicles”, revised in December 2007, but in that case, the amber lamp must be at least Class 2. The standards are published by the Society of Automotive Engineers; (*feu jaune clignotant*)

“strip of retroreflective material” means a strip made of a material that meets the requirements of clause 3.3 of CSA Standard M669-F11, published by the Canadian Standards Association, and that is at least 50 mm wide and 230 mm long. (*bande faite d'un matériau rétro réfléchissant*)

3. For the purposes of this Regulation, the width of a farm machine or combination of farm vehicles is measured by excluding their rear-view mirrors and lamps.

4. Every farm machine and combination of farm vehicles must, at night if more than 2.6 m wide without exceeding 3.1 m wide and in the day if more than 2.6 m wide without exceeding 3.7 m wide, be equipped with

(1) at least two flashing amber warning lamps that flash in unison, mounted as symmetrically as possible on the lateral extremities of the vehicle without exceeding them. If one of the lamps cannot be mounted on a lateral extremity of the vehicle, it must be mounted in all cases at less than 40 cm from the extremity. The lamps must be mounted at not less than 1 m and not more than 3.7 m from the roadway so as to be visible to the driver of a road vehicle approaching from the front or rear at a distance between 300 m and 30 m; or

(2) at least one amber beacon or strobe light or an equivalent light bar mounted on or as near as practicable to the top of the vehicle. The amber beacon or strobe light or the light bar must be visible to the driver of a road vehicle approaching from the front or rear at a distance between 300 m and 30 m.

Every farmer who is the owner of a farm machine or combination of farm vehicles who contravenes this section is liable to a fine of \$120 to \$360. However, the fine is \$60 to \$180 if the offence is committed because of the colour, position or visibility of a lamp, light or light bar.

5. Every farm machine and combination of farm vehicles must, at night if more than 3.1 m wide and in the day if more than 3.7 m wide, be equipped with

(1) at least two flashing amber warning lamps that flash in unison, mounted as symmetrically as possible on the lateral extremities of the vehicle without exceeding them. If one of the lamps cannot be mounted on a lateral extremity of the vehicle, it must be mounted in all cases at less than 40 cm from the extremity. The lamps must be mounted at not less than 1 m and not more than 3.7 m from the roadway;

(2) at least two strips of amber retroreflective material visible from the front of the vehicle, placed as horizontally as practicable, each less than 40 cm from the lateral extremities; and

(3) strips of red retroreflective material visible from the rear of the vehicle, placed as horizontally and as aligned and evenly spaced as practicable without exceeding 1.8 m, and the strips placed on the lateral extremities must be less than 40 cm from them.

The flashing amber warning lamps and, at night, the strips of retroreflective material must, when directly in front of the low beams of the headlamps, be visible to the driver of a road vehicle approaching from the front or rear at a distance between 300 m and 30 m.

In the case of a combination of farm vehicles, if the towed vehicle exceeds the width of the towing vehicle on both sides, the flashing amber warning lamps may be mounted on the towing vehicle provided they are less than 6 m from the lateral extremities at the rear of the towed vehicle and the distance between the lamps is the width of the towed vehicle. If the towed vehicle exceeds the width of the towing vehicle on one side, the distance between the lamps must be the distance between the width of the towed vehicle on the wider side and the width of the towing vehicle on the other side.

A farm motor vehicle that is part of a combination of farm vehicles and a self-propelled farm machine may, in addition to the lamps prescribed in this section, be equipped with an amber beacon or strobe light or an equivalent light bar mounted on or as near as practicable to the top of the vehicle.

Every farmer who is the owner of a farm machine or combination of farm vehicles who contravenes this section is liable to a fine of \$120 to \$360. However, the fine is

(1) \$60 to \$180 if the offence is committed because of the colour of a retroreflective material or a lamp or of the position of a strip of retroreflective material or a lamp other than a lamp referred to in the fourth paragraph; or

(2) \$60 to \$180 if the offence is committed because of the visibility of a retroreflective material or a lamp referred to in the second paragraph.

6. An escort vehicle must precede a farm machine or combination of farm vehicles that is wider than 5.3 m.

Where a farm machine or combination of farm vehicles encroaches on the incoming lane, an escort vehicle must also follow the farm machine or combination of farm vehicles at night.

Every driver of a farm machine or combination of farm vehicles who contravenes this section is liable to a fine of \$240 to \$720. However, the fine is \$120 to \$360 if the offence is committed because of an escort vehicle missing at the rear.

7. An escort vehicle at the rear must accompany a farm machine or a combination of farm vehicles that is wider than 7 m.

Every driver of a farm machine or combination of farm vehicles who contravenes this section is liable to a fine of \$120 to \$360.

8. An escort vehicle that precedes a farm machine or combination of farm vehicles must be equipped with at least one amber beacon or strobe light or an equivalent light bar mounted on top of the vehicle. The amber beacon or strobe light or the light bar must be visible to the driver of a road vehicle approaching from the front at a distance between 300 m and 30 m.

Every driver of a farm machine or combination of farm vehicles who contravenes this section is liable to a fine of \$240 to \$720. However, the fine is \$60 to \$180 if the offence is committed because of the colour, position or visibility of an amber beacon or strobe light or the light bar.

9. An escort vehicle that follows a farm machine or combination of farm vehicles must be equipped with at least one amber beacon or strobe light or an equivalent light bar mounted on top of the vehicle or at not less than 1.5 m from the roadway. The amber beacon or strobe light or the light bar must be visible to the driver of a road vehicle approaching from the rear at a distance between 300 m and 30 m.

Every driver of a farm machine or combination of farm vehicles who contravenes this section is liable to a fine of \$120 to \$360. However, the fine is \$60 to \$180 if the offence is committed because of the colour, position or visibility of an amber beacon or strobe light or the light bar.

10. No person may drive a farm machine or a combination of farm vehicles that is wider than 5.3 m

(1) if, due to weather conditions, the visibility is less than 500 m; or

(2) in school zones from 7:30 a.m. to 8:30 a.m., 11:30 a.m. to 1:30 p.m. and 3:00 p.m. to 4:30 p.m. on school days.

Every driver of a farm machine or combination of farm vehicles who contravenes subparagraph 1 of the first paragraph is liable to a fine of \$240 to \$720. Every driver who contravenes subparagraph 2 of the first paragraph is liable to a fine of \$120 to \$360.

11. The driver of an escort vehicle must

(1) maintain a distance between 100 m and 150 m from the farm machine or combination of farm vehicles being escorted;

(2) be able to communicate, using a radio system, with the driver of the farm machine or combination of farm vehicles and with the driver of the other escort vehicle, if applicable;

(3) drive with the amber beacon or strobe light or the light bar of the escort vehicle turned on;

(4) turn off the amber beacon or strobe light or the light bar when the escort vehicle is no longer required under section 6 or 7; and

(5) reduce the brightness of the light bar when used at night.

Every driver of an escort vehicle who contravenes

(1) subparagraph 1, 4 or 5 of the first paragraph is liable to a fine of \$60 to \$180; or

(2) subparagraph 2 or 3 of the first paragraph is liable to a fine of \$120 to \$360; however, if the offence is committed in relation to the amber beacon or strobe light or the light bar of the escort vehicle preceding the farm machine or the combination of farm vehicles, the driver is liable to a fine of \$240 to \$720.

12. The driver of a farm machine or combination of farm vehicles referred to in section 4 or 5 must drive with the lamps prescribed by those sections turned on.

Every driver who contravenes this section is liable to a fine of \$120 to \$360.

13. Farm machines or combinations of farm vehicles do not need to be equipped with strips of retroreflective material or flashing amber warning lamps that conform to the standards set out in section 2 and published by the designated standardizing bodies if they were equipped with strips or lamps that provide equivalent visibility before the coming into force of this Regulation.

14. This Regulation comes into force on 1 December 2013.

2854

Gouvernement du Québec

O.C. 746-2013, 19 June 2013

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Vocational training of the workforce in the construction industry**—Amendment**

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

WHEREAS, under subparagraphs 2, 3, 5 and 10 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may adopt a regulation to determine the activities included in a trade, to make apprenticeship mandatory for the practice of a trade and to determine the conditions of admission to apprenticeship and the various types of examinations and the duration of apprenticeship;

WHEREAS the Commission, after consulting the Committee on vocational training in accordance with section 123.3 of the Act, adopted the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry;

WHEREAS, under section 123.2 of the Act, such a regulation of the Commission is submitted to the Government for approval, with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 11 April 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the comments received following that publication have been examined;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 2, 3, 5 and 10)

1. The Regulation respecting the vocational training of workforce in the construction industry (chapter R-20, r. 8) is amended in section 5 by adding the following after the second paragraph:

“An apprentice crane operator who has completed a period of apprenticeship related only to work pertaining to the specialty of operator of concrete pumps equipped with a distribution mast is eligible for the qualification examination prescribed for that specialty.

An apprentice crane operator who has completed a period of apprenticeship related only to work pertaining to the specialty of operator of concrete pumps equipped with a distribution mast, as well as the holder of a journeyman competency certificate corresponding to the specialty of operator of concrete pumps equipped with a distribution mast, are eligible for the qualification examination prescribed for crane operators, if they have accumulated at least 2 000 hours of apprenticeship for the trade of crane operator excluding the hours worked in the specialty of operator of concrete pumps equipped with a distribution mast.

An apprentice carpenter-joiner who has completed two periods of apprenticeship related only to work pertaining to one of the specialties of deep foundation installer, concrete former or flooring-layer-sander is eligible for the qualification examination prescribed for the corresponding specialty.

An apprentice carpenter-joiner who has completed two periods of apprenticeship related only to work pertaining to one of the specialties of deep foundation installer, concrete former or flooring-layer-sander as well as the holder of a journeyman competency certificate in one of those specialties, are eligible for the qualification examination prescribed for carpenter-joiners, if they have accumulated at least 2,000 hours of apprenticeship for the trade of carpenter-joiner excluding the hours worked in their specialty.”

2. The following is inserted after section 33.7:

“**33.8** A person who, in accordance with section 15.5 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5), obtained, between 1 May 2007 and 18 July 2013, an exemption from the obligation to hold a competency certificate as an operator of concrete pumps equipped with a distribution mast, is exempted from the qualification examination referred to in Division IV and may obtain a journeyman competency certificate corresponding to that speciality in accordance with the provisions of section 1.2 of the Regulation respecting the issuance of competency certificates, as if that person had been exempted from that examination pursuant to section 11 of this Regulation.

33.9 An apprentice crane operator who began a period of apprenticeship for that trade before 18 July 2013 and who finishes the period of apprenticeship within 24 months of starting it is eligible for the qualification examination for the trade of crane operator.

33.10 An apprentice structural steel erector, apprentice ornamental iron worker or apprentice ironworker is eligible for the qualification examination for the trade of ironworker, if he has accumulated at least 6 000 hours of apprenticeship relating to work pertaining to the trade of structural steel erector, ornamental iron worker or ironworker.

Beginning on 18 July 2013, a person referred to in the first paragraph may only continue his apprenticeship in the trade of ironworker.

33.11 A person who, on 18 July 2013, holds a journeyman competency certificate allowing him to practise the trade of structural steel erector or ornamental iron worker, may continue to practise that trade on the conditions stipulated by this Regulation prior to that date, until 18 July 2018.

33.12 The wage rates for the holder of an apprentice competency certificate as an ironworker, issued according to the provisions of section 28.19 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5), introduced by Order in Council 747-2013 dated 19 June 2013, in relation to the wage rates for a journeyman, are the percentages prescribed for a trade with two periods of apprenticeship, as set out in section 25, with a percentage of 85% for the third period.

33.13 The wage rates for the holder of an apprentice competency certificate as a crane operator who began a period of apprenticeship before 18 July 2013, in relation to the wage rates for a journeyman, are the percentages prescribed for a trade with one period of apprenticeship, as set out in section 25, with a percentage of 85% for the second period.”

3. Schedule A to the Regulation is amended

(1) by inserting the following after the definition of Specialty in flooring-layer-sander in section 1:

“Specialty in deep foundation installation: The trade of carpenter-joiner includes the specialty in deep foundation installation.

The term “deep foundation installer” means any person who performs construction, erection and repair work for the installation of deep foundations, such as the installation, hoisting and handling of: steel sheet-piling, shoring piles, wales, braces, struts, bearing piles and temporary steel or timber stays driven into the ground.

Specialty in concrete forming: The trade of carpenter-joiner includes the specialty in concrete forming.

The term “concrete former” means any person who performs construction, erection and repair work on concrete forms including forms for footings, walls, piers, columns, beams, slabs, stairs, roads, sidewalks and curbs at ground level and form ties.”;

(2) by inserting the following after the second paragraph of section 3:

“Specialty of operator of concrete pumps equipped with a distribution mast: The trade of crane operator includes the speciality of operator of concrete pumps equipped with a distribution mast.

The term “operator of concrete pumps equipped with a distribution mast” means any person who operates truck-mounted concrete pumps equipped with a distribution mast.”;

(3) by replacing the paragraph preceding section 7 by the following:

“Group III includes the trades of ironworker, boiler-maker and reinforcing steel erector.”;

(4) by striking out section 7;

(5) by replacing section 9 by the following:

“**9.** Ironworker: The term “ironworker” means any person who, with the exception of work done for the construction or maintenance of electric power transmission and distribution lines, performs:

(a) the erection and assembly of all iron and steel parts used in the construction of:

i. buildings, including partitions, prefabricated roofs, wall sections including metal windows;

ii. completely prefabricated buildings;

iii. bridges, viaducts, subways and tunnels;

iv. antennas for radio and television broadcasting stations;

v. hoists, car dumpers, cranes, conveyors, ore unloaders;

vi. lock gates, head gates;

vii. hydraulic regulating equipment;

viii. coal, stone, coke, sand and ore towers, bins and hoppers;

ix. ash chutes and hoppers;

(b) the erection of concrete structural members (wall panels, floor or ceiling slabs) when mechanical equipment is used;

(c) the erection and construction of all sectional and otherwise assembled stacks, as well as the extension and repair of such stacks;

(d) the unloading, hoisting and setting of complete boilers, steam drums and assembled sections of tubular boilers and machinery into their approximate positions;

(e) torch-cutting, welding, riveting, rigging, scaffolding, framing, erecting and dismantling of temporary or supporting work in connection with any of the above operations;

(f) by means of equipment, tools or welding, the tracing, cutting, preparation and assembly of all metal pieces for the manufacture of items such as: inside and outside stairs, railings, fences (except wire fences), gates, windows, canopies, cellar and inspection traps, all types of wire netting, coal chutes, vault doors, fire doors, partitions, lifesaving equipment or any other similar work; and the installation and erection of the above items.

Performance of the work described in the first paragraph includes trade-related handling for the purposes of immediate and permanent installation.”.

4. Schedule B to the Regulation is replaced by the following:

“SCHEDULE B
(ss. 5, 11, 14 and 17)

Group	Trade	Apprenticeship period(s)	Ratio of apprentice(s) per qualified worker(s)	
			Apprentice	Qualified worker(s)
I	1. Carpenter-joiner	3	1	5
	2. Interior systems installer	3	1	5
II	3. Crane operator	2	1	1
	4. Shovel operator	1	1	1
	5. Heavy equipment operator	1	1	2
	6. Heavy equipment mechanic	3	1	1
III	7. (Repealed)			
	8. Boilermaker	3	1	5
	9. Ironworker	3	1	5
	10. Reinforcing steel erector	1	1	5
IV	11. Tinsmith	3	1	2
	12. Roofer	1	1	4
V	13. Painter	3	1	5
	14. Resilient flooring layer	1	1	2
	15. Insulator	3	1	5
VI	16. Plasterer	3	1	5
	17. Cement finisher	2	1	5
	18. Bricklayer-mason	3	1	5
	19. Tile setter	3	1	5
VII	20. Millwright	3	1	5
VIII	21. Electrician	4	1	2
IX	22. Pipe fitter	4	1	2
	22.1 Fire protection mechanic	4	1	1
	22.2 Refrigeration mechanic	4	1	2
X	23. Elevator mechanic	5	1	1
XI	24. Erector-mechanic (glazier)	3	1	3

5. Schedule C to the Regulation is replaced by the following:

“SCHEDULE C

(s. 4)

ACTIVITIES OF TRADES

1. Carpenter-joiner

—installation of doors and windows;

—installation of prefabricated coverings;

—installation of cupboards and other workshop prepared or manufactured items;

—installation of gypsum board.

2. Tinsmith

—installation of gutters;

—installation of prefabricated coverings.

3. Painter

—pointing and filling joints (gypsum board).

4. Plasterer

—pointing and filling joints (gypsum board).

5. Interior systems installer

—installation of gypsum board.

6. Erector-mechanic (glazier)

—setting doors and windows;

—installing mirrors and show windows.”

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

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Gouvernement du Québec

O.C. 747-2013, 19 June 2013

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Issuance of competency certificates

—Amendment

Regulation to amend the Regulation respecting the issuance of competency certificates

WHEREAS, under subparagraphs 5, 6, 9 and 11 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may adopt a regulation to determine the conditions of issue and renewal of an apprentice competency certificate or a journeyman competency certificate, to provide for the cases in which it may grant an exemption from the obligation to hold the certificates and to determine the fee exigible for the issue or renewal of the certificates;

WHEREAS the Commission, after consulting the Committee on vocational training in accordance with section 123.3 of the Act, adopted the Regulation to amend the Regulation respecting the issuance of competency certificates;

WHEREAS, under section 123.2 of the Act, such a regulation of the Commission is submitted to the Government for approval, with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 11 April 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the comments received following that publication have been examined;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the issuance of competency certificates, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the issuance of competency certificates

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 5, 6, 9 and 11)

1. The Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended in section 7 by replacing the second paragraph by the following:

“Despite the foregoing, to obtain the renewal of his certificate, the holder of an apprentice competency certificate issued under section 2 or section 3 must also provide proof that he has registered, either in a training program pertaining to the trade corresponding to his apprentice competency certificate or in any other course pertaining to the trade recognized by the Commission on 30 June 2007 and that he took, during the period of validity of the expired certificate, at least 30 hours of training, or that he registered in such a program or course but could not pursue it because of a lack of available places.”

2. The following paragraph is inserted after the eighth paragraph of section 15:

“Despite section 16, an exemption issued under paragraph 6 of section 14 to an operator of concrete pumps equipped with a distribution mast may be renewed for a period of 12 months where, according to the monthly reports filed with the Commission by a registered employer, the holder has worked at least one hour during the time the exemption was valid, and where the guarantee of employment provided by the employer in support of the initial application has been respected.”

3. The following is inserted after section 28.14:

“**28.15.** An operator of concrete pumps equipped with a distribution mast who, between 1 May 2007 and 18 July 2013, was exempted from the obligation to hold a competency certificate pursuant to section 15.5, is not required to take the course “*Utilisation sécuritaire des grues*”.

28.16. No fee shall be exigible for the initial issuance of a journeyman competency certificate to an operator of concrete pumps equipped with a distribution mast who has obtained an exemption pursuant to section 33.8 of the Regulation respecting the vocational training of workforce in the construction industry (chapter R-20, r. 8), introduced by Order in Council 746-2013 dated 19 June 2013, where, according to a monthly report filed with the Commission by a registered employer, the holder has worked in the construction industry during the 14 preceding months.

28.17 The Commission shall issue, on request and with no fee, a journeyman competency certificate as an ironworker to any person who

(1) holds a journeyman competency certificate as a structural steel erector or ornamental iron worker and has accumulated prior to 18 July 2013 at least 30,000 hours of work in the trade of structural steel erector or ornamental iron worker;

(2) holds a journeyman competency certificate as a structural steel erector and provides, not later than 18 July 2018, an attestation from the Ministère de l'Éducation, du Loisir et du Sport that he has successfully completed the vocational studies program “*Montage structural et architectural*” targeting the following competencies:

— *Modifier et ajuster des éléments architecturaux;*

— *Installer des recouvrements ornementaux;*

— *Installer des escaliers;*

— *Installer des articles de protection et de défense;*

(3) holds a journeyman competency certificate as an ornamental iron worker and provides, not later than 18 July 2018, an attestation from the ministère de l'Éducation, du Loisir et du Sport that he has successfully completed the vocational studies program “*Montage structural et architectural*” targeting the following competencies:

— *Préparer l'érection d'une structure;*

— *Ériger une structure;*

— *Mettre d'aplomb et boulonner une structure;*

— *Installer et démonter des poutrelles et un pontage;*

— *Démonter une structure;* or

(4) holds a journeyman competency certificate as a structural steel erector or ornamental iron worker and passes, not later than 18 July 2018, the qualification examination for the trade of ironworker.

28.18 On 18 July 2018, the Commission shall issue automatically, with no fee, an apprentice competency certificate as an ironworker to replace any journeyman competency certificate as a structural steel erector or ornamental iron worker that has become obsolete.

28.19 On 18 July 2013, the Commission shall issue automatically, with no fee, an apprentice competency certificate as an ironworker to any person who, on 17 July 2013, holds an apprentice competency certificate as a structural steel erector or ornamental iron worker. The certificate shall cease to be valid not later than 12 months following the date of issuance of the certificate it replaces.”.

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

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Agreement

Election Act
(chapter E-3.3)

CONCERNING THE TESTING OF NEW POLLING FORMALITIES

BETWEEN

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

AND

MR. PHILIPPE COUILLARD, LEADER OF THE QUEBEC LIBERAL PARTY, 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. PIERRE-PAUL ST-ONGE, LEADER OF QUÉBEC SOLIDAIRE, AN AUTHORIZED PARTY REPRESENTED IN THE NATIONAL ASSEMBLY

AND

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

WHEREAS, pursuant to section 348 of the Election Act, a visually handicapped elector may use a template to vote, in accordance with the model prescribed by regulation;

WHEREAS the Voting Regulation provides that the template model is that stipulated by Form 49, reproduced as a schedule to the Regulation;

WHEREAS, following agreements reached in October 2010, in April 2012 and in August 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, of June 11, 2012, in the electoral divisions of Argenteuil and LaFontaine and during the general election of September 4, 2012;

WHEREAS, during these trials, visually handicapped persons used the template stipulated by Form 49 of the Voting Regulation;

WHEREAS, following the recommendations made during evaluation of the trial of the new ballot with photographs, the Chief Electoral Officer prepared a more functional template model, specifically adapted to the new ballot;

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 the testing of a new template model during any general election or by-election ordered after a period of three months following the signature of this agreement;

WHEREAS the recommendation of the Chief Electoral Officer has been accepted by the four leaders of authorized 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 template model at any general election or by-election ordered after a period of three months following the coming into effect of this agreement, in accordance with section 7.

3. AMENDMENTS TO THE ELECTION ACT

3.1 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.”.

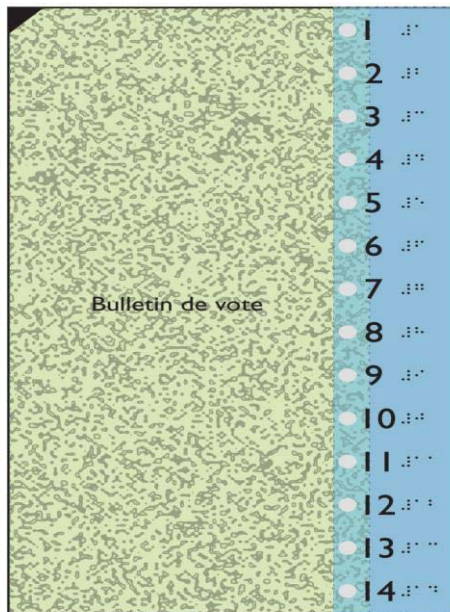
4. AMENDMENTS TO VOTING REGULATION

4.1 Form 49 of the Voting Regulation (chapter E-3.3, r.17) is replaced by the following:

“FORM 49

Election Act (chapter E-3.3, s. 348)

OBVERSE



REVERSE

 LE DIRECTEUR GÉNÉRAL
DES ÉLECTIONS DU QUÉBEC

Ce gabarit, bon pour un nombre maximum de 14 candidats, permet aux électeurs handicapés visuellement de marquer leur bulletin de vote sans aide.

Instructions générales au scrutateur

- Les électeurs handicapés visuellement N'ONT PAS à prêter le serment d'un électeur incapable de voter sans aide s'ils utilisent ce gabarit.

Procédure quant à la manutention du bulletin de vote

- Détachez un bulletin du livret et pliez-le de la façon prescrite.
- Offrez à l'électeur la possibilité de manipuler le bulletin pour qu'il puisse le replier plus facilement après avoir voté.
- Dépliez-le et placez-le dans le gabarit de façon à ce que le premier cercle sur le bulletin soit directement sous le premier cercle du gabarit.
- Indiquez à l'électeur l'ordre dans lequel les candidats apparaissent sur le bulletin.
- Demandez à l'électeur de replier son bulletin, après l'avoir marqué, en se guidant sur les plis que vous avez faits quand vous l'avez plié.

This template, valid for a maximum of 14 candidates, enables visually handicapped electors to mark their ballot papers without assistance.

General instructions for deputy returning officer

- A visually handicapped elector using this template is NOT required to take the oath of an elector unable to vote without assistance.

Procedure for handling ballot paper

- Remove one ballot paper from the pad and fold it in the prescribe manner.
- Offer the elector the chance to handle the ballot paper so that it can be folded more easily after voting.
- Unfold it and place it in the template so that the first circle on the ballot paper is directly under the first circle of the template.
- Indicate to the elector the order in which the candidates appear on the ballot paper.
- Ask the elector to refold the ballot paper after marking it along the folds you have already made.

DGE-49-VB (13-01)

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.

In Montreal, on 8 June 2013

PIERRE-PAUL ST-ONGE,
Leader of Québec solidaire

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:

In Quebec, on 13 June 2013

JACQUES DROUIN,
Chief electoral officer of Québec

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— 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.

M.O., 2013**Order number AM 2013 006 of the Minister of Health and Social Services dated 7 June 2013**

An Act respecting health services and social services (chapter S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

7. EFFECT OF THE AGREEMENT

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

CONSIDERING the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions made by Order in Council 1218-96 dated 25 September 1996;

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

In Quebec, on 7 May 2013

PAULINE MAROIS,
Leader of the Parti Québécois

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, chapter 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (chapter S-4.2);

In Quebec, on 28 May 2013

PHILIPPE COUILLARD,
Leader of the Quebec Liberal Party

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions”, approved by T.B. 193821 dated 21 September 1999;

In Montreal, on 16 May 2013

FRANÇOIS LEGAULT,
Leader of Coalition Avenir Québec-équipe François Legault

CONSIDERING the replacement of “regional boards” in the title of the Regulation by “agencies” pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005, which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions.

RÉJEAN HÉBERT,
Minister of Health and Social Services

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

An Act respecting health services and social services (chapter S-4.2, s. 487.2)

1. The Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) is amended by replacing section 12 by the following:

“**12.** The evaluation classes determined in accordance with subdivisions 2, 3 and 4 of Division 2 of this Chapter correspond to the salary classes adjusted as follows:

(1) for the period from 1 April 2010 to 31 March 2011: 0.5%;

(2) for the period from 1 April 2011 to 31 March 2012: 0.75%;

(3) for the period from 1 April 2012 to 31 March 2013: 1%;

(4) for the period from 1 April 2013 to 31 March 2014: 1.75%;

(5) for the period from 1 April 2014 to 31 March 2015: 2%.

Those salary classes are listed in Schedule 1.

For part-time officers, the salary determined in the first paragraph is reduced proportionally to the hours of the position.”

2. The following is inserted after section 12:

“**12.0.1.** The percentage provided for in subparagraph 3 of the first paragraph of section 12 is increased, effective as of 1 April 2012, by 1.25 times the difference between the cumulative growth of the nominal gross domestic product (GDP) of Québec according to the data from Statistics Canada for 2010 and 2011 and the forecasted cumulative growth of the nominal GDP of Québec for the same years, established at 3.8% for 2010 and at 4.5% for 2011. The increase so calculated may not be greater than 0.5%.

12.0.2. The percentage provided for in subparagraph 4 of the first paragraph of section 12 is increased, effective as of 1 April 2013, by 1.25 times the difference between the cumulative growth of the nominal gross domestic product (GDP) of Québec according to the data from Statistics Canada for 2010, 2011 and 2012 and the forecasted cumulative growth of the nominal GDP of Québec for the same years, established at 3.8% for 2010, at 4.5% for 2011 and at 4.4% for 2012. The increase so calculated is reduced by the increase granted on 1 April 2012 pursuant to section 12.0.1. The sum of the increase granted on 1 April 2012 and the increase granted on 1 April 2013 pursuant to this section may not be greater than 2%.

12.0.3. The percentage provided for in subparagraph 5 of the first paragraph of section 12 is increased, effective as of 1 April 2014, by 1.25 times the difference between the cumulative growth of the nominal gross domestic product (GDP) of Québec according to the data from Statistics Canada for 2010, 2011, 2012 and 2013, and the forecasted cumulative growth of the nominal GDP of Québec for the same years, established at 3.8% for 2010, at 4.5% for 2011, at 4.4% for 2012 and at 4.3% for 2013. The increase so calculated is reduced by the increase granted on 1 April 2012 pursuant to section 12.0.1 and the increase granted on 1 April 2013 pursuant to section 12.0.2. The sum of the increase granted on 1 April 2012, of the increase granted on 1 April 2013 pursuant to section 12.0.2 and of the increase granted on 1 April 2014 pursuant to this section may not be greater than 3.5%.

12.0.4. The salary classes in force on 30 March 2015 are increased, effective as of 31 March 2015, by a percentage equal to the difference between the sum of the annual changes in the Consumer Price Index for Québec according to the data of Statistics Canada for the annual periods referred to in section 12 and the sum of the annual parameters determined in sections 12 to 12.0.3. The increase so calculated may not be greater than 1%.

12.0.5. The increases provided for in sections 12 to 12.0.4 apply to the bonuses and allowances referred to in this Regulation.

The bonuses and allowances expressed in a percentage of the salary and those granted as compensation for expenses incurred in the exercise of the officer's functions are not covered by the increases.

12.0.6. For the purposes of sections 12.0.1, 12.0.2 and 12.0.3, the cumulative growth of the nominal gross domestic product (GDP) of Québec is determined by the sum of the annual changes of the nominal GDP of Québec for the years concerned.

For the purposes of section 12.0.4, the annual change in the Consumer Price Index for Québec corresponds to the change between the average of the indices for the months of April to March for each annual period referred to in section 12 and the average of the indices for the previous months of April to March.

12.0.7. The increases provided for in sections 12.0.1, 12.0.2 and 12.0.3 are applied to the salary of the officers concerned within 60 days following the publication of the data of Statistics Canada on the nominal gross domestic product of Québec of the calendar year preceding the period concerned.

The increase provided for in section 12.0.4 are applied to the salary of the officers concerned within 60 days following the publication of the data of Statistics Canada on the Consumer Price Index for Québec for the month of March 2015.”

3. Section 12.1 is amended

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

“**12.1.** For officers referred to in section 8.1, a salary rate corresponding to the evaluation classes determined under section 11.5 is adjusted according to the terms and conditions provided for in sections 12 to 12.0.4, with the necessary modifications.»;

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

“Those salary rates are increased as follows:

(1) 5% for the period from 25 April 2012 to 31 March 2013;

(2) 5% for the period from 1 April 2013 to 31 March 2014;

(3) 5% for the period from 1 April 2014 to 31 March 2015.

Those salary rates are listed in Schedule 2.”

4. Section 13 is amended by inserting “to 12.0.4” after “12” in the first paragraph.

5. Section 24 is amended

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

“Where an officer of the nurse or respiratory therapist profession directly supervises a unit in which an increased schedule related to intershift overlap applies under a collective agreement, the reference salary scale used for the purposes of the first paragraph is that of the profession related to that increased schedule.”;

(2) by replacing “this rule shall apply” in the third paragraph by “the preceding paragraphs apply”.

6. The following is inserted after section 29:

“§4. *Allowance for officers supervising a critical care unit*

29.0.1. An officer directly supervising a critical care unit whose services are emergencies, intensive care, the neonatal unit, the burn unit or the coronary unit, receives as of 25 April 2012 an allowance for critical care of 13% of the officer's salary. The allowance is 14% as of 1 April 2014.

The officer also receives an additional allowance of 14.30% of the officer's salary for the period from 25 April 2012 to 31 March 2013.

The allowances are paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

§5. *Allowance for an officer nurse or respiratory therapist supervising a unit in which an increased schedule related to intershift overlap does not apply*

29.0.2. An officer of the nursing or respiratory therapist profession directly supervising a unit in which an increased schedule related to intershift overlap does not apply under a collective agreement receives, as of 25 April 2012, an allowance of 2% of the officer's salary.

The officer also receives an additional allowance of 2.17% of the officer's salary for the period from 25 April 2012 to 31 March 2013.

The allowances are paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

§6. *Attraction and retention allowance for the Far North region*

29.0.3. An officer working in a locality in the Far North region determined by the Minister receives, as of 25 April 2012, an attraction and retention allowance.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

The amounts, the period of payment and the terms of application of the allowance are established by the Minister.

§7. *Allowance for officers supervising a unit offering services in psychology*

29.0.4. An officer of the psychologist profession, on the roll of the Ordre des psychologues, directly supervising a unit offering services in psychology receives an allowance as of 25 April 2012.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

The amount, the period of payment and the terms of application of the allowance are established by the Minister.».»

7. Section 130.3 is amended by adding the following at the end of the second paragraph:

“The Minister may intervene at any time of his or her own motion in any disagreement.”.

8. The table in Schedule 1 is replaced by the following:

“The salary classes of officers are established by the Minister by taking into account parameters fixed by the Conseil du trésor. Those classes are available on the website of the Ministère de la Santé et des Services sociaux (MSSS) (www.msss.gouv.qc.ca) by clicking on “Documentation”, “Normes et pratique de gestion”, “Index par codification” and “02 01 22 01”.”.

9. The table in Schedule 2 is replaced by the following:

“The salary rates of officers physicians are established by the Minister by taking into account parameters fixed by the Conseil du trésor. Those classes are available on the website of the Ministère de la Santé et des Services sociaux (MSSS) (www.msss.gouv.qc.ca) by clicking on “Documentation”, “Normes et pratique de gestion”, “Index par codification” and “02 01 22 01”.”.

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

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M.O., 2013

Order of the Minister of Sustainable Development, Environment, Wildlife and Parks dated 6 June 2013

Environment Quality Act
(chapter Q-2)

Making the Regulation to amend the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT, WILDLIFE AND PARKS,

CONSIDERING section 2.2 of the Environment Quality Act (chapter Q-2), which provides that the Minister of Sustainable Development, Environment, Wildlife 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 115.24 of the Act, which provides that the Minister of Sustainable Development, Environment, Wildlife and Parks may specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

CONSIDERING section 115.34 of the Act, which provides that the Minister of Sustainable Development, Environment, Wildlife and Parks may determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

CONSIDERING that the Minister made the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells (chapter Q-2, r. 47.1);

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 15 October 2012, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the fifth paragraph of section 2.2 of the Environment Quality Act, of a draft of the Regulation to amend the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells with a notice that it could be made by the Minister of Sustainable Development, Environment, Wildlife 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 the filing of information on certain drilling and fracturing work on gas or petroleum wells, attached to this Order, is hereby made.

Québec, 6 June 2013

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells

Environment Quality Act
(chapter Q-2, ss. 2.2, 115.27 and 115.34)

1. The Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells (chapter Q-2, r. 47.1) is amended by inserting the following after section 9:

“**9.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to respect the frequency or the date of filing of the information provided for in section 5 or 14;

(2) to keep the information, the calculations, assessments, measurements and other data for the period provided for in section 8 or 9.

9.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to file the information, statement or certificate required by section 4 or 7;

(2) to file the information based on the best data and best information in accordance with section 6;

(3) to obtain the prescribed information from the person to whom the holder entrusts work referred to in section 9 in accordance with that section;

(4) to make the prescribed information available to the holder of a certificate of authorization in accordance with section 9.”.

2. Section 10 is replaced by the following:

“**10.** Every person who contravenes section 5, 8 or 14, or fails to keep the prescribed information in accordance with section 9 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

10.1. Every person who

(1) contravenes section 4, 6 or 7,

(2) fails to obtain the prescribed information from the person to whom the holder entrusts work referred to in section 9 in accordance with that section,

(3) fails to make the prescribed information available to the holder of a certificate of authorization in accordance with section 9,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

10.2. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading, commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.”.

3. Section 11 is revoked.

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

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Draft Regulations

Draft Regulation

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Fishing and hunting areas — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting fishing and hunting areas (chapter C-61.1, r. 34), appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation amends the limits of Area 25 for fishing to harmonize the applicable regulations to local reality and facilitate understanding by the clientele. It also amends certain limits of Area 25 in view of the improved accuracy of mapping tools.

Study of the matter has shown no negative impact on the clientele and on enterprises related to fishing in the sector concerned.

Further information on the draft Regulation may be obtained by contacting Gaétan Roy, Direction de la réglementation, de la tarification et des permis, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 521-3888, extension 7394; fax: 418 646-5179; email: gaetan.roy@mrn.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nathalie Camden, Associate Deputy Minister for wildlife, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

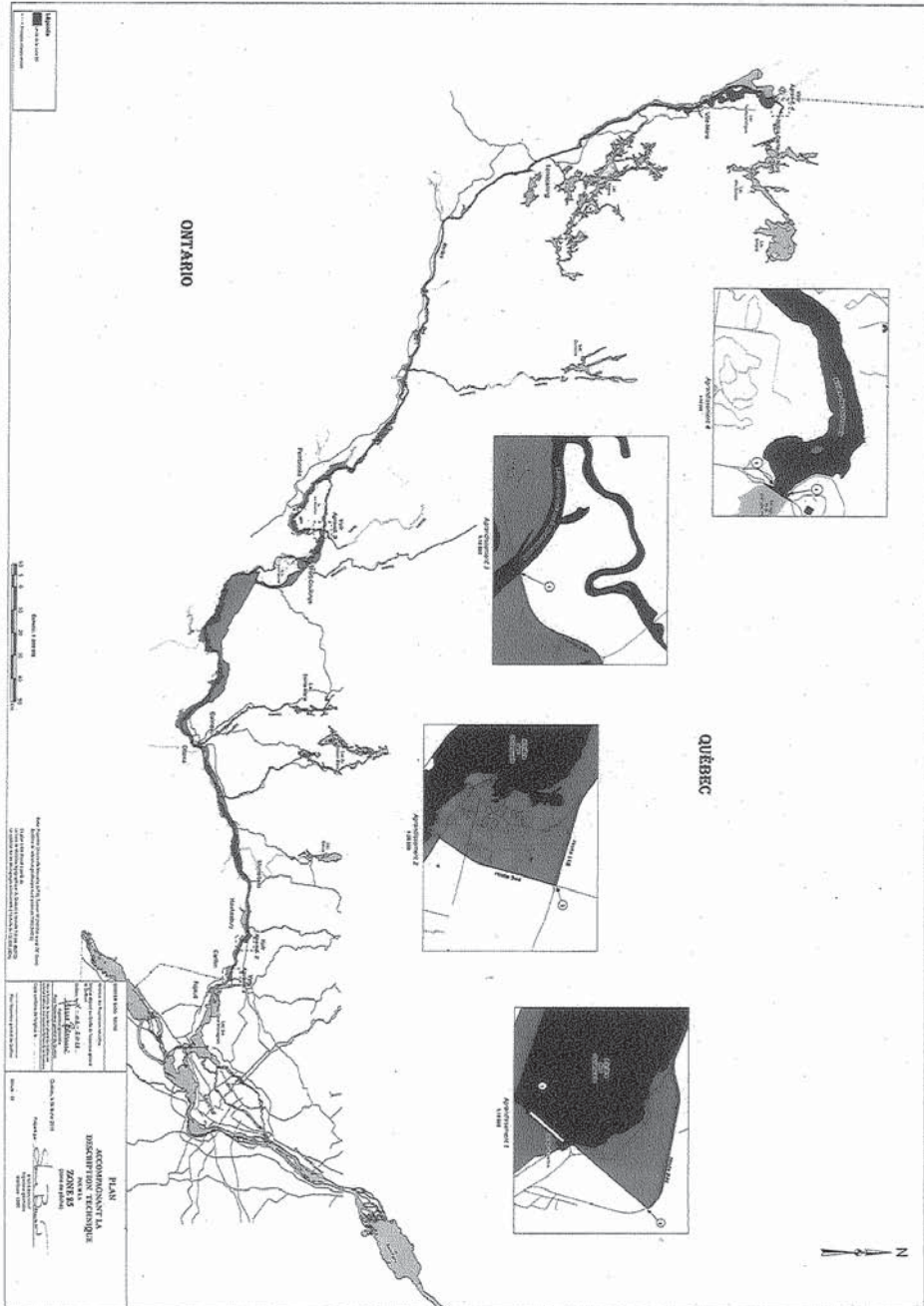
Regulation to amend the Regulation respecting fishing and hunting areas

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 162)

1. The Regulation respecting fishing and hunting areas (chapter C-61.1, r. 34) is amended by replacing Schedule XXV by the Schedule attached hereto.

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

13 810



Draft Regulation

Environment Quality Act
(chapter Q-2)

Regulation

— Application of the Act
— Amendment

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

The draft Regulation amends the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) to provide that the first paragraph of section 22 of the Environment Quality Act is to apply to the use of materials other than fossil fuels, wood or waste wood in certain combustion systems.

Further information may be obtained by contacting Michel Guay, Direction des politiques de la qualité de l'atmosphère, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs; telephone: 418 521-3813, extension 4072; email: michel.guay@mddefp.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to France Delisle, Director, Direction des politiques de la qualité de l'atmosphère, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5^e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddefp.gouv.qc.ca; fax: 418 646-0001.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting the application of the Environment Quality Act

Environment Quality Act
(chapter Q-2, s. 31)

1. The Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) is amended by replacing paragraph 4 of section 2 by the following:

“(4) the installation or use of a combustion system having a capacity of less than 3,000 kW (10,238,535 BTU/hour), except a combustion system using materials other than fossil fuels, wood or waste wood within the meaning of section 55 of the Clean Air Regulation (chapter Q-2, r. 4.1);”.

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

2835

Draft Regulation

Environment Quality Act
(chapter Q-2)

Cap-and-trade system for greenhouse gas emission allowances — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, appearing below, may be made by the Government on the expiry of 60 days from this publication.

The draft Regulation introduces various amendments, in particular to specify the fuel distributors targeted by the cap-and-trade system for greenhouse gas emission allowances, the information that must be provided when registering for the system, the types of possible transactions, and the types of guarantees that may be provided for an auction or sale by mutual agreement. It also adds new sectors of activity and reference units eligible for the free allocation of emission units.

Further information may be obtained by contacting Diane Gagnon, coordinator, carbon market team, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs; telephone: 418 521-3868, extension 4605; email: diane.gagnon@mddefp.gouv.qc.ca; fax: 418 646-4920.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Jean-Yves Benoit, senior economist and carbon market director, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 6^e étage, boîte 31, Québec (Québec) G1R 5V7; email: jean-yves.benoit@mddefp.gouv.qc.ca

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

Environment Quality Act

(chapter Q-2, s. 31, 1st par., subpars. *b, c, d, e.1, h* and *h.1*, ss. 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34)

1. The Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) is amended in section 2 by replacing subparagraph 2 of the second paragraph by the following:

“(2) distributes fuel within the meaning of protocol QC.30 of Schedule A.2 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere if the greenhouse gas emissions attributable to the combustion or use of the fuel distributed, calculated in accordance with that protocol, are equal to or exceed 25,000 metric tonnes CO₂ equivalent.”.

2. Section 7 is amended by replacing “the identification number assigned under the National Pollutant Release Inventory of the Government of Canada” in subparagraph 3 of the first paragraph by “establishment number assigned by the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs and used under the Inventaire québécois des émissions atmosphériques”.

3. Section 8.1 is amended by replacing de “registered as a” by “registered as an emitter pursuant to this Regulation or as an emitter or”.

4. Section 19 is amended

(1) by adding “or, where applicable, following the permanent closure of the establishment” at the end of the first paragraph;

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

“Notwithstanding subparagraphs 1 and 2 of the second paragraph, an emitter that ceases its activities permanently in the year preceding the year in which the compliance period referred to in those subparagraphs begins is not required to cover the emitter’s GHG emissions, provided it notifies the Minister in writing not later than 6 months following the start date of the period.”.

5. Section 21 is amended

(1) by inserting the following subparagraph after subparagraph 1 of the second paragraph:

“(1.1) emissions units from the Minister’s reserve account;”;

(2) by adding “other than units referred to in subparagraph 1” at the end of subparagraph 3 of the second paragraph.

6. Section 25 is amended by striking out “and serial number” in subparagraph 3 of the first paragraph.

7. Section 27 is replaced by the following:

“**27.** Every emitter or participant who wishes to carry out a transaction to transfer emission allowances from the emitter’s or participant’s general account to the emitter’s or participant’s compliance account or to retire from the system certain emission allowances recorded in the emitter’s or participant’s general account must send to the Minister a request including the following information:

(1) the emitter’s or participant’s general and, where applicable, compliance account number;

(2) the quantity, type and, where applicable, vintage of the emission allowances to be transferred or retired.”.

8. Section 27.1 is amended

(1) by replacing “retirement request” wherever it occurs by “transfer or requirement request”;

(2) by replacing “or participant’s general account to the” in the fourth paragraph by “general account to the emitter’s compliance account, or from the emitter’s or participant’s general account to the”;

(3) by inserting “transfer or” after “concerning” in the fifth paragraph.

9. Section 27.2 is amended by striking out both occurrences of “or retirement”.

10. Section 32 is amended by replacing “sell the excess emission allowances or pay into its compliance account the emissions units or early reduction credits needed to cover its emissions for the current year or preceding years” in the last paragraph by “divest itself of the excess emission allowances, pay into its compliance account the emissions units or early reduction credits needed to cover its emissions for the current year or preceding years or, in the case of related entities, amend the distribution of the overall holding limit determined in accordance with section 33 in order to become compliant”.

11. Section 40 is amended by replacing “6-8 and 6-9” in the second paragraph by “6-8, 6-9, 6-12 and 6-13”.

12. Section 48 is amended

(1) by striking out “or money order, postal money order” in subparagraph 1 of the second paragraph;

(2) by replacing subparagraphs 1.1 and 2 of the second paragraph by the following:

“(1.1) an irrevocable letter of credit issued by a bank or financial services cooperative constituted under a statute of Québec, Canada or another province or territory of Canada;

(2) a bond issued or guaranteed by a bank or financial services cooperative constituted under a statute of Québec, Canada or another province or territory of Canada;”;

(3) by replacing “orders or bonds” in the third paragraph by “letters of credit or bonds”;

(4) by inserting the following after the third paragraph:

“The guarantee must be submitted in Canadian dollars. However, in the case of an auction for which the guarantee is required is held jointly with a partner entity in the United States, the guarantee may also be submitted in US dollars.”.

13. Section 49 is amended by striking out “, in proportion to the quantities respectively made available” in subparagraph 1 of the fourth paragraph.

14. Section 50 is amended by replacing “may be submitted in Canadian or US dollars” in the last paragraph by “must be submitted in the same currency as the financial guarantee submitted in accordance with section 48”.

15. Section 52 is amended

(1) by striking out “or exceed that bidder’s financial guarantee submitted in accordance with section 48” in the second paragraph;

(2) by inserting the following paragraphs after the second paragraph:

“Notwithstanding the second paragraph, when an emitter’s total bid exceeds its holding limit but the number of emission units and early reduction credits in its compliance account is below the quantity referred to in the third paragraph of section 32, the emitter’s bids are accepted up to that quantity.

When a bid submitted by a bidder takes the maximum value of the bidder’s bids to beyond the amount of its financial guarantee submitted in accordance with section 48, the Minister removes the excess lots from the bid.

The lots removed pursuant to the fourth paragraph are then re-evaluated based on the prices offered in the bids submitted by all the bidders, by descending value, beginning with the price immediately below the price in the bid that exceeded the bidder’s guarantee. The lots are considered by the Minister to be new bids submitted by the bidder when, at a given price, the re-evaluation means that their maximum value does not exceed the amount of the financial guarantee submitted.”;

(3) by striking out the fourth, eighth, ninth and tenth paragraphs.

16. Section 53 is replaced by the following:

“**53.** Within 7 days after the results of the auction are sent to the bidders, every winning bidder must pay in full, by transfer, for the emission units awarded in accordance with section 52. If the financial guarantee has been submitted in the form provided for in subparagraph 1 of the second paragraph of section 48, the payment is withheld from the guarantee.

If the emission units are not paid for in full in the time prescribed under the first paragraph, the Minister withholds the amount owed from the financial guarantee provided in accordance with section 48. When more than one type of guarantee has been provided, the Minister uses the guarantees in the order set out in the second paragraph of that section.

Upon receiving payment from a winning bidder, made out to the Minister of Finance, or after applying all or part of a winning bidder’s guarantee used, the Minister records the emission units awarded in the bidder’s general account and, in the case referred to in the third paragraph of section 52, in the winning bidder’s compliance account.

All or part of a guarantee provided in accordance with section 48 that has not been used for the purposes of an auction is returned to the bidder.

The amounts collected during the auction are paid into the Green Fund in accordance with section 46.16 of the Environment Quality Act (chapter Q-2).”.

17. Section 59 is amended by inserting “in Canadian dollars,” after “guarantee” in subparagraph 3 of the first paragraph.

18. Section 60.1 is amended by inserting “in Canadian dollars and” after “more than 1 offer,” in the third paragraph.

19. Section 62 is amended by replacing the first paragraph by the following:

“**62.** Within 7 days after the results of the sale are sent to the purchasers, every purchaser must pay in full, by transfer, for the emission units awarded in accordance with section 61. If the financial guarantee submitted in accordance with subparagraph 3 of the first paragraph of section 59 was in the form provided for in subparagraph 1 of the second paragraph of section 48, the payment is withheld from the guarantee.

If the emission units are not paid for in full in the time prescribed under the first paragraph, the Minister withholds the amount owed from the financial guarantee provided in accordance with subparagraph 3 of the first paragraph of section 59. When more than one type of guarantee has been provided, the Minister uses the guarantees in the order set out in the second paragraph of section 48.”

20. The following is inserted after section 64:

“**64.1.** The Minister publishes a summary of the sale by mutual agreement within 45 days on the website of the Ministère du Développement durable, de l’Environnement et des Parcs, including the following information:

- (1) the names of the persons registered as purchasers;
- (2) the settlement price of the emission units;
- (3) the total quantity and distribution of the units sold, in non-nominative.”

21. Section 70.1 is replaced by the following:

“**70.1.** The Minister keeps and publishes, on the website of the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs, a public register of registered offset credit projects that contains the names and professional contact information of promoters, project plans, project reports, validation and verification reports submitted in accordance with this Chapter, and information on project status.”

22. Section 70.5 is amended

(1) by replacing the part preceding subparagraph 1 of the first paragraph and subparagraph 1 by the following:

“**70.5.** A promoter wishing to be issued offset credits for a project must, before the project begins, apply to the Minister for the project to be registered in the register of offset credit projects by submitting the promoter’s name, professional contact information and account numbers, along with a project plan that includes the following information and documents:

(1) where applicable, the name and contact information of the person responsible for the promoter’s activities;”;

(2) by replacing “a copy of the assessment and a summary of the findings” in subparagraph 7 of the first paragraph by “a copy of the assessment and its conclusions”.

23. Section 70.11 is amended by replacing ““individual project submitted”” and ““individual project for renewal”” in the first paragraph by ““single project submitted”” and ““single project for renewal””, respectively.

24. Section 70.20 is amended by replacing ““individual active project”” and ““individual renewed active project”” in the third paragraph by ““single active project”” and ““single renewed active project””, respectively.

25. Section 71 is amended by inserting “53, 62,” after “or 51, section” in subparagraph 1.

26. Section 74 is amended

(1) by inserting “53, 62,” after “or 51, section” in the part of the first paragraph preceding subparagraph 1;

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

“A person who contravenes any other requirement of this Regulation is guilty of an offence and liable, in cases where no penalty is otherwise provided for in this Chapter or in the Environment Quality Act (chapter Q-2), in the case of a natural person, to a fine of \$3,000 to \$100,000 and, in other cases, to a fine of \$10,000 to \$600,000.”

27. Table B in Part I of Appendix C is amended

(1) by adding replacing “baked cathodes” and “baked anodes” in the first and third rows of the “Reference unit” column, corresponding to the “Aluminum” sector, by “baked cathodes removed from furnace” and “baked anodes removed from furnace”, respectively;

(2) by replacing “measured” in the fourth row of the “Reference unit” column, corresponding to the “Aluminum” section, by “calculated”;

(3) by inserting the following row after the fourteenth row corresponding to the “Other²” sector:

“

Other ²	Soya and canola oil production	Metric tonne of soya and canola
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”.

(4) by inserting the following row after the twenty-sixth row corresponding to the “Chemical” sector:

“

Chemical	Polyethylene terephthalate (PET) production	Metric tonne of polyethylene terephthalate (PET)
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”.

28. Appendix D is amended

(1) in Part I of Protocol 1, by replacing “reporting period” in the definition of the factors “ER”, “GHG_{project}” and “ΔGHG_{fossil}” in Equation 1 in section 4, and in the definition of the factor “GHG project” in Equation 2 in sub-section 4.1, and in the definition of the factor “C_{project}” in equation 9 in sub-section 4.2, by “project reporting period”;

(2) in the French text of Part I of Protocol 2, by inserting “de projet” after “période de rapport” in the definition of the factors “RE” and “EP” in Equation 1 in section 6 and in the definition of the factor “EP” in equation 7 in sub-section 6.2”;

(3) in Part I of Protocol 3:

(a) in the French text, by inserting “de projet” after “période de rapport” in the definition of the factors “RE” and “EP” in Equation 1 in section 7 and in the definition of the factor “EP” in equation 4 in sub-section 7.2”;

(b) by replacing subparagraph 2 of the second paragraph of sub-section 9.1.2 by the following:

“(2) the samples must be taken by a person who is independent of the promoter and the destruction facility and has the necessary training to carry out the task;”.

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

Draft Regulation

Environment Quality Act
(chapter Q-2)

Cap-and-trade system for greenhouse gas emission allowances — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, appearing below, may be made by the Government on the expiry of 60 days from this publication.

The draft Regulation amends the section concerning the coming into force of Appendix B.1 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, providing for the recognition of emission allowances issued by the State of California, to ensure concordance with the corresponding regulations of that State.

Further information may be obtained by contacting Diane Gagnon, Coordinator, carbon market team, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs; telephone: 418 521-3868, extension 4605; email: diane.gagnon@mddefp.gouv.qc.ca; fax: 418 646-4920.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Jean-Yves Benoit, senior economist and carbon market director, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 6^e étage, boîte 31, Québec (Québec) G1R 5V7; email: jean-yves.benoit@mddefp.gouv.qc.ca

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *b, c, d, e.1, h*
and *h.1*, ss. 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27
and 115.34)

1. Section 54 of the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (Order in Council 1184-2012, *G.O.2*, 3486) is amended by inserting “the later of 1 January 2014 and”.

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

2838

Draft Regulation

Environment Quality Act
(chapter Q-2)

Clean Air — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Clean Air Regulation, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation contains various amendments to the Clean Air Regulation (chapter Q-2, r. 4.1) concerning in particular above-ground tanks, aluminum smelters, crematoriums and the use of fossil fuels in fuel burning equipment.

The draft Regulation also updates a few atmosphere quality standards and makes some technical amendments to make the comprehension or application of the Regulation easier.

The amendments made by the draft Regulation should have no significant impact on the enterprises concerned.

Further information may be obtained by contacting Michel Guay, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement,

de la Faune et des Parcs; telephone: 418 521-3813, extension 4072; email: michel.guay@mddefp.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the matter is requested to submit written comments within the 60-day period to France Delisle, Director, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5^e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddefp.gouv.qc.ca; fax: 418 646-0001.

YVES-FRANÇOIS BLANCHET,
Minister of Sustainable Development,
Environment, Wildlife and Parks

Regulation to amend the Clean Air Regulation

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *a, b, c, d, e* and *h*,
s. 53, par. *d*, ss. 115.27, 115.34 and 124.0.1)

1. The Clean Air Regulation (chapter Q-2, r. 4.1) is amended in section 7 by inserting “emission” in the first paragraph before “standards”.

2. Section 8 is amended by striking out “combustion” in the definition of “feed rate” before “air”.

3. Section 9 is amended by replacing “Divisions I to XI” by “Divisions I to XII”.

4. Section 18 is amended by replacing the second paragraph by the following:

“Despite the foregoing, the provisions of this Chapter do not apply to the following compounds:

- (1) acetone;
- (2) methane;
- (3) ethane;
- (4) methyl acetate;
- (5) tert-Butyl acetate;
- (6) methyl formate;
- (7) 1,1,1-trichloroethane (methyl chloroform);
- (8) dichloromethane (methylene chloride);

- (9) parachlorobenzotrifluoride (PCBTF);
- (10) cyclic, branched or linear permethylsiloxanes;
- (11) cyclic, branched or linear perfluoroalkanes;
- (12) cyclic, branched or linear perfluoroethers having no unsaturation;
- (13) perfluorinated, cyclic, branched or linear tertiary amines having no unsaturation;
- (14) sulfurized perfluorocarbons having no unsaturation and whose sulfur atoms are linked to carbon and fluorine atoms exclusively;
- (15) trichlorofluoromethane (CFC-11);
- (16) dichlorodifluoromethane (CFC-12);
- (17) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
- (18) 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
- (19) chloropentafluoroethane (CFC-115);
- (20) chlorodifluoromethane (HCFC-22);
- (21) chlorofluoromethane (HCFC-31);
- (22) 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
- (23) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
- (24) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
- (25) 1,1-dichloro-1-fluoroethane (HCFC-141b);
- (26) 1-chloro-1,1-difluoroethane (HCFC-142b);
- (27) 1-chloro-1-fluoroethane (HCFC-151a);
- (28) 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
- (29) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
- (30) trifluoromethane (HFC-23);
- (31) difluoromethane (HFC-32);
- (32) pentafluoroethane (HFC-125);
- (33) 1,1,2,2-tetrafluoroethane (HFC-134);
- (34) 1,1,1,2-tetrafluoroethane (HFC-134a);
- (35) 1,1,1-trifluoroethane (HFC-143a);
- (36) 1,1-difluoroethane (HFC-152a);
- (37) ethyl fluoride (HFC-161);
- (38) 1,1,2,2,3-pentafluoropropane (HFC-245ca);
- (39) 1,1,2,3,3-pentafluoropropane (HFC-245ea);
- (40) 1,1,1,2,3-pentafluoropropane (HFC-245eb);
- (41) 1,1,1,3,3-pentafluoropropane (HFC-245fa);
- (42) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
- (43) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea);
- (44) 1,1,1,3,3-pentafluorobutane (HFC-365mfc);
- (45) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
- (46) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane (C₄F₉OCH₃);
- (47) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OCH₃);
- (48) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅);
- (49) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OC₂H₅);”.
- 5.** Section 28 is amended
- (1) by replacing “organic solvent-based paints or water-based paints” in the part preceding subparagraph 1 of the first paragraph by “paints”;
- (2) by replacing subparagraphs 1 and 2 of the first paragraph by the following:
- “(1) a gas exhaust stack that extends at least 5 m above the roof ridge of the building where the paint is applied; and
- (2) a particle collection system with a minimum efficiency of 90% where the application is made by gun or by spraying.”;

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

“The provisions of this section do not apply to the application of paints containing less than 20% of their weight in organic solvents.”

6. Section 34 is amended by replacing “subdivisions 6 to 8” in the table in the first paragraph by “subdivisions 6 and 7”.

7. Section 52 is amended in paragraph 3:

(1) by striking out “natural” before “gas”;

(2) by inserting “fossil “ before “fuel mixture”.

8. Section 61 is amended by inserting “, wood or wood waste containing or saturated with formaldehyde-based glue, granules produced from lignocellulosic crops” in the first paragraph after “wood waste”.

9. Section 65 is amended

(1) by striking out “natural” wherever that word appears before “gas” in the tables in the first and second paragraphs;

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

“In the case of fuel burning equipment referred to in the first paragraph that uses an auxiliary fossil fuel for fewer than 500 hours per year, the limit value that applies to nitrogen oxide emissions is 90 g/GJ.”;

(3) by adding the following after the table in the second paragraph:

“In the case of fuel burning equipment referred to in the third paragraph that uses an auxiliary fossil fuel for fewer than 500 hours per year, the limit value that applies to nitrogen oxide emissions is 175 g/GJ for equipment with a rated heat capacity equal to or greater than 15 MW but less than or equal to 70 MW, and 135 g/GJ for equipment with a rated heat capacity greater than 70 MW.”

10. Section 72 is amended

(1) by inserting “or is supplied with liquid fossil fuel less than 500 hours per year” in the second paragraph after “gaseous fuel”;

(2) by inserting “, the opacity or the particle concentration” in the third paragraph after “concentration”.

11. Section 75 is amended by replacing “37 µg/m³R” in the fifth paragraph by “37 µg/m³”.

12. Section 89 is amended by replacing “second paragraph” in paragraph 1 by “third paragraph”.

13. Section 91 is amended by replacing “exceeds the concentration” in the second paragraph by “exceeds the limit value”.

14. Section 92 is amended by replacing the fourth paragraph by the following:

“In addition, subparagraph 2 of the second paragraph does not apply to

(1) clinker kilns;

(2) lime kilns;

(3) furnaces of bituminous concrete plants using used oils whose contaminant content complies with the standards provided for in Schedule 6 to the Regulation respecting hazardous materials (chapter Q-2, r. 32);

(4) furnaces with a destruction and removal efficiency prescribed by this Regulation that is equal to or greater than 99.9999%; or

(5) furnaces using carbon monoxide or hydrogen as fuel, alone or in combination with non combustible compounds.».

15. Section 95 is amended by replacing “83 and 84” in the fifth paragraph by “84 and 85”.

16. Section 116 is amended by replacing “the incinerator” in the second paragraph by “it”.

17. Section 129 is amended by replacing “within 1 year as of 30 June 2011 in the case of an existing crematorium or incinerator” in the second paragraph by “within 3 years as of 30 June 2011 in the case of an existing crematorium and within 1 year in the case of an existing incinerator”.

18. Section 130 is amended by replacing “particle” by “contaminant”.

19. Section 135 is amended by replacing the table by the following:

“

Emission limit values (kg/t of aluminum produced)			
	Total fluorides	Particles	Date of application
Annual	4	14	30 June 2011
	1.35	7	1 January 2017
Monthly	5	15	30 June 2011
	1.5	8	1 January 2017

”.

20. Section 136 is amended by replacing “over 4 consecutive weeks” in paragraph 1 by “monthly”.

21. Section 137 is amended

(1) by replacing “over 2 consecutive months” in subparagraph 2 of the first paragraph by “that may not be exceeded for more than 2 consecutive months”;

(2) by inserting “that may not be exceeded more than once a year” in subparagraph 3 of the first paragraph after “80 ppm”;

(3) by striking out the second paragraph.

22. Section 141 is amended by replacing “every 4 weeks” in the fourth paragraph by “monthly”.

23. Section 148 is amended by adding the following paragraph:

“In addition, if a cupola is used, it must not emit into the atmosphere carbon monoxide in a concentration greater than 1000 ppm.”.

24. Section 153 is amended

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

“Subject to section 154, a primary or secondary wood or wood product processing facility or particle board or fibreboard manufacturing facility using, in particular, the processes of sawing, chipping, planing, trimming, levelling, edging, sanding, screening and pressing must not emit particles into the atmosphere in excess of 2.5 kg per hour for all processes combined, unless the particle concentration is less than 50 mg/Rm³ of dry gas at each emission point.”;

(2) by replacing “37 µg/m³R “ in the second paragraph by “37 µg/m³”.

25. The heading of Subdivision 2 of Division V of Chapter IX is amended by inserting “and formaldehyde” after “Particle”.

26. Section 154 is amended

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

“In addition, a bark, chip, wafer, particle or wood fibre dryer containing or saturated with formaldehyde-based glue must not emit formaldehyde into the atmosphere in a concentration in excess of 37 µg/m³, over a period of 15 consecutive minutes, using an air dispersion model in accordance with Schedule H.”;

(2) by inserting “and must comply with the standard respecting formaldehyde prescribed in the second paragraph” in the second paragraph after “Schedule C”.

27. Section 155 is amended

(1) by striking out “or other wood or wood waste pyrolysis facility” in the first paragraph;

(2) by striking out “or facility” in the second paragraph.

28. Section 174 is amended by replacing “4 January 2012” in the second paragraph by “4 January 2013”.

29. Section 180 is amended by replacing “solar or electronic grade silicon” in subparagraph 2 of the first paragraph by “silicon purer than metallurgical grade”.

30. Section 183 is amended by replacing “one or more furnaces used to produce a ferro-alloy” in the first paragraph by “a ferro-alloy production process”.

31. The heading of Subdivision 1 of Division XII of Chapter IX is amended by inserting “and other standards” after “standards”.

32. Section 187 is amended by replacing “ton of 100% acid produced” by “ton of sulphuric acid calculated at 100%”.

33. Section 190 is amended

(1) by inserting “calculated at 100%” in the first paragraph of paragraph 1 after “ton of sulphuric acid”, wherever that expression appears;

(2) by replacing “20 kg/t, calculated as” in the second paragraph of paragraph 1 by “20 kg per ton of sulphuric acid, calculated at 100%, on the basis of”;

(3) by replacing “ton of acid calculated at 100%” and “ton of acid calculated to 100%” in paragraph 2 by “ton of sulphuric acid calculated at 100%”.

34. Section 192 is amended by replacing “heavy oil” in subparagraph 1 of the third paragraph by “heavy fuel oil”.

35. Section 198 is amended by replacing the fifth and sixth paragraphs by the following:

“With regard to the application of the provisions of Title IV, the sampling and analysis of a contaminant referred to in section 196 must be carried out using a generally accepted method.”.

36. Section 201 is amended by adding the following paragraph:

“If there is no accredited laboratory for the analysis of a substance referred to in this Regulation, the samples taken pursuant to this Regulation must, for analysis purposes and despite the first paragraph, be sent to a laboratory that meets standard ISO/IEC 17025 entitled “General requirements for the competence of testing and calibration laboratories” broadcast jointly by the International Organization for Standardization and the International Electrotechnical Commission.”.

37. The Regulation is amended by inserting the following section:

“**209.1.** Existing above-ground tanks in the territory of Municipalité de Gros-Mécatina (La Tabatière sector) and in the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (la Romaine sector) are not covered by section 45 of this Regulation.”.

38. Schedule G is amended

(1) by replacing the line

“Chromium 7440-47-3 0.004 0.0037 1 year”

by the following lines:

“Chromium 16065-83-1 0.1 0.01 1 year
(trivalent chromium compounds)

Chromium 18540-29-9 0.004 0.002 1 year”;
(hexavalent chromium compounds)

(2) by replacing the line

“Mercury 7439-97-6 0.15 0.01 1 year”

by the following line

“Mercury 7439-97-6 0.005 0.002 1 year”;

(3) by replacing the lines

“Nickel 7440-02-0 6 0.25 1 hour

Nickel 7440-02-0 0.012 0.01 1 year”

by the following line:

“Nickel 7440-02-0 0.014 0.002 24 hours”.

39. Schedule H is amended by inserting “154,” after “153” in the list of sections preceding the Title of that Schedule.

40. Schedule K is amended

(1) by replacing the line

“3B-Chloropropene 107-05-1 0.05 0 1 year”

by the following line:

“3-Chloropropene 107-05-1 0.05 0 1 year”;

(2) by replacing the line

“Chromium 7440-47-3 0.004 0.0037 1 year”

by the following lines

“Chromium 16065-83-1 0.1 0.01 1 year
(trivalent chromium compounds)

Chromium 18540-29-9 0.004 0.002 1 year”;
(hexavalent chromium compounds)

(3) by replacing the line

“Dichloromethane 75-09-2 2 1 1 year”

by the following line

“Dichloromethane 75-09-2 3.6 1 1 year”;

(4) by replacing the line

“Hexachloroethane 67-72-1 0.15 0 1 year”

by the following line:

“Hexachloroethane 67-72-1 0.03 0 1 year”;

(5) by replacing the lines

“Hydrogen chloride	7647-01-1	1,150	0	4 minutes
Hydrogen chloride	7647-01-1	20	0	1 year”

by the following lines

“Hydrogen chloride	7647-01-0	1,150	0	4 minutes”
Hydrogen chloride	7647-01-0	20	0	1 year”;

(6) by replacing the line

“Mercury	7439-97-6	0.15	0.01	1 year”
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by the following line:

“Mercury	7439-97-6	0.005	0.002	1 year”;
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(7) by replacing the lines

“Nickel compound	7440-02-0	6	0.25	1 hour
Nickel compound	7440-02-0	0.012	0.01	1 year”

by the following line

“Nickel	7440-02-0	0.014	0.002	24 hours”;
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(8) by replacing the line

“Styrene monomer	100-42-5	150	0	1 hour”
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by the following line

“Styrene monomer ³	100-42-5	150	0	1 hour”;
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(9) by inserting, in the “Nature of contaminants” column, the exponent 4 after “Amyl acetate-n”, “Butyl acetate-n”, “Ethyl acetate” and “Isobutyl acetate”;

(10) by inserting the following notes at the end of the table:

³ The limit may be exceeded up to 1% of the time on an annual basis, without exceeding 1910 µg/m³.

⁴ The limit may be exceeded up to 1% of the time on an annual basis.”.

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

2834

Draft Regulation

Environment Quality Act
(chapter Q-2)

Landfilling and incineration of residual materials — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting the landfilling and incineration of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation amends the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) to make a consequential amendment to harmonize with the Clean Air Regulation (chapter Q-2, r. 4.1).

Further information may be obtained by contacting Michel Guay, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs; telephone: 418 521-3813, extension 4072; email: michel.guay@mddefp.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to France Delisle, Director, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5^e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddefp.gouv.qc.ca; fax: 418 646-0001.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials

Environment Quality Act
(chapter Q-2, s. 31)

1. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended by replacing “Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38)” in the first paragraph of section 122 by “Clean Air Regulation (chapter Q-2, r. 4.1)”.

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

2833

Draft Regulation

Environment Quality Act
(chapter Q-2)

Pulp and paper mills — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting pulp and paper mills, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation makes a technical amendment to the Regulation respecting pulp and paper mills (chapter Q-2, r. 27) consequential to the replacement of the Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38).

Further information may be obtained by contacting Michel Guay, Direction des politiques de la qualité de l'atmosphère, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs; telephone: 418 521-3813, extension 4072; email: michel.guay@mddefp.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to France Delisle, Director, Direction des politiques de la qualité de l'atmosphère, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5^e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddefp.gouv.qc.ca; fax: 418 646-0001.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting pulp and paper mills

Environment Quality Act
(chapter Q-2, s. 31)

1. The Regulation respecting pulp and paper mills (chapter Q-2, r. 27) is amended by striking out “(Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38))” in the last dash in the notes to Schedule IV after “fuel burning equipment”.

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

2836

Draft Regulation

An Act respecting financial assistance for education expenses
(chapter A-13.3)

Financial assistance for education expenses — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting financial assistance for education expenses, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the provisions of the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) with a view to indexing a number of parameters for calculating financial assistance and to increasing the financial assistance offered to certain university students to take into account the indexation of tuition fees announced at the end of the Higher Education Summit.

The proposed amendments are also intended to implement the recommendations resulting from the workshop on financial assistance for education expenses following the Higher Education Summit. The recommendations provide for the increase of living expenses and the accelerated reduction of the contribution by third persons within the scope of the loans and bursaries program, and the establishment of transportation expenses for recipients of the loans program for part-time studies who study in outlying areas.

Further information may be obtained by contacting Simon Boucher-Doddrigde, Acting Director, Direction de la planification et des programmes, Secteur de l'aide financière aux études et de la gouvernance interne des ressources, Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie, 1035, rue De La Chevrotière, 20^e étage, Québec (Québec) G1R 5A5; telephone: 418 643-6276, extension 6085.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Higher Education, Research, Science and Technology, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

PIERRE DUCHESNE,
*Minister of Higher Education,
Research, Science and Technology*

Regulation to amend the Regulation respecting financial assistance for education expenses

An Act respecting financial assistance for education expenses
(chapter A-13.3, s. 57)

1. The Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended in section 17

- (1) by replacing "\$2,881" in paragraph 1 by "\$2,928";
- (2) by replacing "\$2,444" in paragraph 2 by "\$2,484".

2. Section 18 is amended by replacing "\$2,444" by "\$2,484".

3. Section 26 is amended by replacing "\$179" in the second paragraph by "\$182".

4. Section 29 is amended by replacing the amounts set out respectively in subparagraphs 1 to 6 of the third paragraph by the following:

- (1) "\$179";
- (2) "\$179";
- (3) "\$206";
- (4) "\$394";
- (5) "\$450";
- (6) "\$206".

5. Section 29.2 is amended

(1) by replacing "\$16.65" in the second paragraph by "\$18.53";

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

"As of the 2014-2015 year of allocation, the amount is adjusted annually. The adjustment corresponds to the difference between the amount of the basic tuition fees, determined per credit, for the year of allocation concerned and the amount determined for the preceding year of allocation. The adjusted amount is made public by the Minister on the website not later than 1 September of the year of allocation to which it applies."

For the purposes of this Regulation, the amount of the basic tuition fees means the maximum amount of the basic tuition fees per credit for the residents of Québec determined annually by the Minister."

6. Section 32 is amended

(1) by replacing "\$354" and "\$778" in the first paragraph by "\$380" and "\$811";

(2) by replacing "\$147" and "\$571" in the second paragraph by "\$169" and "\$600" and "\$207" by "\$211".

7. Section 33 is amended

(1) by replacing "\$64" in the first paragraph by "\$65";

(2) by replacing "\$180" in the second paragraph by "\$183".

8. Section 34 is amended by replacing "\$264" and "\$1,228" in the first paragraph by "\$268" and "\$1,248".

9. Section 35 is amended by replacing "\$91" in the second paragraph by "\$92".

10. Section 37 is amended by replacing "\$240" in the fifth paragraph by "\$244".

11. Section 40 is amended by replacing "\$69" and "\$552" in the first paragraph by "\$70" and "\$561".

12. Section 50 is amended

(1) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the first paragraph by the following:

- (1) "\$14,164";

(2) “\$14,164”;

(3) “\$17,016”;

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

“As of the 2014-2015 year of allocation, the amount provided for in subparagraph 3 of the first paragraph is adjusted annually. The adjustment corresponds to the difference between the amount of the basic tuition fees, determined per credit and multiplied by 30, for the year of allocation concerned and the amount determined and thus multiplied for the preceding year of allocation. The adjusted amount is made public by the Minister on the website not later than 1 September of the year of allocation to which it applies.”;

(3) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the second paragraph by the following:

(1) “\$3,817”;

(2) “\$4,830”;

(3) “\$5,849”.

13. Section 74 is amended by replacing “\$240” and “\$120” in the second paragraph by “\$244” and “\$122”.

14. Section 82 is amended by replacing “\$2,881” and “\$2,158” in the third paragraph by “\$2,928” and “\$2,193”.

15. Section 85 is amended by adding the following paragraph

“(3) transportation expenses.”.

16. Section 86 is amended

(1) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the first paragraph by the following:

(1) “\$2.17”;

(2) “\$3.24”;

(3) “\$111.62”;

(2) by replacing “\$10.66” in the second paragraph by “\$10.83”;

(3) by adding the following after the second paragraph:

“As of the 2014-2015 year of allocation, the amount provided for in subparagraph 3 of the first paragraph is adjusted annually. The adjustment corresponds to the difference between the amount of the basic tuition fees, determined per credit, for the year of allocation concerned and the amount determined for the preceding year of allocation. The adjusted amount is made public by the Minister on the website not later than 1 September of the year of allocation to which it applies.”.

17. The following is inserted after section 87:

“**87.1.** An amount of \$370 is allocated to a student for transportation expenses for each trimester if he or she studies in an outlying area listed in the third paragraph of section 40.”.

18. Section 88 is amended by replacing “86 and 87” by “86, 87 and 87.1”.

19. Section 16 of the Regulation to amend the Regulation respecting financial assistance for education expenses, made by Order in Council 452-2013 dated 1 May 2013, is amended by replacing paragraphs 1 and 2 by the following:

(1) for the 2013-2014 year of allocation:

Contribution of parents living together	
\$0 to \$37,000	\$0
\$37,001 to \$72,000	\$0 on the first \$37,000 and 19% on the remainder
\$72,001 to \$82,000	\$6,840 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$9,740 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$13,640 on the first \$92,000 and 49% on the remainder
Contribution of the parent without a spouse or the sponsor	
\$0 to \$32,000	\$0
\$32,001 to \$67,000	\$0 on the first \$32,000 and 19% on the remainder
\$67,001 to \$77,000	\$6,840 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$9,740 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$13,640 on the first \$87,000 and 49% on the remainder
Contribution of the spouse	
\$0 to \$30,000	\$0
\$30,001 to \$65,000	\$0 on the first \$30,000 and 19% on the remainder
\$65,001 to \$75,000	\$6,840 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$9,740 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$13,640 on the first \$85,000 and 49% on the remainder

(2) for the 2014-2015 year of allocation:

Contribution of parents living together	
\$0 to \$41,000	\$0
\$41,001 to \$72,000	\$0 on the first \$41,000 and 19% on the remainder
\$72,001 to \$82,000	\$6,080 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$8,980 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$12,880 on the first \$92,000 and 49% on the remainder
Contribution of the parent without a spouse or the sponsor	
\$0 to \$36,000	\$0
\$36,001 to \$67,000	\$0 on the first \$36,000 and 19% on the remainder
\$67,001 to \$77,000	\$6,080 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$8,980 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$12,880 on the first \$87,000 and 49% on the remainder
Contribution of the spouse	
\$0 to \$34,000	\$0
\$34,001 to \$65,000	\$0 on the first \$34,000 and 19% on the remainder
\$65,001 to \$75,000	\$6,080 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$8,980 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$12,880 on the first \$85,000 and 49% on the remainder

20. This Regulation applies as of the 2013-2014 year of allocation.

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

2828

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Transportation of dangerous substances — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Transportation of Dangerous Substances Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to prohibit the traffic of certain vehicles transporting dangerous substances in the Melocheville tunnel in Ville de Beauharnois.

Further information on the draft Regulation may be obtained by contacting Raynald Boies, Service de la normalisation technique, Direction du transport routier des marchandises, Ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 644-5593, extension 2365; fax: 418 528-5670; email: raynald.boies@mtq.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

SYLVAIN GAUDREAU,
Minister of Transport

Regulation to amend the Transportation of Dangerous Substances Regulation

Highway Safety Code
(chapter C-24.2, s. 622, 1st par., subpar. 5, and 2nd par.)

1. The Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43) is amended in section 43 by replacing “the part of the approach to the Melocheville tunnel that is parallel to the lane reserved for vehicles transporting dangerous substances” in the first paragraph by “the Melocheville tunnel in Ville de Beauharnois”.

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

2829

Draft Regulation

An Act respecting occupational health and safety
(chapter S-2.1)

Concrete pumps and distribution masts — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting concrete pumps and distribution masts, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation ensures the health, safety and physical well-being of workers. It provides essentially a reference to CSA Standard Z151, Concrete pumps and placing booms, for the design, manufacturing and installation of concrete pumps, distribution masts, concrete delivery pipes and accessories required for their use, manufactured as of 1 January of the year following the year of the coming into force of the Regulation and amends certain measures applicable to work performed using concrete pumps and distribution masts.

Study of the matter shows that the amendments will have no impact on enterprises, including small and medium-sized businesses, since the main manufacturers comply with CSA Standard Z151 and the amendments proposed constitute alternative measures to the requirements that currently apply.

Further information may be obtained by contacting Claude Rochon, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2; telephone: 418 266-4699, extension 2031; fax: 418 266-4698.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President, Partenariat et expertise-conseil, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MICHEL DESPRÉS,
Chair of the board of directors and
Chief Executive Officer of the Commission
de la santé et de la sécurité du travail

Regulation to amend the Regulation respecting concrete pumps and distribution masts

An Act respecting occupational health and safety (chapter S-2.1, s. 63 and s. 223, 1st par., subpars. 7, 19 and 42, 2nd and 3rd pars.)

1. The Regulation respecting concrete pumps and distribution masts (chapter S-2.1, r. 9) is amended by replacing section 3 by the following:

“**3.** No person may manufacture, supply, sell, lease, distribute or install a concrete pump, a distribution mast, concrete delivery pipes or the accessories required for their use unless they meet the requirements of sections 4 to 30.

All the equipment provided for in the first paragraph and manufactured as of (*insert the date of 1 January of the year following the year of the coming into force of this Regulation*) must comply with the provisions related to design, manufacturing, installation and marking provided for in CSA Standard Z151, Concrete pumps and placing booms, in force in the year of manufacturing.

In case of conflict between the requirements provided for in sections 4 to 30 and the requirements of the CSA Standard referred to in the second paragraph, the most stringent requirements apply.”

2. The following is inserted after section 16:

“**16.1.** The content of every safety or warning instruction label affixed to all equipment referred to in section 3 must comply with the Safety Code for the construction industry (chapter S-2.1, r. 4) and this Regulation.”

3. Section 20 is amended

(1) by adding “or equipped with a device that is designed and constructed to stop the pump and the concrete mixer as soon as it is opened” at the end of paragraph 1;

(2) by replacing paragraph 3 by the following:

“(3) the distance between the bars of the grille must not exceed 70 mm if they are parallel to one another, or 80 mm if they are arranged in a lattice design;”

4. Section 34 is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) where the space mentioned in subparagraph 1 is insufficient, send to the Commission de la santé et de la sécurité du travail a work plan signed and sealed by an engineer or limit the extension of the distribution mast according to the instructions of the manufacturer of the pump-truck using a range limiter from a recognized manufacturer;”

5. Section 49 is amended by replacing, in the definition of “certified organization”,

(1) “soudure” in the French text by “soudage”;

(2) “CSA Standard W178-1973, Qualification Code for Welding Inspection Organization” by “CSA Standard W178.1, Certification of Welding Inspection Organizations”.

6. Section 64 is amended by replacing

(1) the first occurrence of “soudure” in the French text by “soudage”;

(2) “certificate issued by the Canadian Welding Bureau in accordance with the specifications of CSA Standard W47.1-1983: Certification of Companies for Fusion Welding of Steel Structures” by “valid certificate issued by the Canadian Welding Bureau in accordance with CSA Standard W47.1, Certification of companies for fusion welding of steel”.

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

2840

Draft Regulation

An Act respecting occupational health and safety (chapter S-2.1)

Safety Code for the construction industry — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Safety Code for the construction industry, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation ensures the health, safety and physical well-being of workers on construction sites. It provides for amendments and new measures and standards regarding protection against falls from a height. It also amends the standards applicable to site-fabricated ladders and to bracket scaffolding used on sites, and updates various sections.

Study of the matter shows no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Pierre Bouchard, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, bureau 250, Québec (Québec) G1K 7E2; telephone: 418 266-4699, extension 2014; email: pierre.bouchard@csst.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President, Partenariat et expertise-conseil, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MICHEL DESPRÉS,
*Chair of the board of directors and
Chief Executive Officer of the
Commission de la santé et
de la sécurité du travail*

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety (chapter S-2.1, ss. 63, 223, 1st par., subpars. 7, 14, 19 and 42, 2nd and 3rd pars.)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 1.1

(1) by inserting the following after paragraph 7:

“(7.0) “CAN/CSA” means the Canadian Standards Association;”;

(2) by replacing paragraph 7.1 by the following:

“(7.1) “life line” means a synthetic fibre rope, a steel wire rope or a strap attached to an anchorage system and used to guide a rope grab;”;

(3) by replacing paragraph 12.0 by the following:

“(12.0) “lanyard” means a rope or strap fastened at one end to a safety harness and at the other end to an anchorage system or other component of a fall arrest connecting device;”;

(4) by inserting the following after paragraph 24:

“(24.0) “fall arrest connecting device”: all equipment, such as a lanyard, energy absorber, snap hook, connector, life line or rope grab, used to secure a safety harness to an anchorage system;”.

2. Section 2.5.4 is amended in paragraph *c* of subsection 2

(1) by striking out “after 1 May 1976;”;

(2) by replacing “the Ministère du Travail” by “the Commission”.

3. Section 2.9.1 is amended by replacing subparagraph 4 of the second paragraph by the following:

“(4) ensure that workers wear safety harnesses secured to an anchorage system by a fall arrest connecting device, the whole in accordance with sections 2.10.12 and 2.10.15 when they are working. When workers cannot position themselves without the help of their fall arrest connecting device, ensure that they also use a means of positioning, such as a plank on brackets, a positioning tether or strap, a suspension cable or a platform;”.

4. Section 2.9.2 is amended

(1) by replacing “water” in paragraph 1 of the first paragraph by “a dangerous liquid or substance”;

(2) by striking out “5 m from the periphery of roofs and” in paragraph 3 of the first paragraph;

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

“Despite the foregoing, such a guard-rail may be removed during work if it is a nuisance. In such a case, workers must wear a safety harness secured to an anchorage system by a fall arrest connecting device, the whole in accordance with sections 2.10.12 and 2.10.15. The work area must then be delimited in particular by a warning line as provided for in section 2.9.4.0, a continuous barrier or trestles of a minimum height of 0.7 m, located at a distance varying between 0.9 m and 1.2 m from the place where workers are at risk of falling, so as to prevent access thereto by persons not working therein.”.

5. The following is inserted after section 2.9.4:

“2.9.4.0. Warning line: Despite section 2.9.2, a warning line may be installed, during bridging or roofing work, on surfaces with a slope equal to or less than 15° (3/12), in order to replace the use of a guard-rail and delimit a work area.

In such a case, another recognized means of protection against falls, such as a safety harness secured to an anchorage system by a fall arrest connecting device, the whole in accordance with sections 2.10.12 and 2.10.15, must be used outside the area delimited by the warning line.

A warning line must be

(1) continuous and installed on all sides of the work area that it delimits;

(2) placed at a distance of 2 m or more from any place where a worker may fall from a height;

(3) made of a rigid strip, a cable or a chain able to withstand a tractive force of at least 2.22 kN;

(4) equipped with flags made of high-visibility materials and placed at intervals of not more than 2 m;

(5) capable of withstanding a load of 100 N applied horizontally at the line’s highest point or vertically at its midpoint between 2 stanchions;

(6) completed at each access point, storage area or hoisting area by a path formed by 2 parallel lines. However, when the path to a point of access to a work area is located at a distance of more than 5 m from it, the warning line does not have to be continued beyond that distance. In places where the access path starts at a roof edge, a guard-rail must be installed on the side of the roof, in compliance with section 2.9.2, so as to cover the first 3 metres on either side of the access path’s starting point; and

(7) installed so that the line is

(a) located between 0.7 m above the work surface at the line’s lowest point and 1.2 m above that surface at its highest point; and

(b) supported by stanchions placed at intervals of not more than 2.5 m;

(c) attached to each stanchion so that pushing on the line between 2 stanchions does not reduce the height of the line between adjacent stanchions by an equivalent amount.”.

6. Section 2.10.12 is replaced by the following:

“2.10.12. Safety harness:

(1) A safety harness must comply with CAN/CSA Standard Z259.10 Full Body Harnesses and be secured to an anchorage system, in compliance with section 2.10.15, by a fall arrest connecting device that limits the maximum fall arrest force to 6 kN.

This fall arrest connecting device must consist of one or more of the following pieces of equipment:

(a) an energy absorber and a lanyard in compliance with CAN/CSA Standard Z259.11 Energy Absorbers and Lanyards. The lanyard, including the energy absorber, must measure not more than 2 m in length;

(b) a self retracting lanyard in compliance with CAN/CSA Standard Z259.2.2 Self-Retracting Devices for Personal Fall-Arrest Systems;

(c) a rope grab in compliance with CAN/CSA Standard Z259.2.1 Fall Arresters, Vertical Lifelines and Rails;

(d) a vertical life line in compliance with CAN/CSA Standard Z259.2.1 Fall Arresters, Vertical Lifelines and Rails.

A vertical life line must

- i. be used by only 1 person;
- ii. be shorter than 90 m; and
- iii. never be brought into direct contact with a sharp edge.

(e) a connecting component, such as a spring hook, D-ring or snap hook in compliance with CAN/CSA Standard Z259.12 Connecting Components for Personal Fall Arrest Systems.

(2) A self-locking safety catch is not compulsory on a duckbilled snap hook located at the end of a rope used as a means of positioning by a worker assigned to the assembly of the latticework of reinforcing rods supporting a wall or pillar. In such a case, the rope must be less than 0.4 m long, be made of metal rings and be secured at the other end to the safety harness worn by the worker.

In addition to this means of positioning used by the worker, the employer must take at least one of the measures provided for in subparagraphs 3 and 4 of the second paragraph of section 2.9.1 to ensure the worker's protection.

(3) Where a worker assigned to the erection or checking of power line towers wears a safety harness, the harness must be equipped with one of the following systems:

(a) an energy absorber to which are fastened 2 lanyards, including 1 that must be attached at all times;

(b) an energy absorber to which is fastened 1 lanyard attached by a rope grab to a vertical life line;

(c) a self retracting lanyard equipped with an energy absorber or fastened thereto.

Where the worker moves a life line or the sling of a self retracting lanyard by means of a pole anchor hook, the worker must be attached to the tower only by means of his or her work positioning strap or tether that the worker must fasten to a structural member above him or her.”

7. Section 2.10.14 is amended by replacing the second paragraph by the following:

“Such a belt must comply with CAN/CSA Standard Z259.1 Body Belts and Saddles for Work Positioning and Travel Restraint.”

8. The following is inserted after section 2.10.14:

“2.10.15. Anchorage system:

The fall arrest connecting device of a safety harness must be secured to

(1) a single point of anchorage with one of the following characteristics:

(a) a breaking strength of at least 18 kN; or

(b) designed and installed in accordance with an engineer's plan in compliance with CSA Standard Z259.16 Design of Active Fall-Protection Systems, and having one of the following characteristics:

i. a strength equal to twice the maximum fall arrest force as certified by an engineer; or

ii. certified in accordance with EN 795 Protection against falls from a height – Anchor devices – Requirements and testing published by the European Committee for Standardization;

(2) a flexible continuous anchorage system (horizontal life line) with one of the following characteristics:

(a) in compliance with the following minimum standards:

i. a steel cable of a minimum diameter of 12 mm slackened to a minimum angle of 1 vertical to 12 horizontal, or 5° from horizontal;

ii. a maximum distance of 12 m between the end anchors;

iii. end anchors with a breaking strength of at least 90 kN;

iv. not to be used by more than 2 workers at a time;

(b) designed and installed in accordance with an engineer's plan in compliance with CSA Standard Z259.13 Flexible Horizontal Lifeline Systems and CSA Standard Z259.16 Design of Active Fall-Protection Systems;

(3) a rigid continuous anchorage system designed and installed in accordance with an engineer's plan in compliance with CSA Standard Z259.16 Design of Active Fall-Protection Systems.

An anchorage system:

(1) must be designed so that the D-ring of the suspension point of a worker's safety harness cannot be moved horizontally by more than 3 m or an angle of 22°;

(2) cannot be used by more than 1 person at a time, except in the case of a continuous anchorage system, such as a horizontal life line, or a rigid anchorage system, such as a rail; and

(3) must be designed so that properly attached personal protective equipment cannot be detached involuntarily.

The structure on which the anchorage system is installed must be able to withstand the effort exerted by the anchorage system in addition to the other efforts that it must ordinarily withstand.

An anchorage system with the characteristics described in subparagraph *b* of subparagraph 1 or 2 of the first paragraph, or in subparagraph 3 of that paragraph, must, before it is first brought into service, be inspected and tested by an engineer or a qualified person acting under the supervision of an engineer, to ensure that the system is in compliance with the design and installation plans.”

9. Section 3.2.4 is amended by replacing paragraph *i* by the following:

“(i) have no opening at floor or roof level, unless the opening is surrounded by guard-rails or closed by a load resistant cover for any loads to which it may be subjected, but not less than 2.4 kN/m². If the cover or guard-rails interfere with the carrying out of the work, the cover or the guard-rails may be removed and replaced, for the duration of the work, by installing a warning line as provided for in section 2.9.4.0, a continuous barricade or trestles of a minimum height of 0.7 m, at a distance varying between 0.9 m and 1.2 m from the opening.”

10. Section 3.5.4 is amended

(1) by replacing “9” in paragraph *a* of subsection 1 by “4.8”;

(2) by replacing “300” in paragraph *b* of subsection 1 by “400”;

(3) by adding “, unless the site where the ladder is used precludes this. In such a case, the width of the ladder may be reduced accordingly” at the end of paragraph *b* of subsection 1;

(4) by replacing “rungs” in paragraph *c* of subsection 1 by “cleats”;

(5) by replacing subsection 2 by the following:

“(2) Any wooden ladder must have:

(a) 2 side rails of at least:

i. 38 mm by 89 mm for single ladders; or

ii. 38 mm by 140 mm or 89 mm by 89 mm for double-width ladders;

(b) cleats:

i. of not less than 38 mm by 89 mm; and

ii. resting on filler blocks of not less than 38 mm by 38 mm.”;

(6) by adding “and not more than 2 m in width” after “1.5 m in width” in paragraph *b* of subsection 3;

(7) by striking out “or rungs” in paragraph *c* of subsection 3;

(8) by replacing “appropriate to the weight applied; “ in paragraph *d* of subsection 3 by “corresponding to those listed in subsections 1 and 2;”;

(9) by adding the following subsection:

“(5) Where it is foreseen that a site-fabricated ladder will exceed the permitted maximum length of 4.8 m, the ladder must be designed by an engineer, as attested to by a plan or certificate signed and sealed by the engineer.”

11. Section 3.7.1 is amended by replacing “or a certificate from the Ministère du Travail” in paragraph *g* by “or a Class A or B qualification certificate in pressure vessel welding issued by Emploi-Québec”.

12. Section 3.9.16 is amended by inserting the following after paragraph *c*:

“(d) be used with a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15. However, when the suspended scaffolding is hung from

4 hoisting cables, the anchorage system may be installed on the platform. Where a rope grab fastened to a vertical life line is used, it must be a Class ADP rope grab.”

13. Section 3.9.17 is amended by replacing subsection 4 by the following:

“(4) A worker in a boatswain’s chair must wear a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15. Where a rope grab fastened to a vertical life line is used, it must be a Class ADP rope grab.”

14. The following is inserted after section 3.9.25:

“**3.9.26. Bracket scaffolding:** Every bracket scaffolding must:

(1) be designed in conformity with plans signed and sealed by an engineer; a copy of the plans must be available on request; and

(2) undergo every 5 years a non-destructive examination, other than a visual examination, of its welds by an organization certified by the Canadian Welding Bureau in compliance with the requirements of CSA Standard W178.1 Certification of Welding Inspection Organizations.”

15. Section 3.10.3 is amended by inserting “, with the exception of rollers,” after “subsection 1” in subsection 2.

16. Section 3.10.7 is amended

(1) by replacing paragraph *c* of subsection 2 by the following:

“(c) every worker wears a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15;”

(2) by replacing “or a certificate from the Ministère du Travail” in paragraph *g* of subsection 3 by “or a Class A or B qualification certificate in pressure vessel welding issued by Emploi-Québec”.

17. Section 3.10.8 is amended by replacing subsection 3 by the following:

“(3) A worker in an aerial device must wear a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15.”

18. Section 3.11.8 is replaced by the following:

“**3.11.8.** The installation of solid fuel heating equipment, including the mounting, clearances and air supply of such equipment, must comply with CAN/CSA Standard B365 Installation Code for Solid-Fuel-Burning Appliances and Equipment.”

19. Section 3.13.10 is amended by replacing paragraph *b* by the following:

“(b) in an area delimited by a warning line as provided for in section 2.9.4.0, a continuous barricade or trestles of a minimum height of 0.7 m installed at a distance varying between 0.9 m and 1.2 m from all cylinders.”

20. Section 3.15.5 is amended

(1) by replacing “and barricades” in the heading by “, barricades or warning line”;

(2) by replacing “Barriers or barricades at least 900 mm high must be set up around the edge of any excavation or trench:” in subsection 1 by “Continuous barriers or barricades of a minimum height of 0.7 m or a warning line as provided for in section 2.9.4.0, must be set up on the edge of any escarpment or digging:”.

21. Section 3.16.9 is amended by striking out “The structural element shall conform to the requirements of Part IV of the Building Code (R.R.Q., 1981, c. S-3, r. 2)” in subsection 1.

22. Section 8.3.7 of the Code is amended by replacing paragraph *b* by the following:

“(b) be equipped with emission control devices, in accordance with the standards prescribed in the Motor Vehicle Safety Regulations (C.R.C., c. 1038) under the Motor Vehicle Safety Act (S.C. 1993, c. 16), with the same efficiency of performance as initially; and”;

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

Draft Regulation

An Act respecting the Ordre national du Québec
(chapter O-7.01)

Insignia of the Ordre national du Québec — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting insignia of the Ordre national du Québec, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines and prescribes, in accordance with section 21 of the Act respecting the Ordre national du Québec (chapter O-7.01), the form of the insignia that may be conferred on a person appointed to the Ordre national du Québec. The draft Regulation amends the material used to manufacture insignia and renders all insignia unisex. It also provides for a transitional measure.

Further information may be obtained by contacting Claire Deslongchamps, Secrétariat de l'Ordre national du Québec, 875, Grande Allée Est, bureau 3.221, Québec (Québec) G1R 4Y8; telephone: 418 643-8895; fax: 418 646-4307; email: ordre-national@mce.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Hubert Bolduc, édifice Honoré-Mercier, bureau 2.14, 835, boulevard René-Lévesque Est, Québec (Québec) G1A 1B4.

PAULINE MAROIS,
Premier of Québec

Regulation to amend the Regulation respecting insignia of the Ordre national du Québec

An Act respecting the Ordre national du Québec
(chapter O-7.01, s. 21)

1. The Regulation respecting insignia of the Ordre national du Québec (chapter O-7.01, r. 1) is amended in section 3

(1) by replacing “an 18k gold” in the first paragraph by “a gold-plated silver sterling”;

(2) by replacing “gold” in the second paragraph by “gold-plated silver sterling”;

(3) by striking out “for men” in the sixth paragraph;

(4) by striking out the last paragraph.

2. Sections 5, 7, 9, 11 and 13 are amended by replacing the words “an 18k gold” everywhere they appear by “a gold-plated silver sterling”.

3. The Regulation is amended by inserting “and transitional” at the end of the heading of Division IV.

4. The following section is inserted at the beginning of Division IV:

“**21.2.** Ladies who received an insignia affixed to a bow may, if they so chose, continue to wear the insignia fastened to the left side of the bodice or hanging on a ribbon around their necks.”.

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

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Draft Regulation

Parks Act
(chapter P-9)

Parks — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Parks Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the zoning of the future Parc national d'Opémican. The proposed park has an area of 252.5 km². It will be divided into various zones, namely preservation zones with an area of 33.6 km² for the protections of rare or fragile elements, natural environment zones with an area of 218.1 km² allocated to the discovery and exploration of the natural environment and services zones with an area of 0.8 km² allocated to park reception and management.

To that end, the draft Regulation adds to the Parks Regulation (chapter P-9, r. 25) Schedule 27, which includes the zoning map of the future Parc national d'Opémican.

Certain provisions are amended to allow fishing, free of charge, in parts of lakes Kipawa and Témiscamingue included in the park. Free access to the park will also be allowed to reach a residence or a territory outside the park.

Further information may be obtained by contacting Maryse Cloutier, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement, de la Faune 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 4442; fax: 418 646-6169; email: maryse.cloutier@mddefp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Serge Alain, Director, Service des parcs, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development
Environment, Wildlife and Parks*

Parks Regulation

Parks Act

(chapter P-9, ss. 2, 9 and 9.1)

1. The Parks Regulation (chapter P-9, r. 25) is amended in the second paragraph of section 3 by adding “Schedule 27: Parc national d’Opémican zoning map”.

2. Section 7 is amended by inserting the following after paragraph 6.1:

“(6.2) persons who take chemin Lafrenière that is part of Parc national d’Opémican for the sole purpose of getting to the territory situated outside the park or who are returning directly from there;”

3. Section 11 is amended by inserting “, the part of lakes Kipawa and Témiscamingue situated in Parc national d’Opémican” in paragraph 1 after “Parc national du Lac-Témiscouata”.

4. Section 22 is amended by inserting “, the part of lakes Kipawa and Témiscamingue situated in Parc national d’Opémican” in the second paragraph after “Parc national du Lac-Témiscouata”.

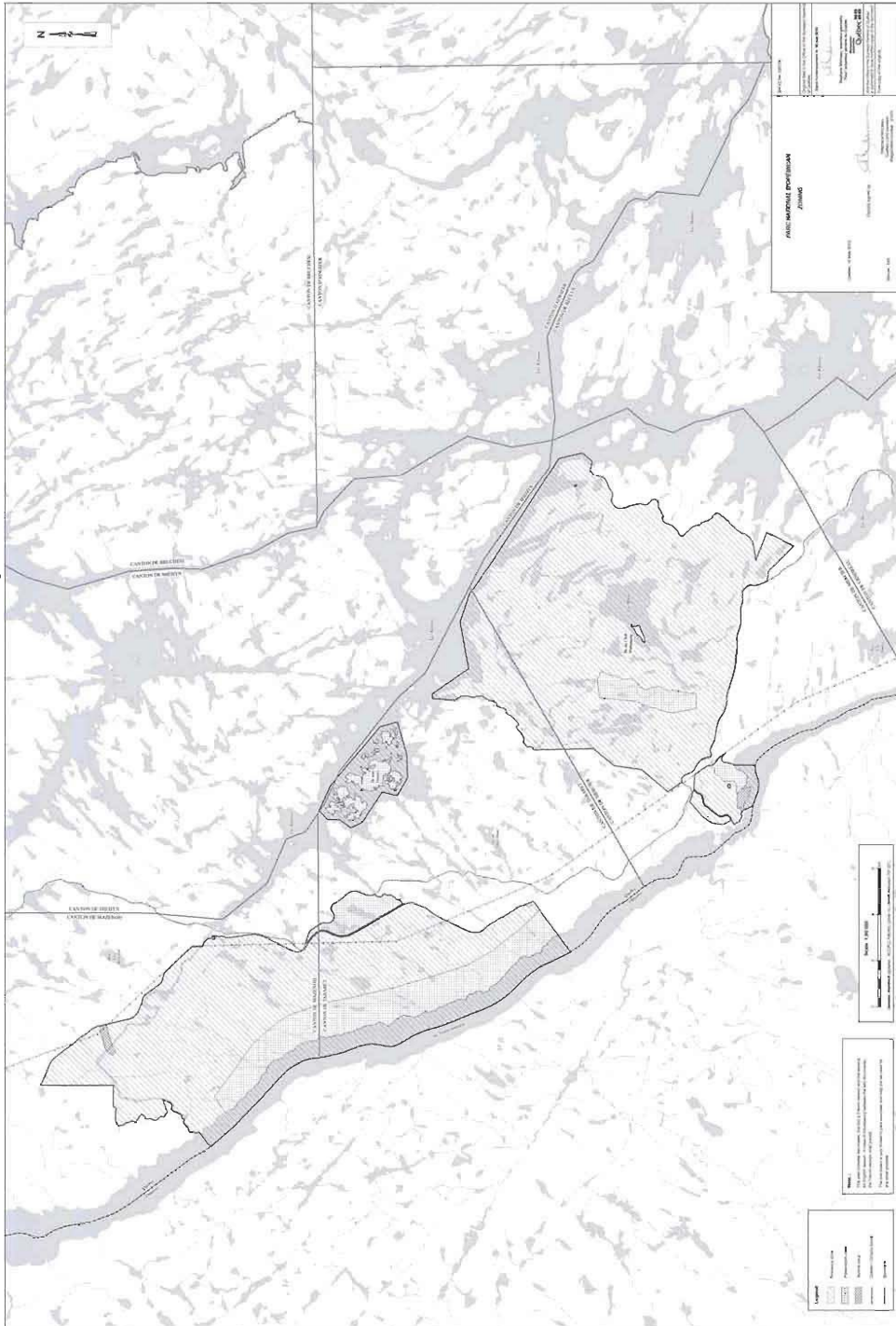
5. Schedule 1 to the Regulation is amended by adding “and Parc national d’Opémican” in column II of section 3 after “Parc national d’Aiguebelle”.

6. The Regulation is amended by adding Schedule 27 attached hereto.

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

Schedule 27

Parc National d'Opémican zoning map



Draft Regulation

Professional Code
(chapter C-26)

Advocates

— Indemnity fund

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the indemnity fund of the Barreau du Québec, made by the General Council of the Barreau du Québec, may be submitted to the Government for approval with or without amendment on the expiry of 45 days following this publication.

The draft Regulation determines the indemnity procedure for a claimant following the use by an advocate of sums or property for purposes other than those for which the claimant entrusted them to the advocate in the practice of the advocate's profession. It also provides terms and conditions for establishing the indemnity fund and rules for the administration and investment of the amounts in the fund. It also provides for the maximum indemnities.

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

Further information may be obtained by contacting Chantal Perreault, advocate, Service de recherche et de législation, Barreau du Québec, 445, boulevard Saint-Laurent, Montréal (Québec) H2Y 3T8; telephone: 514 954-3400, extension 3163 or 1 800 361-8495; fax: 514 954-3463; email: cperreault@barreau.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Barreau du Québec and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
Chair of the Office des professions du Québec

Regulation respecting the indemnity fund of the Barreau du Québec

Professional Code
(chapter C-26, s. 89.1)

DIVISION I

ESTABLISHMENT OF THE INDEMNITY FUND

1. The General Council of the Barreau du Québec establishes an indemnity fund to be used to indemnify a claimant following the use by an advocate of sums or property for purposes other than those for which they were entrusted by the claimant to the advocate in the practice of his or her profession.

2. The fund is maintained at a minimum amount of \$1,000,000.

It must consist of

- (1) sums allocated to the fund by the General Council;
- (2) assessments fixed for such purpose by the General Council;
- (3) sums or property recovered from an advocate by subrogation under section 89.1 or section 159 of the Professional Code (chapter C-26) pursuant to a payment made from the indemnity fund;
- (4) income earned on the sums and property comprising the fund; and
- (5) sums paid by an insurer under a group insurance policy subscribed by the Bar for all its members.

DIVISION II

RULES FOR THE ADMINISTRATION AND INVESTMENT OF THE FUND

3. The executive committee of the Barreau du Québec administers the fund and withdraws therefrom costs related to its administration. To this end, the executive committee is authorized, in particular, to conclude any contract of insurance for purposes of the fund and pay the premiums from the fund.

4. Accounting records for the fund must be kept separate from accounting records for the Bar's other funds.

The sums constituting the fund are invested by the executive committee as follows:

(1) the portion of the sums the executive committee expects to use on a short-term basis is deposited in a financial institution governed by the Act respecting trust companies and savings companies (chapter S-29.01), the Bank Act (S.C. 1991, chapter 46), the Act respecting financial services cooperatives (chapter C-67.3) or the Trust and Loan Companies Act (S.C. 1991, chapter 45);

(2) the other portion is invested in accordance with the investment policy adopted by the executive committee in compliance with the management principles set forth in article 1339 of the Civil Code of Québec regarding presumed sound investments.

DIVISION III

INDEMNITY FUND COMMITTEE

5. The General Council establishes an indemnity fund committee. The committee examines and investigates claims filed with the fund and makes recommendations to the executive committee or, if applicable, rules on the claims.

It is composed of at least 10 members appointed by the General Council from among practising advocates entered on the roll of the Order in accordance with the eligibility criteria for members of statutory committees established by the General Council.

The chair and secretary of the committee are designated by the General Council. The secretary is an *ex officio* member of the committee.

Quorum for the committee is at least 7 members.

6. Where the number of committee members permits, the committee may sit as divisions of 3 members, one of whom is the committee chair or another committee member designated as chair of the division by the committee chair.

Division decisions are made by majority vote.

Quorum may be reduced to 1 member designated by the chair when the claim is for \$50,000 or less and does not require a hearing or representations by the parties.

DIVISION IV

INDEMNIFICATION PROCEDURE

7. The indemnity fund committee, formed by the General Council pursuant to paragraph 2 of section 86.0.1 of the Professional Code, investigates claims filed with the fund, makes recommendations to the executive committee and, to the extent it is authorized to do so by this Regulation or a resolution of the executive committee, rules on a claim.

8. Claims against the fund must

- (1) be submitted in writing;
- (2) state the facts in support thereof and be accompanied by all relevant documents;
- (3) indicate the amount claimed;
- (4) attest that no acquittance has been given to the advocate in question; and
- (5) be sworn and filed with the secretary of the committee.

9. To be admissible, a claim against the fund must be filed within 1 year of the claimant becoming aware that sums or property have been used for purposes other than those for which they were entrusted to the advocate in the practice of his or her profession.

The period prescribed by the first paragraph may be extended by the executive committee or, if applicable, by the indemnity fund committee if the claimant demonstrates that he or she was unable to file the claim within the prescribed period for reasons beyond the claimant's control.

10. A request made by any person to the Bar in respect of facts likely to give rise to a claim against the fund is deemed to be a claim within the meaning of section 8 if the request is sent within the period prescribed by section 9.

11. A decision of a disciplinary council which imposes the obligation on an advocate to remit a sum of money in accordance with subparagraph *d* of the first paragraph of section 156 of the Professional Code constitutes a claim within the meaning of section 8 as long as the request for an inquiry pursuant to section 122 of the Professional Code was filed with the office of the syndic within the period mentioned in section 9.

12. Where, following an inquiry, the committee has reasonable grounds to believe that other persons are likely to have been harmed through the use by an advocate of sums or property for purposes other than those for which they were entrusted to the advocate in the practice of his or her profession, and the advocate has been disqualified pursuant to section 122 of the Act respecting the Barreau du Québec, is deceased, has withdrawn from the Bar or has been disbarred, provisionally disbarred or administratively disbarred, the committee may cause a notice to be published in a newspaper distributed in the district in which the advocate practised in order to find the persons who entrusted sums or property to the advocate and inform them about the mechanisms available to them through the Bar.

13. The maximum indemnity payable from the fund is \$500,000 for all claimants in respect of an advocate and \$100,000 per claimant in respect of such advocate.

14. The secretary of the indemnity fund committee informs the members of the indemnity fund committee about any claim against the fund at the first meeting after the claim is filed. The secretary also informs the executive committee if the amount of the claim exceeds \$50,000.

15. The indemnity fund committee decides, in respect of any claim against the fund not exceeding \$50,000, whether the claim should be allowed, in whole or in part, and if so, it determines the amount of the indemnity.

Its substantiated decision is final.

16. The executive committee, upon the substantiated recommendation of the indemnity fund committee, decides, in respect of any claim against the fund exceeding \$50,000, whether the claim should be allowed, in whole or in part, and if so, it determines the amount of the indemnity.

Its substantiated decision is final.

17. When there are several claims exceeding and not exceeding \$50,000 in respect of an advocate and the claims are connected, the indemnity fund committee suspends its decision or decisions until the executive committee has ruled on the claim or claims exceeding \$50,000, unless the executive committee delegates such claim or claims by resolution to the indemnity fund committee.

18. Upon the recommendation of the executive committee, the General Council may pay an indemnity in excess of the amount prescribed by section 13 under exceptional circumstances justified by humanitarian considerations.

19. Before receiving the indemnity set by the executive committee or, if applicable, by the indemnity fund committee, the claimant must sign a subrogatory acquittance in favour of the Bar.

DIVISION VI TRANSITIONAL AND FINAL

20. This Regulation replaces the Regulation respecting the indemnity fund of the Barreau du Québec (chapter B-1, r. 11).

Despite the foregoing, that Regulation continues to govern claims filed against the fund before (*insert the date of coming into force of the Regulation*).

21. The indemnity fund referred to in section 1 consists of the sums and property already allocated for that purpose as of (*insert the date of coming into force of the Regulation*).

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

2788

Draft Regulation

Professional Code
(chapter C-26)

Psychoeducators

—Professional activities that may be engaged in by persons other than psychoeducators

—Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators, made by the board of directors of the Ordre des psychoéducateurs et psychoéducatrices du Québec, appearing below, may be submitted to the Government for approval with or without amendment on the expiry of 45 days following this publication.

The draft Regulation amends the current Regulation to allow persons other than psychoeducators already authorized to engage in, among the professional activities reserved to psychoeducators and on the conditions and terms determined by regulation, the activities that are required to complete a program of studies leading to a diploma giving access to a permit of the Order or for the purposes of completing a training period or training to obtain equivalence of the diploma or training, to engage in the activities during employment held by those persons.

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

Further information may be obtained by contacting Renée Verville, Director General and Secretary, Ordre des psychoéducateurs et psychoéducatrices du Québec, 1600, boulevard Henri-Bourassa Ouest, bureau 510, Montréal (Québec) H3M 3E2; telephone: 514 333-6601 or 1 877 913-6601; fax: 514 333-7502; email: rverville@ordrepesd.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
Chair of the Office des professions du Québec

Regulation to amend the Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators

Professional Code
(chapter C-26, s. 94, par. h)

1. The Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators (chapter C-26, r. 207.01) is amended in section 1 by replacing “engages in the activities under the supervision of a training supervisor” by “is supervised”.

2. Section 2 is amended by replacing “engages in the activities under the supervision of a training supervisor” by “is supervised”.

3. The following is inserted after section 2:

“**2.1.** When acting outside a program of studies, a training period or training, a person referred to in sections 1 and 2 who has the necessary knowledge and skills may, in connection with an employment, engage in the professional activities that psychoeducators may engage in, provided that the person is supervised. That person must also be registered in the register kept for that purpose by the Order.”.

4. Section 3 is amended by replacing “The training supervisor referred to in sections 1 and 2” by “The supervisor referred to in sections 1, 2 and 2.1”.

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

2787

Draft Regulation

An Act respecting the Québec Pension Plan
(chapter R-9)

Benefits

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting benefits, appearing below, may be approved by the government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to change the requirements for a person to be considered to be providing for a child, particularly for the purpose of applying the new definition of “child of a contributor” added to the Act respecting the Québec Pension Plan and of determining to whom the orphan’s pension and pension for a disabled person’s child can be paid. The person concerned is the one who provides a minimum amount for the child’s needs.

The purpose of the draft Regulation is also to revoke the section of the Regulation describing the information concerning cessation of work that must be provided in order to receive a retirement pension under the Plan as of age 60 given that the requirement to have stopped working has been eliminated from the Act, and to revoke the section of the Regulation that refers to the previous adjustment factors used to calculate the amount of a retirement pension before and after age 65 given that new adjustment factors have been added to the Act. The draft Regulation also specifies the rules for rounding the new adjustment factors.

Further information may be obtained from Ms. Andrée D. Labrecque, lawyer, Direction des affaires juridiques, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3 (telephone: 418 657-8702, extension 3285, fax: 418 643-9590 or email: andree.labrecque@rrq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is asked to send his or her comments in writing before the expiry of the 45-day period mentioned above to Mr. Denys Jean, President and Chief Executive Officer of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the administration of the Act respecting the Québec Pension Plan.

AGNÈS MALTAIS,
Minister of Employment and Social Solidarity

Regulation to amend the Regulation respecting benefits

An Act respecting the Québec Pension Plan (chapter R-9, s. 219, pars. *c* and *t*)

1. Sections 12 and 13 of the Regulation respecting benefits (chapter R-9, r. 5) are revoked.

2. Section 16 of the Regulation is replaced by the following:

“**16.** For the purposes of sections 86, 133.1 and 175 of the Act, a person is deemed to maintain a child if, in 2014, he supports the child for a monthly amount equal to or greater than one of the following amounts, adjusted by multiplying the amount by the ratio between the Pension Index for the year 2014 and the Pension Index for the year 2013:

- (1) where the child is less than five years old, \$290;
- (2) where the child is at least five years old but less than 12 years old, \$340;
- (3) where the child is at least 12 years old but less than 16 years old, \$430;
- (4) where the child is at least 16 years old, \$460.

For each subsequent year, the amounts are adjusted in accordance with section 119 of the Act.

Where the result obtained is a number containing one or more digits after the decimal point, no such digit shall be retained and, where the first digit is greater than 4, the number thus modified shall be increased by one unit.

For the purposes of section 175 of the Act, except where the person receives financial assistance for a child as a foster family or tutor, a person who resides with a child is presumed to support the child provided the disabled contributor or the surviving spouse, who does not reside with the child, does not maintain the child in accordance with the conditions set out in the first paragraph.”

3. Section 24 of the Regulation is amended by inserting, after paragraph 6, the following:

“(7) for the purpose of the calculation set out in subparagraphs 1 and 2 of the first paragraph of section 120.1 and the second paragraph of section 120.2, only the first five digits after the decimal point shall be retained and, where the sixth digit is greater than 4, the fifth digit shall be increased by one unit.”

4. This Regulation comes into force on 1 January 2014.

Draft Regulation

An Act respecting stuffing and upholstered and stuffed articles (chapter M-5)

Stuffing and upholstered and stuffed articles — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting stuffing and upholstered and stuffed articles, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation eliminates the forms concerning stuffing permits so that only the information required to apply for or renew the various permits will be prescribed by regulation. It adds an obligation to declare any permit to manufacture stuffing or upholstered and stuffed articles held in a Canadian province designated in the Regulation. It also removes the obligation to have the labels prescribed for stuffing and upholstered and stuffed articles examined by the chief inspector.

The Regulation as amended will favour the optimum use of the computer system to manage stuffing permits and of the information technologies for entering, transmitting and processing the information required for the issue or renewal of the various permits, as well as for the payment of related costs, which will considerably reduce delays and administrative expenses for permit applicants and the Ministère des Finances et de l'Économie.

Study of the matter has revealed no negative impact on the public or enterprises.

Further information may be obtained by contacting Richard Brouillet, counsellor, Direction du commerce et de la construction, ministère des Finances et de l'Économie, 380, rue Saint-Antoine Ouest, 4^e étage, Montréal (Québec) H2Y 3X7; telephone: 514 499-2199, extension 3622; fax: 514 873-7408; email: richard.brouillet@economie.gouv.qc.ca

Any person wishing to comment is requested to submit written comments within the 45-day period to Mr. Brouillet, at the above-mentioned address.

NICOLAS MARCEAU, ÉLAINE ZAKAÏB,
Minister of Finance Minister for Industrial Policy
and Economy and the Banque de développement
économique du Québec

Regulation to amend the Regulation respecting stuffing and pholstered and stuffed articles

An Act respecting stuffing and upholstered and stuffed articles
(chapter M-5, s. 38, par. a)

1. The Regulation respecting stuffing and upholstered and stuffed articles (chapter M-5, r. 1) is amended by replacing section 2 by the following:

“**2.** An application for a permit must be made in writing, be sent to the chief inspector and contain

(a) the applicant’s name, address and telephone number, as well as the business number assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1), if applicable;

(b) if the applicant is not domiciled in Québec, the name, address and telephone number of the applicant’s importer, as well as the business number assigned under the Act respecting the legal publicity of enterprises, if applicable;

(c) the category and, if applicable, the class of the permit applied for;

(d) the type and, if applicable, the number of upholstered and stuffed articles that the applicant intends to manufacture or repair;

(e) a description of the raw materials used to manufacture stuffing, or a description of the stuffing used to manufacture or repair upholstered and stuffed articles; and

(f) if applicable, the number of any permit to manufacture stuffing or upholstered and stuffed articles issued to the applicant by the authority of a province designated in section 20.”

2. The following paragraph is added at the end of section 3:

“The number of any new permit to manufacture stuffing or upholstered and stuffed articles issued by the authority of a province designated in section 20 must also be brought to the chief inspector’s attention.”

3. Section 5 is amended by replacing “a certified cheque or postal money order to the order of” in the first paragraph by “payment of the duties to”.

4. The following is inserted after section 5:

“**5.1.** To renew the permit, the permit holder must apply therefor in writing, include in the application the information provided for in section 2 and pay the duties determined in section 5. That application and payment of the duties must be received by the chief inspector before the permit’s expiry date.”

5. Section 11 is amended by striking out “and shall be examined by the chief inspector”.

6. Schedules 1, 1.1 and 1.2 are revoked.

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

2832

Transport

Gouvernement du Québec

O.C. 734-2013, 19 June 2013

An Act respecting Roads
(chapter V-9)

CONCERNING the management and ownership of a portion of Autoroute 20 located in the territory of Ville de Lévis

WHEREAS Autoroute 20 was constructed under the Trans-Canada Highway Act (14 George VI, 1950, c. 44, amended by 9-10 Elizabeth II, 1960-61, c. 8) and is State property under Section 7 of An Act respecting Roads (Chapter V-9);

WHEREAS, under Section 2 of An Act respecting Roads, the Government determined, by Order in Council 292-93 of March 3, 1993 that Autoroute 20 in the territory of Ville de Lévis is under the management of the Minister of Transport;

WHEREAS lots 5 088 853, 5 084 529, 5 084 530, 5 088 848 and 5 088 849 of the Québec cadastre, of the registration division of Lévis, located in the territory of Ville de Lévis, are no longer required for Autoroute 20 and it is appropriate to abandon their management;

WHEREAS it is also appropriate to remove the autoroute designation of these lots, so that the Minister of Transport can dispose of them as surplus immovable property, in accordance with the Regulation respecting the terms and conditions of disposal of surplus immovable property of departments and public bodies (Chapter C-65.1, r.1);

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

To abandon the management of a portion of Autoroute 20, known and designated as lots 5 088 853, 5 084 529, 5 084 530, 5 088 848 and 5 088 849 of the Québec cadastre, of the registration division of Lévis, located in the territory of Ville de Lévis, shown on the plan prepared by Mr. Philippe Côté, land surveyor, on February 20, 2013, under number 458 of his minutes and kept in the archives of the Ministère des Transports under number TR-6610-154-08-1131, sheets 1A and 2A of 2, and to remove the autoroute designation of these lots, so that the Minister of Transport can dispose of them as surplus immovable property;

THAT the schedule to Order in Council 292-93 of March 3, 1993 be amended accordingly;

THAT this order take effect from the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

2855

Gouvernement du Québec

O.C. 736-2013, 19 June 2013

An Act respecting Roads
(Chapter V-9)

CONCERNING the amendment of Order in Council 98-2003 of January 29, 2003 concerning strategic bridges for which the management is under the responsibility of the Minister of Transport

WHEREAS, pursuant to the third paragraph of Section 2 of An Act respecting Roads (Chapter V-9), the Government may, by an order published in the *Gazette officielle du Québec*, recognize certain bridges as strategic so that the management of such bridges is under the responsibility of the Minister of Transport, even if they are part of roads that remain under the responsibility of the municipalities;

WHEREAS Order in Council 98-2003 of January 29, 2003 and its subsequent amendments have recognized that certain bridges are strategic;

WHEREAS it is appropriate to amend the schedule to Order in Council 98-2003 of January 29, 2003 to add bridges, including their safety barriers, particularly the guardrails, so that their management is under the responsibility of the Minister of Transport;

WHEREAS it is appropriate to amend this schedule to withdraw certain bridges so that their management is under the responsibility of the municipalities in whose territory they are located and to correct the description of certain bridges;

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

THAT the schedule to Order in Council 98-2003 of January 29, 2003 and its subsequent amendments, concerning strategic bridges, be amended with regard to the municipalities indicated, by the addition of bridges, the withdrawal of certain bridges and corrections to the description of bridges, which are enumerated in the schedule to this order;

THAT the Minister of Transport be responsible for the safety barriers, including the guardrails, of the municipal bridges which are added to the schedule to this order;

THAT this order take effect on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Schedule – Bridges Recognized as Strategic

Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
ADDITIONS			
Grenville-sur-la-Rouge, M (7605200)	11750	4 ^e Concession	Rivière Kingham
La Tuque, V (9001200)	14537	Boulevard Ducharme	Petite rivière Bostonnais
Petite-Rivière-Saint-François, M (1600500)	17626	Rue Principale	Ruisseau de la Grande Pointe
Sainte-Justine, M (2804500)	18330	Route du 11 ^e -Rang	Rivière du Onze
Sainte-Luce, M (0909200)	06448	2 ^e Rang Est	Ruisseau Lechasseur-Vaillancourt
Sainte-Luce, M (0909200)	11860	2 ^e Rang Ouest	Ruisseau à la Loutre
Saint-Malachie, P (1902500)	17853	3 ^e Rang Nord	Stream (nameless)
Warwick, V (3907700)	10621	Rue Baril	Bicycle path
WITHDRAWALS			
Abitibi-Ouest, MRC (Rivière Ojima), NO (87904)	00220	Chemin des 6 ^e -et-7 ^e -Rangs	Rivière Macamic
Abitibi-Ouest, MRC (Rivière Ojima), NO (87904)	00223	Chemin des 7 ^e -et-8 ^e -Rangs	Rivière Macamic
Abitibi-Ouest, MRC (Rivière Ojima), NO (87904)	00226A	Chemin des 6 ^e -et-7 ^e -Rangs	Ruisseau Coguay
Baie-James (Val-Paradis), M (9906000)	00288	Chemin des 2 ^e -et-3 ^e -Rangs	Rivière Turgeon
Chandler, V (0202800)	02849	Route Morris	Ruisseau Morris
Château-Richer, V (2103500)	10854	Chemin des Sucrieries Est	Source Lac-de-la-Retenué
Compton, M (4407100)	01902	Chemin Vaillancourt	Stream (nameless)
Compton, M (4407100)	01915	Chemin de la Station	Bras rivière Coaticook
Dolbeau-Mistassini, V (9202200)	06655	Chemin Vauvert	Stream (nameless)
Gaspé, V (0300500)	02905	Rue des Loisirs	Rivière aux Renards
Godmanchester, CT (6906000)	03125	Montée Arnold	Ruisseau Beaver
Grenville-sur-la-Rouge, M (7605200)	11749	Chemin Scotch	Rivière Kingham
La Pêche, M (8203500)	16866	Chemin de la Rivière	Ruisseau Mullin
La Pêche, M (8203500)	16867	Chemin de la Rivière Est	Ruisseau Daly
La Pêche, M (8203500)	05872	Chemin Gauvin	Ruisseau Lepage
La Tuque, V (9001200)	03923	Chemin Moisan	Rivière Croche
Lac-Beauport, M (2204000)	11300	Chemin des Monts	Rivière Jaune
Marieville, V (5504800)	06791	Chemin des Dix-Terres	Ruisseau des Dix-Terres
Montcerf-Lytton, M (8308800)	03024	Chemin du 6 ^e -Rang	Rivière Egan
Normétal, M (8711500)	0277A	Chemin du 8 ^e -au-9 ^e -Rang	Rivière Des Méloizes
Rouyn-Noranda, V (8604200)	06822	Chemin des 1 ^{er} -et-2 ^e -Rangs	Rivière Thibellier
Rouyn-Noranda, V (8604200)	06823	Chemin des 1 ^{er} -et-2 ^e -Rangs	Ruisseau Barrière
Rouyn-Noranda, V (8604200)	06832	6 ^e Rang	Affluent rivière Kinojévis
Saint-Augustin, P (9200500)	06595	Le Petit-4 ^e	Rivière Bras Moreau
Sainte-Brigitte-de-Laval, M (2204500)	05185	Route du Calvaire	Ruisseau Euclide
Saint-François-Xavier-de-Viger, M (1202500)	16776	Route à Moïse	Ruisseau Dubé
Saint-Joseph-de-Coleraine, M (3104500)	08678	Chemin de Vimy	Route Minière
Saint-Narcisse, P (3724000)	01584	Route 352	Rivière des Chutes
Saint-Odilon-de-Cranbourne, P (2703500)	10327	Chemin Grand Ligne	Rivière des Plantes
Saint-Stanislas, M (3724500)	01604	Route 352	Rivière des Envies
Saint-Zotique, VL (7102500)	16440	57 ^e Avenue	Lac Saint-François
Senneterre, V (8904000)	00130	Chemin Croinor	Outlet of Lac Fisher
Senneterre, V (8904000)	10757	Chemin Croinor	Affluent lac Tiblemont
Senneterre, V (8904000)	10758	Chemin Croinor	Affluent lac Guéguen
Stoneham-et-Tewkesbury, CT (2203500)	09649	Rue Whalen	Rivière des Hurons
Thorne, M (8404500)	06026	Chemin Schwartz	Rivière Quyon
Trécesson, CT (8807500)	00137	Traverse du 3 ^e -Rang	Ruisseau Saint-Viateur
Val-d'Or, V (8900800)	00125	Chemin des 7 ^e -et-8 ^e -Rangs Ouest	Rivière Senneville

Schedule – Bridges Recognized as Strategic

Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION			
Alberville, M (0702500)	04564	4 ^e Rang Sud	Rivière Matalik
		is replaced by	
Alberville, M (0702500)	17854	4 ^e Rang Sud	Rivière Matalik
Amherst, CT (7807000)	03534	Chemin Gaudias-Côté Est	Rivière Maskinongé
		is replaced by	
Amherst, CT (7807000)	17681	Chemin Gaudias-Côté Est	Rivière Maskinongé
Amos, V (8805500)	00005	1 ^{re} Avenue Ouest	Rivière Harricana
		is replaced by	
Amos, V (8805500)	17666	1 ^{re} Avenue Ouest	Rivière Harricana
Ascot Corner, M (4105500)	01874	Chemin Westleyville	Ruisseau Stacey
		is replaced by	
Ascot Corner, M (4105500)	17145	Chemin de Westleyville	Ruisseau Stacey
Aumond, CT (8309000)	02932	Chemin Émard	Ruisseau des Cèdres
		is replaced by	
Aumond, CT (8309000)	17228	Chemin Émard	Ruisseau des Cèdres
Baie-Saint-Paul, V (1601300)	01628	Rang Saint-Antoine Sud	Rivière du Moulin
		is replaced by	
Baie-Saint-Paul, V (1601300)	17611	Rang Saint-Antoine Sud	Rivière du Moulin
Baie-Saint-Paul, V (1601300)	01689	Chemin Sainte-Croix	Rivière de la Goudronnerie
		is replaced by	
Baie-Saint-Paul, V (1601300)	17255	Chemin Sainte-Croix	Rivière de la Goudronnerie
Barraute, M (8802200)	00049	4 ^e -et-5 ^e Rang Ouest	Ruisseau Fisher
		is replaced by	
Barraute, M (8802200)	17905	4 ^e -et-5 ^e Rang Ouest	Ruisseau Fisher
Barraute, M (8802200)	00054	Chemin du Lac-Fiedmont	Ruisseau Barraute
		is replaced by	
Barraute, M (8802200)	17906	Chemin du Lac-Fiedmont	Ruisseau Barraute
Barraute, M (8802200)	00055	Chemin du Lac-Fiedmont	Affluent Lac Fiedmont
		is replaced by	
Barraute, M (8802200)	17370	Chemin du Lac-Fiedmont	Affluent Lac Fiedmont
Beauceville, V (2702800)	00759	Rang Saint-Gaspard	Rivière des Plante
		is replaced by	
Beauceville, V (2702800)	17937	Rang Saint-Gaspard	Rivière des Plante
Boileau, M (8011500)	05703	Chemin Maskinongé	Rivière Maskinongé
		is replaced by	
Boileau, M (8011500)	17227	Chemin Maskinongé	Rivière Maskinongé
Bristol, M (8400500)	05894	Chemin Twelfth Line	Outlet of Lac Moffat
		is replaced by	
Bristol, M (8400500)	18089	Chemin Twelfth Line	Outlet of Lac Moffat
Bromont, V (4607800)	01383	Rue Patenaude	Rivière Yamaska
		is replaced by	
Bromont, V (4607800)	17805	Rue Patenaude	Rivière Yamaska
Bromont, V (4700500)	01382	Chemin d'Adamsville	Rivière Yamaska
		is replaced by	
Bromont, V (4700500)	16037	Chemin d'Adamsville	Rivière Yamaska
Caplan, M (0506000)	08951	Route du quai	Ruisseau Leblanc
		is replaced by	
TNO aquatique MRC Bonaventure, NO (0599000)	08951	Route du Quai	Ruisseau Leblanc
Cascapédia – Saint-Jules, M (0507700)	01253	Route de Patrickton	Ruisseau Kilmore
		is replaced by	
Cascapédia – Saint-Jules, M (0507700)	17926	Route de Patrickton	Ruisseau Kilmore
Cascapédia – Saint-Jules, M (0507700)	01254	Chemin Sexton	Ruisseau Kilmore
		is replaced by	
Cascapédia – Saint-Jules, M (0507700)	17925	Chemin Sexton	Ruisseau Kilmore
Chandler, V (0202800)	02848	Chemin du Pont	Rivière du Petit Pabos
		is replaced by	
Chandler, V (0202800)	16960	Chemin du Pont	Rivière du Petit Pabos
Chartierville, M (4102000)	01958	Chemin Saint-Paul	Rivière Ditton Est
		is replaced by	
Chartierville, M (4102000)	18124	Chemin Saint-Paul	Rivière Ditton Est

Schedule – Bridges Recognized as Strategic

Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Château-Richer, V (2103500)	05198	Route 360 is replaced by	Rivière du Sault-à-la-Puce
Château-Richer, V (2103500)	17016	Route 360	Rivière du Sault-à-la-Puce
Chertsey, M (6204700)	04929	Rue Rochon is replaced by	Rivière Jean-Venne
Chertsey, M (6204700)	17515	Rue Rochon	Rivière Jean-Venne
Chertsey, M (6204700)	08948	Avenue Masson is replaced by	Rivière Burton
Chertsey, M (6204700)	16977	Avenue Masson	Rivière Burton
Coaticook, V (4403700)	07149	Chemin du 10 ^e -Rang is replaced by	Rivière Moe
Coaticook, V (4403700)	17880	Chemin du 10 ^e -Rang	Rivière Moe
Compton, M (4407100)	01899	Chemin Hyatt's Mills is replaced by	Rivière Moe
Compton, M (4407100)	17920	Chemin Hyatt's Mills	Rivière Moe
Cookshire-Eaton, V (4103800)	01939	Chemin Flanders is replaced by	Rivière Eaton Bras Sud
Cookshire-Eaton, V (4103800)	16576	Chemin Flanders	Rivière Eaton Bras Sud
Coteau-du-Lac, V (7104000)	12052	Chemin du Ruisseau Nord is replaced by	Ruisseau Domaine
Coteau-du-Lac, V (7104000)	17767	Chemin du Ruisseau Nord	Ruisseau Domaine
Côte-Nord-du-Golfe-du-Saint-Laurent, M (9801500)	02484	Rue de la Rivière de l'Ouest is replaced by	Rivière de l'Ouest
Côte-Nord-du-Golfe-du-Saint-Laurent, M (9801500)	17495	Rue de la Rivière de l'Ouest	Rivière de l'Ouest
Côte-Nord-du-Golfe-du-Saint-Laurent, M (9801500)	02481	Rue de la Chute is replaced by	Ruisseau à Maurice
Côte-Nord-du-Golfe-du-Saint-Laurent, M (9801500)	17496	Rue de la Chute	Ruisseau à Maurice
Cowansville, V (4608000)	14447	Rue Rivière is replaced by	Ruisseau Gear
Cowansville, V (4608000)	17132	Rue Rivière	Ruisseau Gear
Dégelis, V (1300500)	07600	Chemin du Rang Gravel is replaced by	Rivière aux Bouleaux
Dégelis, V (1300500)	10995	Rang Gravel	Rivière aux Bouleaux
Dudswell, M (4111700)	07908	Chemin Audit is replaced by	Rivière Nicolet Centre
Dudswell, M (4111700)	17578	Chemin Audit	Rivière Nicolet Centre
Dudswell, M (4111700)	07912	Chemin Lessard is replaced by	Ruisseau Lessard
Dudswell, M (4111700)	18121	Chemin Lessard	Ruisseau Lessard
Dundee, CT (6907500)	03096	Chemin Pitt is replaced by	Ruisseau Springs
Dundee, CT (6907500)	11694	Chemin Pitt	Ruisseau Springs
Dunham, V (4605000)	04850	Chemin Saint-Joseph is replaced by	Ruisseau Gear
Dunham, V (4605000)	17156	Rang Saint-Joseph	Ruisseau Gear
East Hereford, M (4401000)	01970	Chemin Cunnington is replaced by	Ruisseau Noir
East Hereford, M (4401000)	17372	Chemin Cunnington	Ruisseau Noir
Ferland-et-Boileau, M (9422000)	02388	Chemin Alexis Simard km 92.4 is replaced by	Rivière Bras Hamel
Ferland-et-Boileau, M (9422000)	17198	Chemin Alexis Simard	Rivière Bras Hamel
Fortierville, M (3804700)	04251	Rang Saint-Antoine is replaced by	Rivière Creuse
Fortierville, M (3804700)	16755	Rang Saint-Antoine Ouest	Rivière Creuse
Frampton, M (2600500)	09437	Route Cliche-Golden is replaced by	Rivière Pyke
Frampton, M (2600500)	18194	Route Cliche-Golden	Rivière Pyke

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Frampton, M (2600500)	09441	5 ^e -et-6 ^e Rang is replaced by	Rivière Henderson
Frampton, M (2600500)	18123	5 ^e -et-6 ^e Rang	Rivière Henderson
Franklin, M (6901000)	03117	Montée de Covey Hill is replaced by	Rivière aux Outardes Est
Franklin, M (6901000)	17416	Montée de Covey Hill	Rivière aux Outardes Est
Gaspé, V (0300500)	02809	Montée de Pointe Navarre is replaced by	Ruisseau Watering
Gaspé, V (0300500)	10989	Montée de Pointe-Navarre	Ruisseau Watering
Gaspé, V (0300500)	02839	Avenue Gaul is replaced by	Rivière Seal Cove
Gaspé, V (0300500)	17724	Avenue Gaul	Rivière Seal Cove
Gaspé, V (0300500)	02907	Rue du Banc is replaced by	Rivière aux Renards
Gaspé, V (0300500)	16938	Rue du Banc	Rivière aux Renards
Gatineau, V (8101700)	05582	Route 148 is replaced by	Rivière du Lièvre
Gatineau, V (8101700)	16720	Chemin de Montréal Est	Rivière du Lièvre
Grande-Vallée, M (0302000)	02729	Route de la Rivière is replaced by	Rivière de la Grande Vallée
Grande-Vallée, M (0302000)	17620	Route de la Rivière	Rivière de la Grande Vallée
Grande-Vallée, M (0302000)	02730	Route de la Rivière is replaced by	Rivière de la Grande Vallée
Grande-Vallée, M (0302000)	17621	Route de la Rivière	Rivière de la Grande Vallée
Grande-Vallée, M (0302000)	02731	Route de la Rivière is replaced by	Rivière de la Grande Vallée
Grande-Vallée, M (0302000)	16932	Route de la Rivière	Rivière de la Grande Vallée
Havelock, CT (6900500)	03130	Chemin Cowan is replaced by	Rivière des Anglais
Havelock, CT (6900500)	16730	Chemin Cowan	Rivière des Anglais
Hope, CT (0502500)	01244	Route Whittom is replaced by	Ruisseau Bertrand
Hope, CT (0502500)	17964	Route Whittom	Ruisseau Bertrand
Hope Town, M (0502000)	01249	3 ^e Rang is replaced by	Rivière Paspébiac
Hope Town, M (0502000)	17173	3 ^e Rang	Rivière Paspébiac
Irlande, M (3104000)	04679	La Grande Ligne is replaced by	Rivière Larochelle
Irlande, M (3104000)	17719	Grande Ligne	Rivière Larochelle
Ivry-sur-le-Lac, M (7804200)	07669	Chemin du Lac-Manitou Sud is replaced by	Outlet of Lac Le Fer à Cheval
Ivry-sur-le-Lac, M (7804200)	17944	Chemin du Lac-Manitou Sud	Outlet of Lac Le Fer à Cheval
Kingsey Falls, V (3909700)	02296	Chemin Corriveau is replaced by	Ruisseau Francoeur
Kingsey Falls, V (3909700)	16974	Chemin Corriveau	Ruisseau Francoeur
Labrecque, M (9305500)	03745	Chemin Tour-du-Lac is replaced by	Ruisseau Damas
Labrecque, M (9305500)	17914	Chemin des Vacanciers	Ruisseau Damas
Lac-Brome, V (4607500)	01485	Rue Maple is replaced by	Ruisseau Cold
Lac-Brome, V (4607500)	17155	Rue Maple	Ruisseau Cold
Lac-Supérieur, M (7809500)	07704	Chemin du Moulin-David is replaced by	Ruisseau Noir
Lac-Supérieur, M (7809500)	18115	Chemin du Moulin-David	Ruisseau Noir
La Malbaie, V (1501300)	01693	Chemin de Grand-Fonds Nord is replaced by	Rivière Comporté
La Malbaie, V (1501300)	17017	Chemin de Grand-Fonds	Rivière Comporté

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
La Morandière, M (8801500)	00095A	Route Duvernay-Castagnier is replaced by	Rivière Obalski
La Morandière, M (8801500)	17657	Route Castagnier	Rivière Obalski
L'Ancienne-Lorette, V (2305700)	01829	Route du Moulin Nord is replaced by	Rivière Lorette
L'Ancienne-Lorette, V (2305700)	17051	Route du Moulin Nord	Rivière Lorette
L'Ancienne-Lorette, V (2305700)	01830	Route du Moulin is replaced by	Rivière Lorette
L'Ancienne-Lorette, V (2305700)	17052	Rue du Moulin	Rivière Lorette
L'Ancienne-Lorette, V (2305700)	13383 W	Route 138 Ouest is replaced by	Railway tracks
L'Ancienne-Lorette, V (2305700)	17152N	Route 138 Ouest	Railway tracks
La Patrie, M (4102700)	01926	Chemin du Petit-Canada Ouest is replaced by	Rivière Ditton
La Patrie, M (4102700)	17143	Chemin du Petit-Canada Ouest	Rivière Ditton
La Pêche, M (8203500)	16860	Chemin Gérard-Joanisse is replaced by	Ruisseau du Lac à Breen
La Pêche, M (8203500)	17879	Chemin Gérard-Joanisse	Ruisseau du Lac à Breen
L'Assomption, V (6002800)	14279	Chemin du Golf is replaced by	Ruisseau du Point du Jour
L'Assomption, V (6002800)	16810	Chemin du Golf	Ruisseau du Point du Jour
Latulippe-et-Gaboury, CU (8506000)	07474	Chemin du Lac-des-Bois is replaced by	Rivière Fraser
Latulippe-et-Gaboury, CU (8506000)	17908	Chemin du Lac-des-Bois	Rivière Fraser
Laurierville, M (3207200)	04705	Route de la Station is replaced by	Rivière Barbue
Laurierville, M (3207200)	16912	Route de la Station	Rivière Barbue
Lavaltrie, V (5200700)	14163	Traverse de la Savane is replaced by	Ruisseau du Point du Jour
Lavaltrie, V (5200700)	17232	Traverse de la Savane	Ruisseau du Point du Jour
Lévis, V (2521300)	03991	Chemin de la Rivière is replaced by	Rivière Pénin
Lévis, V (2521300)	16878	Chemin de la Rivière	Rivière Pénin
Mandeville, M (5209500)	10729	Chemin du Lac-Hénault Nord is replaced by	Rivière Mastigouche
Mandeville, M (5209500)	17034	Chemin du Lac-Hénault Nord	Rivière Mastigouche
Marieville, V (5504800)	06787	Chemin du Vide is replaced by	Décharge Pointe de Chemise
Marieville, V (5504800)	06787	Chemin de la Branche-du- Rapide	Outlet of Pointe de Chemise
Montpellier, M (8009000)	05592	Rue Bazinet is replaced by	Ruisseau Schryer
Montpellier, M (8009000)	18280	Rue Bazinet	Ruisseau Schryer
Mont-Tremblant, V (7810200)	07692	Rue des Pionniers is replaced by	Ruisseau Clair
Mont-Tremblant, V (7810200)	17296	Rue des Pionniers	Ruisseau Clair
Mulgrave-et-Derry, M (8008500)	05623	Chemin Smallian is replaced by	Rivière Blanche
Mulgrave-et-Derry, M (8008500)	17696	Chemin Smallian	Rivière Blanche
Namur, M (8011000)	05794	Chemin Besson is replaced by	Rivière Petite Rouge
Namur, M (8011000)	17882	Chemin Besson	Petite rivière Rouge Est
Namur, M (8011000)	05800	Chemin Graham is replaced by	Petite rivière Rouge Est
Namur, M (8011000)	18088	Chemin Graham	Petite rivière Rouge Est
Napierville, M (6803000)	05244	Rue Saint-Alexandre is replaced by	Rivière L'Acadie
Napierville, M (6803000)	17924	Rue Saint-Alexandre	Rivière L'Acadie

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Normandin, V (9204000)	06666	Route du 8 ^e -Rang	Rivière Ticouapé
		is replaced by	
Normandin, V (9204000)	18255	Route du 8 ^e -Rang	Rivière Ticouapé
Notre-Dame-du-Portage, M (1208000)	09563	3 ^e Rang	Ruisseau Creux
		is replaced by	
Notre-Dame-du-Portage, M (1208000)	17054	3 ^e Rang	Ruisseau Creux
Newport, M (4103700)	02023	11 ^e Rang	Rivière Eaton Branche Sud
		is replaced by	
Newport, M (4103700)	17740	11 ^e Rang	Rivière Eaton Branche Sud
Ogden, M (4502000)	07233	Chemin de la Rivière	Rivière Tomifobia
		is replaced by	
Ogden, M (4502000)	17144	Chemin de la Rivière	Rivière Tomifobia
Ormstown, M (6903700)	01740	Chemin de la Rivière-aux- Outardes	Rivière aux Outardes Est
		is replaced by	
Ormstown, M (6903700)	11926	Chemin de la Rivière-aux- Outardes	Rivière aux Outardes Est
Paspébiac, V (0503200)	01330	Rue Day	Rivière Paspébiac
		is replaced by	
Paspébiac, V (0503200)	17581	Rue Day	Rivière Paspébiac
Paspébiac, V (0503200)	01331	Rue Day	Rivière Paspébiac
		is replaced by	
Paspébiac, V (0503200)	17582	Rue Day	Étang (nameless)
Péribonka, M (9201000)	06693	Rang Moreau	Rivière Moreau
		is replaced by	
Péribonka, M (9201000)	18379	Rang Moreau	Rivière Moreau
Petite-Rivière-Saint-François, M (1600500)	01662	Rue Principale	Ruisseau de la Grande Pointe
		is replaced by	
Petite-Rivière-Saint-François, M (1600500)	17254	Rue Principale	Ruisseau de la Grande Pointe
Piedmont, M (7703000)	07752	Chemin de la Gare	Rivière du Nord
		is replaced by	
Piedmont, M (7703000)	17479	Chemin de la Gare	Rivière du Nord
Plessisville, P (3204500)	04758	Route Bellevue	Rivière Bourbon
		is replaced by	
Plessisville, P (3204500)	11908	Route Bellevue	Rivière Bourbon
Pohénégamook, V (1309500)	07592	Rue la Frontière	Rivière Chat Sauvage
		is replaced by	
Pohénégamook, V (1309500)	17580	Rue la Frontière	Rivière Chat Sauvage
Pont-Rouge, V (3401700)	06113	Route Josephat-Martel	Rivière aux Pommes
		is replaced by	
Pont-Rouge, V (3401700)	16118	Route Josephat-Martel	Rivière aux Pommes
Pont-Rouge, V (3401700)	06114	Rang Petit-Fossambault	Rivière aux Pommes
		is replaced by	
Pont-Rouge, V (3401700)	17091	Rang Petit-Fossambault	Rivière aux Pommes
Port-Daniel - Gascons, M (0204700)	01228A	Rue de la Carrière	Rivière de l'Anse à la Barbe
		is replaced by	
Port-Daniel - Gascons, M (0204700)	17279	Route de la Passerelle	Rivière de l'Anse à la Barbe
Port-Daniel - Gascons, M (0204700)	01338	Route de la Rivière	Ruisseau du Lac à la Pelle
		is replaced by	
Port-Daniel - Gascons, M (0204700)	18148	Route de la Rivière	Ruisseau du Lac à la Pelle
Port-Daniel - Gascons, M (0204700)	01345	Route Marcil	Rivière Port-Daniel
		is replaced by	
Port-Daniel - Gascons, M (0204700)	16893	Route de Marcil	Rivière Port-Daniel
Québec, V (2302700)	05166	Route 138	Rivière Beauport
		is replaced by	
Québec, V (2302700)	18027	Route 138	Rivière Beauport
Québec, V (2302700)	13382	Route 138	Railway
		is replaced by	
Québec, V (2302700)	17073	Route 138	Railway

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Rimouski, V (1004300)	08719	Rue des Flocons	Rivière du Bois-Brûlé
		is replaced by	
Rimouski, V (1004300)	17616	Rue des Flocons	Rivière du Bois-Brûlé
Ristigouche-Partie-Sud-Est, CT (0603500)	01353	Chemin de New Glasgow	Rivière Kempt
		is replaced by	
Ristigouche-Partie-Sud-Est, CT (0603500)	18147	Chemin de New Glasgow	Rivière Kempt
Rivière-à-Claude, M (0402000)	02715	Chemin de la Traverse	Rivière à Claude
		is replaced by	
Rivière-à-Claude, M (0402000)	10993	Chemin de la Traverse	Rivière à Claude
Rivière-à-Pierre, M (3413500)	06197	Rue du Lac-Vert	Rivière à Pierre
		is replaced by	
Rivière-à-Pierre, M (3413500)	17986	Rue du Lac-Vert	Rivière à Pierre
Rivière-Saint-Jean, M (9805000)	02507	Rue de la Rive	Rivière Béline
		is replaced by	
Rivière-Saint-Jean, M (9805000)	17493	Rue de la Rive	Rivière Béline
Rouyn-Noranda, V (8604200)	06847	Chemin des 7 ^e -et-8 ^e -Rangs	Rivière Dufresnoy
		is replaced by	
Rouyn-Noranda, V (8604200)	17656	Chemin des 7 ^e -et-8 ^e -Rangs	Rivière Dufresnoy
Rouyn-Noranda, V (8604200)	06853	Chemin des 7 ^e -et-8 ^e -Rangs	Ruisseau Davidson
		is replaced by	
Rouyn-Noranda, V (8604200)	17522	Rang Brasseur	Ruisseau Davidson
Rouyn-Noranda, V (8604200)	06860	Chemin des 3 ^e -et-4 ^e -Rangs Est	Ruisseau Merrill
		is replaced by	
Rouyn-Noranda, V (8604200)	17723	Rang Beaugard	Ruisseau Merrill
Rouyn-Noranda, V (8604200)	06863	1 ^{er} -et-2 ^e Rangs	Ruisseau Merrill
		is replaced by	
Rouyn-Noranda, V (8604200)	17722	Rang Sawyer	Ruisseau Merrill
Roxton, CT (4801500)	10665	Rang Laprade	Affluent ruisseau Castagne
		is replaced by	
Roxton, CT (4801500)	17507	Chemin Laprade	Affluent ruisseau Castagne
Saguenay, V (9406800)	08655	Boulevard Saguenay	Ruisseau Lahoud
		is replaced by	
Saguenay, V (9406800)	17548	Route 372	Ruisseau Lahoud
Saint-Adalbert, M (1701500)	04033	8 ^e Rang	Rivière Brown
		is replaced by	
Saint-Adalbert, M (1701500)	17637	8 ^e Rang Ouest	Rivière Brown
Saint-Aimé-des-Lacs, M (1503000)	01607	Chemin du Pied-des-Monts	Outlet of Lac Long
		is replaced by	
Saint-Aimé-des-Lacs, M (1503000)	17813	Chemin du Pied-des-Monts	Outlet of Lac Long
Saint-Alban, M (3409700)	06043	Route Montambault	Rivière Noire
		is replaced by	
Saint-Alban, M (3409700)	17036	Route Montambault	Rivière Noire
Saint-Alexis-de-Matapédia, M (0605000)	01181	Chemin du Ruisseau-Brandy	Ruisseau Brandy
		is replaced by	
Saint-Alexis-de-Matapédia, M (0605000)	18140	Chemin du Ruisseau-Brandy	Ruisseau Brandy
Saint-Alphonse, M (0506500)	01186	Route Marcellin	Ruisseau à Émile
		is replaced by	
Saint-Alphonse, M (0506500)	17423	Route Marcellin	Ruisseau à Émile
Saint-Barthélemy, P (5205500)	01085	Rang Saint-Jacques	Rivière Cachée
		is replaced by	
Saint-Barthélemy, P (5205500)	17033	Rang Saint-Jacques	Rivière Cachée
Saint-Basile, V (3403800)	06057	Rang des Alain	Rivière Chaude
		is replaced by	
Saint-Basile, V (3403800)	17612	Rang des Alain	Rivière Chaude
Saint-Calixte, M (6305500)	04907	Montée Mongeau	Rivière Beauport
		is replaced by	
Saint-Calixte, M (6305500)	17217	Montée Mongeau	Rivière Beauport

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Saint-Calixte, M (6305500)	04908	Chemin du Lac Pinet is replaced by	Rivière Beauport
Saint-Calixte, M (6305500)	17233	Rue du Lac-Pinet	Rivière Beauport
Saint-Calixte, M (6305500)	04926	Rue Adam is replaced by	Rivière Beauport
Saint-Calixte, M (6305500)	17081	Rue Adam	Rivière Beauport
Saint-Camille, CT (4002500)	07898	9 ^e -et-10 ^e -Rang is replaced by	Rivière Nicolet, Bras Sud-Ouest
Saint-Camille, CT (4002500)	17392	9 ^e -et-10 ^e Rang	Rivière Nicolet, Bras Sud-Ouest
Saint-Constant, V (6703500)	03769	Rang Saint-Régis Sud is replaced by	Ruisseau Saint-Simon
Saint-Constant, V (6703500)	11925	Rang Saint-Régis Sud	Ruisseau Saint-Simon
Saint-Cyprien, M (1200500)	06499	Chemin Raudot Nord is replaced by	Ruisseau de l'Est
Saint-Cyprien, M (1200500)	17847	Chemin Raudot Nord	Ruisseau de l'Est
Saint-Cyrille-de-Lessard, P (1704500)	04057	Route Harrower is replaced by	Rivière Bras-de-Riche
Saint-Cyrille-de-Lessard, P (1704500)	17187	Route Harrower	Rivière Bras-de-Riche
Saint-Cyrille-de-Lessard, P (1704500)	04060	7 ^e Rang is replaced by	Bras du Nord-Est
Saint-Cyrille-de-Lessard, P (1704500)	18190	7 ^e Rang	Bras du Nord-Est
Saint-Cyrille-de-Wendover, M (4907000)	11808	Route Houle is replaced by	Ruisseau des Chicots
Saint-Cyrille-de-Wendover, M (4907000)	16910	Route Houle	Ruisseau Janelle
Saint-Damase-de-L'Islet, M (1704000)	04071	Chemin Arago is replaced by	Rivière Trois Saumons Est
Saint-Damase-de-L'Islet, M (1704000)	17639	Chemin Arago	Rivière Trois Saumons Est
Saint-Damien-de-Buckland, P (1903000)	00959	8 ^e Rang is replaced by	Rivière des Abénaquis
Saint-Damien-de-Buckland, P (1903000)	17250	Route du 8 ^e -Rang	Rivière des Abénaquis
Saint-David, P (5300500)	08013	Rang Sainte-Cécile is replaced by	Rivière David
Saint-David, M (5300500)	17538	Rang Sainte-Cécile	Rivière David
Saint-David-de-Falardeau, M (9424500)	02387	Chemin du Petit Bégin is replaced by	Rivière à l'Ours
Saint-David-de-Falardeau, M (9424500)	17263	Chemin du Petit Bégin	Rivière à l'Ours
Saint-Denis-de-Brompton, P (4202500)	06312	Chemin Roarke is replaced by	Ruisseau Jolin
Saint-Denis-de-Brompton, P (4202500)	17718	Chemin Roarke	Ruisseau Jolin
Saint-Denis-sur-Richelieu, M (5706800)	07285	3 ^e Rang des Moulins Est is replaced by	Rivière Amyot
Saint-Denis-sur-Richelieu, M (5706800)	17735	3 ^e Rang des Moulins Est	Rivière Amyot
Sainte-Agathe-des-Monts, V (7803200)	08821	Chemin de Beresford Park is replaced by	Rivière Noire
Sainte-Agathe-des-Monts, V (7803200)	17945	Chemin de Beresford Park	Rivière Noire
Sainte-Angèle-de-Monnoir, P (5503000)	06755	Chemin de Fort-Georges is replaced by	Grande Décharge des Terres Noires
Sainte-Angèle-de-Monnoir, P (5503000)	17778	Rang de Fort-Georges	Grande Décharge des Terres Noires
Sainte-Anne-Monts, V (0403700)	02692A	Route Saint-Joseph des Monts is replaced by	Ruisseau du Vieux Moulin
Sainte-Anne-des-Monts, V (0403700)	17856	Route de Saint-Joseph-des-Monts	Ruisseau du Vieux Moulin
Sainte-Apolline-de-Patton, P (1802500)	09439	Route Raby is replaced by	Rivière Cloutier
Sainte-Apolline-de-Patton, P (1802500)	18294	Route Raby	Rivière Cloutier

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Sainte-Aurélie, M (2801500)	02096	Route Maranda is replaced by	Outlet of Lac Fortin
Sainte-Aurélie, M (2801500)	17243	Rue des Sapins	Rivière des Abénaquis
Sainte-Brigide-d'Iberville, M (5610500)	03185A	Chemin de la Traverse is replaced by	Rivière du Sud-Ouest
Sainte-Brigide-d'Iberville, M (5610500)	17098	Chemin de la Traverse	Rivière du Sud-Ouest
Sainte-Brigitte-de-Laval, M (2204500)	05179	Rue Pascal is replaced by	Rivière Pascal
Sainte-Brigitte-de-Laval, M (2204500)	18153	Rue Pascal	Rivière Pascal
Sainte-Brigitte-de-Laval, M (2204500)	05180	Rue Auclair is replaced by	Rivière Richelieu
Sainte-Brigitte-de-Laval, M (2204500)	18154	Rue Auclair	Rivière Richelieu
Sainte-Brigitte-de-Laval, M (2204500)	05183	Rue Goudreault is replaced by	Rivière Richelieu
Sainte-Brigitte-de-Laval, M (2204500)	17610	Rue Goudreault	Rivière Richelieu
Sainte-Catherine-de-Hatley, M (4506000)	07184	Chemin Katevale-Ayer's Cliff is replaced by	Ruisseau McConnell
Sainte-Catherine-de-Hatley, M (4506000)	17826	Chemin d'Ayer's Cliff	Ruisseau McConnell
Sainte-Émélie-de-l'Énergie, M (6207000)	03291	Chemin du Lac-Long is replaced by	Rivière Noire
Sainte-Émélie-de-l'Énergie, M (6207000)	16517	Rue des Mésanges	Rivière Noire
Sainte-Geneviève-de-Batiscan, P (3721500)	01564	Rang Nord is replaced by	Rivière à Veillet
Sainte-Geneviève-de-Batiscan, P (3721500)	16746	Rang Nord	Rivière à Veillet
Sainte-Hélène-de-Bagot, M (5409500)	00628	3 ^e Rang is replaced by	Rivière Chibouet
Sainte-Hélène-de-Bagot, M (5409500)	17733	3 ^e Rang	Rivière Chibouet
Sainte-Hélène-de-Bagot, M (5409500)	00629	Chemin Richard is replaced by	Rivière Chibouet
Sainte-Hélène-de-Bagot, M (5409500)	17201	Chemin Richard	Rivière Chibouet
Sainte-Hélène-de-Bagot, M (5409500)	13849	4 ^e Rang is replaced by	Ruisseau Bras-de-Vis
Sainte-Hélène-de-Bagot, M (5409500)	17571	4 ^e Rang	Ruisseau Bras-de-Vis
Sainte-Irène, P (0704000)	04511	4 ^e -et-5 ^e Rang is replaced by	Ruisseau Otis
Sainte-Irène, P (0704000)	17606	4 ^e -et-5 ^e Rang	Ruisseau Otis
Sainte-Jeanne-d'Arc, VL (9201500)	06626	Chemin du Pont-Couvert is replaced by	Rivière Villeneuve
Sainte-Jeanne-d'Arc, VL (9201500)	17197	Chemin du Pont-Couvert	Rivière Villeneuve
Sainte-Julienne, M (6306000)	14010	Chemin de la Fourche is replaced by	Ruisseau de la Fourche
Sainte-Julienne, M (6306000)	17245	Chemin de La Fourche	Ruisseau de la Fourche
Sainte-Louise, P (1706000)	04094	Rang de la Hauteville is replaced by	Rivière Le Bras
Sainte-Louise, P (1706000)	16881	Rang de la Haute-Ville	Rivière Le Bras
Sainte-Lucie-des-Laurentides, M (7802000)	07727	Chemin des Hauteurs is replaced by	Outlet of Lac Élevé
Sainte-Lucie-des-Laurentides, M (7802000)	17682	Chemin des Hauteurs	Outlet of Lac Élevé
Sainte-Marie, V (2603000)	00819	Rue Notre-Dame is replaced by	Rivière Chassé
Sainte-Marie, V (2603000)	17609	Rue Notre-Dame	Rivière Chassé
Sainte-Marthe, M (7111000)	07831	Montée Sainte-Marie is replaced by	Rivière Raquette
Sainte-Marthe, M (7111000)	17023	Montée Sainte-Marie	Rivière Raquette
Sainte-Marthe, M (7111000)	07832	Montée Sainte-Marie is replaced by	Ruisseau Saint-Guillaume
Sainte-Marthe, M (7111000)	17024	Montée Sainte-Marie	Ruisseau Saint-Guillaume
Saint-Épiphanie, M (1203000)	06508	Chemin du Bras is replaced by	Rivière Verte
Saint-Épiphanie, M (1203000)	18151	Chemin du Bras	Rivière Verte

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Sainte-Sophie, M (7502800)	07773	Rue des Cèdres	Rivière Jourdain
		is replaced by	
Sainte-Sophie, M (7502800)	17070	Rue des Cèdres	Rivière Jourdain
Sainte-Sophie-de-Lévrard, P (3804000)	05356	Rang Sainte-Agathe	Rivière aux Orignaux
		is replaced by	
Sainte-Sophie-de-Lévrard, P (3804000)	16913	Rang Sainte-Agathe	Rivière aux Orignaux
Sainte-Thècle, M (3505000)	03945	Chemin du Lac-du-Jésuite	Outlet of Lac Traverse
		is replaced by	
Sainte-Thècle, M (3505000)	17348	Chemin du Lac-du-Jésuite	Outlet of Lac Traverse
Saint-Fabien, P (1007000)	06427	Route Lambert-Roussel	Rivière du Bic
		is replaced by	
Saint-Fabien, P (1007000)	17224	Route Lambert-Roussel	Rivière du Bic
Saint-Fortunat, M (3103000)	07927	6 ^e Rang	Stream (nameless)
		is replaced by	
Saint-Fortunat, M (3103000)	17280	Chemin du 6 ^e -Rang	Stream (nameless)
Saint-François-Xavier-de-Viger, M (1202500)	06522	7 ^e Rang Ouest	Rivière Cacouna
		is replaced by	
Saint-François-Xavier-de-Viger, M (1202500)	17573	7 ^e Rang Ouest	Rivière Cacouna
Saint-Gabriel-de-Valcartier, M (2202500)	01794	Chemin Redmond	Rivière Jacques-Cartier Ruisseau
		is replaced by	
Saint-Gabriel-de-Valcartier, M (2202500)	17027	Chemin Redmond	Rivière Jacques-Cartier Ruisseau
Saint-Gérard-Majella, P (5308500)	08447	Rang Saint-Antoine	Ruisseau à Bazin
		is replaced by	
Saint-Gérard-Majella, P (5308500)	17738	Rang Saint-Antoine	Ruisseau à Bazin
Saint-Germain-de-Grantham, M (4904800)	02282	Route Doyon	Rivière David
		is replaced by	
Saint-Germain-de-Grantham, M (4904800)	16887	Route Doyon	Rivière David
Saint-Herménégilde, M (4401500)	01981	Chemin Duchesneau	Ruisseau Noir
		is replaced by	
Saint-Herménégilde, M (4401500)	18023	Chemin Duchesneau	Ruisseau Noir
Saint-Honoré, M (9424000)	02411	Chemin Simard	Rivière Caribou
		is replaced by	
Saint-Honoré, M (9424000)	17394	Chemin Simard	Rivière Caribou
Saint-Honoré, M (9424000)	02444	Route Saint-Marc Ouest	Rivière aux Vases
		is replaced by	
Saint-Honoré, M (9424000)	17264	Route Saint-Marc Ouest	Rivière aux Vases
Saint-Honoré, M (9424000)	11595	Chemin Nil-Jean	Rivière Hood
		is replaced by	
Saint-Honoré, M (9424000)	16955	Chemin Nil-Jean	Rivière Hood
Saint-Honoré-de-Shenley, M (2903800)	00787	4 ^e Rang	Rivière Grande Coulée
		is replaced by	
Saint-Honoré-de-Shenley, M (2903800)	17636	4 ^e Rang Sud	Rivière Toinon
Saint-Hubert-de-Rivière-du-Loup, M (1201000)	06530	Chemin du Lac Sud	Rivière Têtu
		is replaced by	
Saint-Hubert-de-Rivière-du-Loup, M (1201000)	17848	3 ^e rang du Sud-du-Lac	Rivière Têtu
Saint-Hubert-de-Rivière-du-Loup, M (1201000)	06534	Chemin du Treize	Rivière Toupiké
		is replaced by	
Saint-Hubert-de-Rivière-du-Loup, M (1201000)	17572	4 ^e Rang Est	Rivière Toupiké
Saint-Ignace-de-Stanbridge, M (4609500)	04863	Chemin de Mystic	Ruisseau Walbridge
		is replaced by	
Saint-Ignace-de-Stanbridge, M (4609500)	17686	Chemin de Mystic	Ruisseau Walbridge
Saint-Jacques, M (6301300)	04993	Chemin Leblanc	Ruisseau Saint-Georges
		is replaced by	
Saint-Jacques, M (6301300)	17218	Chemin Leblanc	Ruisseau Saint-Georges

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Saint-Jean-Baptiste, M (5703300)	06772	Rue Bédard	La Grande Décharge
		is replaced by	
Saint-Jean-Baptiste, M (5703300)	17399	Rue Bédard	La Grande Décharge
Saint-Jean-Baptiste, M (5703300)	06775	Chemin Tétéreault	Rivière des Hurons
		is replaced by	
Saint-Jean-Baptiste, M (5703300)	17320	Chemin Tétéreault	Rivière des Hurons
Saint-Jean-de-Dieu, M (1101000)	06567	Rang du Trou-de-Siffleux	Rivière Boisbouscache
		is replaced by	
Saint-Jean-de-Dieu, M (1101000)	17374	Rang du Trou-de-Siffleux	Rivière Boisbouscache
Saint-Jean-sur-Richelieu, V (5608300)	07326	Chemin du Clocher	Ruisseau des Noyers
		is replaced by	
Saint-Jean-sur-Richelieu, V (5608300)	17418	Chemin du Clocher	Ruisseau des Noyers
Saint-Joseph-de-Coleraine, M (3104500)	04612	Chemin du Petit-Lac-Saint-François	Rivière Ashberham
		is replaced by	
Saint-Joseph-de-Coleraine, M (3104500)	17220	Chemin du Petit-Lac-Saint-François	Rivière Ashberham
Saint-Lambert-de-Lauzon, P (2607000)	03995	Route Saint-Isidore	Rivière Le Bras
		is replaced by	
Saint-Lambert-de-Lauzon, P (2607000)	16879	Route de Saint-Isidore	Rivière Le Bras
Saint-Lazare-de-Bellechasse, M (1905000)	01001	5 ^e Rang Est	Rivière du Moulin
		is replaced by	
Saint-Lazare-de-Bellechasse, M (1905000)	17249	5 ^e Rang Est	Rivière du Moulin
Saint-Louis-de-Gonzague, M (2803500)	02177	Rang B	Stream (nameless)
		is replaced by	
Saint-Louis-de-Gonzague, M (2803500)	17208	Rang B	Stream (nameless)
Saint-Luc-de-Bellechasse, M (2806000)	02191	7 ^e Rang	Rivière des Fleurs
		is replaced by	
Saint-Luc-de-Bellechasse, M (2806000)	16876	7 ^e Rang	Rivière des Fleurs
Saint-Lucien, P (4903000)	02312	9 ^e Rang de Kingsley	Cours d'eau Chagnon-Turcotte
		is replaced by	
Saint-Lucien, P (4903000)	17486	9 ^e Rang de Kingsley	Cours d'eau Chagnon-Turcotte
Saint-Magloire, M (2807500)	01019	Rang Saint-Joseph	Rivière aux Orignaux
		is replaced by	
Saint-Magloire, M (2807500)	17938	Rang Saint-Joseph	Rivière aux Orignaux
Saint-Malachie, P (1902500)	02202	Chemin de la Rivière-Etchemin	Rivière Henderson
		is replaced by	
Saint-Malachie, P (1902500)	18193	Chemin de la Rivière-Etchemin	Rivière Henderson
Saint-Malachie, P (1902500)	02210	Chemin de la Rivière-Etchemin	Rivière Desbarats
		is replaced by	
Saint-Malachie, P (1902500)	18196	Chemin de la Rivière-Etchemin	Rivière Desbarats
Saint-Marc-du-lac-Long, P (1302000)	07571	Route de Botsford	Ruisseau du lac des Cèdres
		is replaced by	
Saint-Marc-du-lac-Long, P (1302000)	17053	Rue des Épinettes	Ruisseau du lac des Cèdres
Saint-Marc-du-lac-Long, P (1302000)	07572	9 ^e Rang	Outlet of Lac Sutherland
		is replaced by	
Saint-Marc-du-lac-Long, P (1302000)	17037	9 ^e rang de Botsford	Outlet of Lac Sutherland
Saint-Mathieu-de-Beloeil, M (5704500)	07847	Chemin du Ruisseau Nord	Ruisseau Beloeil
		is replaced by	
Saint-Mathieu-de-Beloeil, M (5704500)	17537	Chemin du Ruisseau Nord	Ruisseau Beloeil
Saint-Michel-du-Squatec, P (1306500)	07582	Petit-5 ^e Rang	Cours d'eau Roy
		is replaced by	
Saint-Michel-du-Squatec, P (1306500)	17629	Petit-5 ^e Rang Est	Cours d'eau Roy
Saint-Onésime-d'Ixworth, P (1408000)	03421	4 ^e Rang	Rivière Ouelle
		is replaced by	
Saint-Onésime-d'Ixworth, P (1408000)	16986	Chemin du Village	Rivière Ouelle
Saint-Ours, V (5303200)	06252	Rang du Ruisseau Sud	Ruisseau Laplante
		is replaced by	
Saint-Ours, V (5303200)	17533	Rang du Ruisseau Sud	Ruisseau Laplante

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Saint-Pamphile, V (1701000)	04128A	6 ^e Rang is replaced by	Rivière Saint-Roch
Saint-Pamphile, V (1701000)	18185	6 ^e Rang	Rivière Saint-Roch
Saint-Paul-de-Montminy, M (1803000)	05146A	1 ^{er} Rang Ouest is replaced by	Rivière du Moulin
Saint-Paul-de-Montminy, M (1803000)	17188	1 ^{er} Rang	Rivière du Moulin
Saint-Philémon, P (1900500)	01050	Rang Saint-Isidore is replaced by	Rivière du Pin
Saint-Philémon, P (1900500)	17931	Rang Saint-Isidore	Rivière du Pin
Saint-Pierre-de-Broughton, M (3113500)	00849	4 ^e Rang is replaced by	Rivière Palmer
Saint-Pierre-de-Broughton, M (3113500)	16771	4 ^e Rang	Rivière Palmer
Saint-Pierre-de-la-Rivière-du-Sud, P (1805500)	05152	Rang du Milieu is replaced by	Rivière Minguy
Saint-Pierre-de-la-Rivière-du-Sud, P (1805500)	17957	Rang du Milieu	Rivière Minguy
Saint-Raymond, V (3412800)	06163	Rang Sainte-Croix is replaced by	North arm of the Rivière Sainte-Anne
Saint-Raymond, V (3412800)	17672	Rang Sainte-Croix	North arm of the Rivière Sainte-Anne
Saint-René-de-Matane, M (0803500)	10555	10 ^e -et-11 ^e Rang is replaced by	Branch of Ruisseau Firmin
Saint-René-de-Matane, M (0803500)	17954	Chemin du 10 ^e -et-11 ^e -Rang	Branch of Ruisseau Firmin
Saint-Séverin, P (2707000)	00875	Rang Sainte-Anne is replaced by	Rivière Nadeau
Saint-Séverin, P (2707000)	18195	Rang Sainte-Anne	Rivière Nadeau
Saint-Siméon, P (0505500)	01360	4 ^e Rang is replaced by	Rivière Saint-Siméon
Saint-Siméon, P (0505500)	17463	4 ^e Rang Ouest	Rivière Saint-Siméon
Saint-Simon-les-Mines, M (2912500)	00882	Rang Chaussegros is replaced by	Ruisseau Giroux
Saint-Simon-les-Mines, M (2912500)	17244	Rang Chaussegros	Ruisseau Giroux
Saint-Sylvestre, M (3300700)	08878	Chemin Saint-Jean is replaced by	Ruisseau Saint-Jean
Saint-Sylvestre, M (3300700)	17186	Rang Saint-Jean	Ruisseau Saint-Jean
Saint-Tite-des-Caps, M (2100500)	05230	Route Les Chenaux is replaced by	Rivière Lombrette
Saint-Tite-des-Caps, M (2100500)	17020	Avenue Royale	Rivière Lombrette
Saint-Ubalde, M (3409000)	06220	Rang Sainte-Anne is replaced by	Rivière Charest
Saint-Ubalde, M (3409000)	17643	Rang Sainte-Anne	Rivière Charest
Saint-Ubalde, M (3409000)	06223	Rang Saint-Georges is replaced by	Rivière Blanche
Saint-Ubalde, M (3409000)	17644	Rang Saint-Georges	Rivière Blanche
Saint-Ubalde, M (3409000)	06225	Rang Saint-Charles is replaced by	Rivière Blanche
Saint-Ubalde, M (3409000)	17614	Rang Saint-Charles	Rivière Blanche
Saint-Ulric, M (0807300)	04461	4 ^e Rang Est is replaced by	Le Petit Bras
Saint-Ulric, M (0807300)	10983	4 ^e Rang Est	Le Petit Bras
Saint-Valère, M (3913500)	00586	8 ^e Rang is replaced by	Rivière Noire
Saint-Valère, M (3913500)	17048	8 ^e Rang	Rivière Noire
Saint-Valérien-de-Milton, M (5406500)	07069	Rang de l'Égypte is replaced by	Rivière Noire
Saint-Valérien-de-Milton, M (5406500)	17933	Rang de l'Égypte	Rivière Noire
Saint-Victor, M (2700800)	00901	5 ^e Rang Nord is replaced by	Rivière Prévost-Gilbert
Saint-Victor, M (2700800)	18191	5 ^e Rang Nord	Rivière Prévost-Gilbert

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Saint-Zénon, M (6208000)	01169	Chemin de Val-des-Bois is replaced by	Rivière Noire
Saint-Zénon, M (6208000)	17000	Chemin de Val-des-Bois	Rivière Noire
Saint-Zénon-du-Lac-Humqui, P (0703500)	04580	Chemin de la Branche-Nord is replaced by	Rivière Humqui
Saint-Zénon-du-Lac-Humqui, P (0703500)	17645	Route de la Branche-Nord	Branche Nord
Saint-Zotique, VL (7102500)	16441	58 ^e Avenue is replaced by	Lac Saint-François
Saint-Zotique, VL (7102500)	16999	58 ^e Avenue	Lac Saint-François
Shawinigan, V (3603300)	03900A	4 ^e Rue is replaced by	Rivière Grand-Mère
Shawinigan, V (3603300)	17134	4 ^e Rue	Rivière Grand-Mère
Sherbrooke, V (4302700)	07104	Chemin Georges-Vallières is replaced by	Ruisseau Kee
Sherbrooke, V (4302700)	17915	Chemin Georges-Vallières	Ruisseau Kee
Sherbrooke, V (4302700)	07118	Route 112 is replaced by	Rivière Magog
Sherbrooke, V (4302700)	17133	Route 112	Rivière Magog
Stanbridge East, M (4604500)	04890	Chemin de Riceburg is replaced by	Rivière aux Brochets Nord
Stanbridge East, M (4604500)	17631	Chemin de Riceburg	Rivière aux Brochets Nord
Stanbridge East, M (4604500)	04892	Chemin Cook is replaced by	Rivière aux Brochets
Stanbridge East, M (4604500)	16954	Chemin Cooke	Rivière aux Brochets
Stoneham-et-Tewkesbury, CU (2203500)	01848	Chemin Rourke is replaced by	Outlet of Lac Durand
Stoneham-et-Tewkesbury, CU (2203500)	17523	Chemin Rourke	Outlet of Lac Durand
Stornoway, M (3010500)	02686	Chemin de North Hill is replaced by	Rivière Legendre
Stornoway, M (3010500)	17916	Chemin de North Hill	Rivière Legendre
Sutton, V (4605800)	01516	Chemin Robinson is replaced by	Ruisseau Alder
Sutton, V (4605800)	17258	Chemin Robinson	Ruisseau Alder
Theftord Mines, V (3108400)	10772	Rue Caouette Ouest is replaced by	Ruisseau Madore
Theftord Mines, V (3108400)	18187	Rue Caouette Ouest	Ruisseau Madore
Thorne, M (8404500)	06018	Chemin Bryson is replaced by	Branche Nord
Thorne, M (8404500)	18085	Chemin Bryson	Branche Nord
Thorne, M (8404500)	06021	Chemin du Lac-Thorne is replaced by	Rivière Quyon
Thorne, M (8404500)	18285	Chemin du Lac-Thorne	Rivière Quyon
Tingwick, M (3902500)	00497	7 ^e Rang is replaced by	Rivière des Rosiers
Tingwick, M (3902500)	16751	7 ^e Rang	Rivière des Rosiers
Tingwick, M (3902500)	00580	6 ^e Rang is replaced by	Rivière des Rosiers
Tingwick, M (3902500)	16903	6 ^e Rang	Rivière des Rosiers
Tourville, M (1703500)	04138	Rang John is replaced by	Rivière Ouelle
Tourville, M (1703500)	16882	Rang John	Rivière Ouelle
Val-Alain, M (3307000)	10451	1 ^{er} Rang is replaced by	Bras de Marie
Val-Alain, M (3307000)	18186	1 ^{er} Rang	Bras de Marie
Val-des-Monts, M (8201500)	05759A	Chemin Jacques-Patenaude is replaced by	Rivière Blanche
Val-des-Monts, M (8201500)	17226	Chemin Jacques-Patenaude	Rivière Blanche
Val-d'Or, V (8900800)	00081	Chemin Pascalis is replaced by	Rivière Colombière
Val-d'Or, V (8900800)	17287	Chemin Pascalis	Rivière Colombière

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Municipality: Name, designation (geographic code)	Bridge number	Road	Obstacle
CORRECTIONS TO THE DESCRIPTION (continued)			
Val-Morin, M (7800500)	07799	Chemin Val-Royal is replaced by	Rivière aux Mulets
Val-Morin, M (7800500)	17680	Chemin Val-Royal	Rivière aux Mulets
Wenworth, CT (7603500)	00457	Chemin Louisa is replaced by	Rivière Dalesville
Wenworth, CT (7603500)	17219	Chemin Louisa	Rivière Dalesville
Wotton, M (4001700)	07896	Chemin des 2 ^e -et-3 ^e Rangs Est is replaced by	Ruisseau Saint-Camille
Wotton, M (4001700)	07896	Chemin du 2 ^e Rang	Ruisseau Saint-Camille
Yamachiche, M (5102000)	07348	Chemin Desaulniers is replaced by	Petite rivière Yamachiche
Yamachiche, M (5102000)	16745	Chemin Desaulniers	Petite rivière Yamachiche
Yamaska, M (5307200)	13873	Rang du Grand-Chenal is replaced by	Ruisseau Fagnan
Yamaska, M (5307200)	18119	Rang du Grand-Chenal	Ruisseau Fagnan

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

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Environment Quality Act — Halocarbons. (chapter Q-2)	1793	M
Environment Quality Act — Hazardous materials (chapter Q-2)	1796	M
Environment Quality Act — Hot mix asphalt plants. (chapter Q-2)	1818	M
Environment Quality Act — Industrial depollution attestations (chapter Q-2)	1726	M
Environment Quality Act — Land Protection and Rehabilitation Regulation (chapter Q-2)	1803	M
Environment Quality Act — Landfilling and incineration of residual materials (chapter Q-2)	1764	M
Environment Quality Act — Landfilling and incineration of residual materials (chapter Q-2)	1895	Draft
Environment Quality Act — Liquid effluents of petroleum refineries (chapter Q-2)	1756	M
Environment Quality Act — Motor vehicle traffic in certain fragile environments (chapter Q-2)	1747	M
Environment Quality Act — Pits and quarries (chapter Q-2)	1744	M
Environment Quality Act — Prohibit the sale of certain dishwashing detergents. (chapter Q-2)	1778	M
Environment Quality Act — Protection of waters from pleasure craft discharges. (chapter Q-2)	1779	M
Environment Quality Act — Pulp and paper mills (chapter Q-2)	1788	M
Environment Quality Act — Pulp and paper mills (chapter Q-2)	1896	Draft
Environment Quality Act — Quality of drinking water (chapter Q-2)	1808	M
Environment Quality Act — Quality of the atmosphere. (chapter Q-2)	1804	M
Environment Quality Act — Recovery and reclamation of products by enterprises (chapter Q-2)	1816	M
Environment Quality Act — Reuse of water containers with capacity exceeding 8 litres (chapter Q-2)	1786	M

Environment Quality Act — Snow elimination sites (chapter Q-2)	1785	M
Environment Quality Act — Solid waste (chapter Q-2)	1751	M
Environment Quality Act — Used tire storage (chapter Q-2)	1772	M
Environment Quality Act — Waste water disposal systems for isolated dwellings (chapter Q-2)	1787	M
Environment Quality Act — Water quality in swimming pools and other artificial pools (chapter Q-2)	1806	M
Environment Quality Act — Waterworks and sewer services (chapter Q-2)	1775	M
Environment Quality Act — Wood-burning appliances (chapter Q-2)	1735	M
Environmental standards for heavy vehicles (Environment Quality Act, chapter Q-2)	1802	M
Establishment of parc national Tursujuq (Parks Act, chapter P-9)	1711	N
Filing of information on certain drilling and fracturing work on gas or petroleum wells (Environment Quality Act, chapter Q-2)	1880	M
Financial assistance for education expenses (An Act respecting financial assistance for education expenses, chapter A-13.3)	1896	Draft
Financial assistance for education expenses, An Act respecting... — Financial assistance for education expenses (chapter A-13.3)	1896	Draft
Fishing and hunting areas. (An Act respecting the conservation and development of wildlife, chapter C-61.1)	1883	Draft
Forest Protection. (Sustainable Forest Development Act, chapter A-18.1)	1863	N
Greenhouse gas emissions from motor vehicles (Environment Quality Act, chapter Q-2)	1758	M
Groundwater Catchment (Environment Quality Act, chapter Q-2)	1736	M
Halocarbons (Environment Quality Act, chapter Q-2)	1793	M
Hazardous materials (Environment Quality Act, chapter Q-2)	1796	M
Health services and social services, An Act respecting... — Certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2)	1877	M

Highway Safety Code — Transportation of Dangerous Substances Regulation . . . (chapter C-24.2)	1899	Draft
Highway Safety Code — Visibility and traffic of farm machines wider than 2.6 metres (chapter C-24.2)	1866	N
Highway Safety Code and other legislative provisions, An Act to amend the... — Coming into force of certain provisions of the Act. (2004, chapter 2)	1707	
Hot mix asphalt plants (Environment Quality Act, chapter Q-2)	1818	M
Industrial depollution attestations (Environment Quality Act, chapter Q-2)	1726	M
Issuance of competency certificates. (An Act respecting labour relations, vocational training and workforce management in the construction industry, chapter R-20)	1873	M
Labour relations, vocational training and workforce management in the construction industry, An Act respecting... — Construction industry — Vocational training of the workforce (chapter R-20)	1869	M
Labour relations, vocational training and workforce management in the construction industry, An Act respecting... — Issuance of competency certificates (chapter R-20)	1873	M
Land Protection and Rehabilitation Regulation. (Environment Quality Act, chapter Q-2)	1803	M
Landfilling and incineration of residual materials. (Environment Quality Act, chapter Q-2)	1764	M
Landfilling and incineration of residual materials. (Environment Quality Act, chapter Q-2)	1895	Draft
Liquid effluents of petroleum refineries. (Environment Quality Act, chapter Q-2)	1756	M
Lotteries, publicity contests and amusement machines, An Act respecting... — State casinos — Conditions governing admission of the public maintenance of public order and safety of persons (chapter L-6)	1865	M
Motor vehicle traffic in certain fragile environments (Environment Quality Act, chapter Q-2)	1747	M
Occupational health and safety, An Act respecting... — Concrete pumps and distribution masts (chapter S-2.1)	1899	Draft
Occupational health and safety, An Act respecting... — Safety Code for the construction industry (chapter S-2.1)	1901	Draft
Ordre national du Québec — Insignia (An Act respecting the Ordre national du Québec, chapter O-7.01)	1906	Draft

Ordre national du Québec, An Act respecting the... — Ordre national du Québec — Insignia	1906	Draft
(chapter O-7.01)		
Parks Act — Establishment of parc national Tursujuq	1711	N
(chapter P-9)		
Parks Act — Parks	1709	M
(chapter P-9)		
Parks Act — Parks	1906	Draft
(chapter P-9)		
Parks	1709	M
(Parks Act, chapter P-9)		
Parks	1906	Draft
(Parks Act, chapter P-9)		
Pension Plan of Management Personnel and other legislative provisions, An Act respecting the... — Application to presiding justices of the peace of certain provisions of the Act	1709	M
(2012, chapter 6)		
Pits and quarries	1744	M
(Environment Quality Act, chapter Q-2)		
Professional Code — Advocates — Indemnity fund of the Barreau du Québec	1909	Draft
(chapter C-26)		
Professional Code — Psychoeducators — Certain professional activities that may be engaged in by persons other than psychoeducators	1911	Draft
(chapter C-26)		
Prohibit the sale of certain dishwashing detergents.	1778	M
(Environment Quality Act, chapter Q-2)		
Protection of waters from pleasure craft discharges	1779	M
(Environment Quality Act, chapter Q-2)		
Psychoeducators — Certain professional activities that may be engaged in by persons other than psychoeducators.	1911	Draft
(Professional Code, chapter C-26)		
Pulp and paper mills	1788	M
(Environment Quality Act, chapter Q-2)		
Pulp and paper mills.	1896	Draft
(Environment Quality Act, chapter Q-2)		
Quality of drinking water.	1808	M
(Environment Quality Act, chapter Q-2)		
Quality of the atmosphere	1804	M
(Environment Quality Act, chapter Q-2)		
Québec Pension Plan, An Act respecting the... — Benefits	1912	Draft
(chapter R-9)		
Recovery and reclamation of products by enterprises.	1816	M
(Environment Quality Act, chapter Q-2)		
Reuse of water containers with capacity exceeding 8 litres	1786	M
(Environment Quality Act, chapter Q-2)		

Roads, An Act respecting... — Strategic bridges for which the management is under the responsibility of the Minister of Transport — Amendment of Order in Council 98-2003 of January 29, 2003	1915	
(chapter V-9)		
Roads, An Act respecting... — Ville de Lévis — Management and ownership of a portion of Autoroute 20	1915	
(chapter V-9)		
Safety Code for the construction industry	1901	Draft
(An Act respecting occupational health and safety, chapter S-2.1)		
Scaling of timber harvested in forests in the domain of the State	1856	N
(Sustainable Forest Development Act, chapter A-18.1)		
Snow elimination sites	1785	M
(Environment Quality Act, chapter Q-2)		
Solid waste	1751	M
(Environment Quality Act, chapter Q-2)		
State casinos — Conditions governing admission of the public maintenance of public order and safety of persons	1865	M
(An Act respecting lotteries, publicity contests and amusement machines, chapter L-6)		
Strategic bridges for which the management is under the responsibility of the Minister of Transport — Amendment of Order in Council 98-2003 of January 29, 2003	1915	
(An Act respecting Roads, chapter V-9)		
Stuffing and upholstered and stuffed articles	1913	Draft
(An Act respecting stuffing and upholstered and stuffed articles, chapter M-5)		
Stuffing and upholstered and stuffed articles, An Act respecting... — Stuffing and upholstered and stuffed articles.	1913	Draft
(chapter M-5)		
Supplemental Pension Plans Act — AbitibiBowater Inc. — Supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies Creditors Arrangement Act.	1828	M
(chapter R-15.1)		
Supplemental Pension Plans Act and to provide for the possibility of opting to receive a pension paid by the Régie des rentes du Québec during the existence of certain plans in the pulp and paper sector — AbitibiBowater Inc. — Supplemental pension plans affected by the arrangement regarding AbitibiBowater Inc. under the Companies Creditors Arrangement Act	1828	
(2011, chapter 8)		
Sustainable Forest Development Act — Forest Protection	1863	N
(chapter A-18.1)		
Sustainable Forest Development Act — Scaling of timber harvested in forests in the domain of the State	1856	N
(chapter A-18.1)		
Tax Administration Act — Various regulations of a fiscal nature	1829	M
(chapter A-6.002)		
Transportation of Dangerous Substances Regulation	1899	Draft
(Highway Safety Code, chapter C-24.2)		

Used tire storage (Environment Quality Act, chapter Q-2)	1772	M
Various regulations of a fiscal nature (Tax Administration Act, chapter A-6.002)	1829	M
Ville de Lévis — Management and ownership of a portion of Autoroute 20 (An Act respecting Roads, chapter V-9)	1915	
Visibility and traffic of farm machines wider than 2.6 metres (Highway Safety Code, chapter C-24.2)	1866	N
Waste water disposal systems for isolated dwellings (Environment Quality Act, chapter Q-2)	1787	M
Water quality in swimming pools and other artificial pools (Environment Quality Act, chapter Q-2)	1806	M
Waterworks and sewer services (Environment Quality Act, chapter Q-2)	1775	M
Wood-burning appliances (Environment Quality Act, chapter Q-2)	1735	M