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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;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Regulations and other Acts

M.O., 2013-12

Order number D-9.2-2013-12 of the Minister of Finance and the Economy dated 9 July 2013

An Act respecting the distribution of financial products and services (chapter D-9.2)

CONCERNING Regulation to amend the Regulation respecting the pursuit of activities as a representative and Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships

WHEREAS section 202, 211, 213 and paragraphs 6, 8, 11 and 13.1 of section 223 of the Act respecting the distribution of financial products and services (chapter D-9.2) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs or sections;

WHEREAS that the first and the third paragraphs of section 217 of such Act provide, in particular, that a regulation made by the *Autorité des marchés financiers* under this Act must be submitted to the Minister of Finance for approval with or without amendment and that a draft of a regulation referred to in the first paragraph may not be submitted for approval and the regulation may not be made before 30 days have elapsed since the publication of the draft, that the regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation and that sections 4, 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to the regulation;

WHEREAS the following regulations have been approved by the Government:

— Regulation respecting the pursuit of activities as a representative approved under Order-in-Council no. 830-99 dated July 7, 1999;

— Regulation respecting firms, independent representatives and independent partnerships approved under Order-in-Council no. 832-99 dated July 7, 1999;

WHEREAS there is cause to amend those regulations;

WHEREAS the following draft regulations were published in the *Bulletin de l'Autorité des marchés financiers*, volume 8, no. 35 of September 2, 2011:

— Regulation to amend the Regulation respecting the pursuit of activities as a representative;

— Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships;

WHEREAS the *Autorité des marchés financiers* made Regulation to amend the Regulation respecting the pursuit of activities as a representative by the decision no. 2013-PDG-0101 dated June 19, 2013, replacing the decision no. 2013-PDG-0010 dated January 29, 2013, and made Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships by the decision no. 2013-PDG-0102 dated June 19, 2013, replacing the decision no. 2013-PDG-0011 dated January 28, 2013;

WHEREAS there is cause to approve those regulations without amendment;

CONSEQUENTLY, the Minister of Finance and the Economy approves without amendment the following regulations appended hereto:

— Regulation to amend the Regulation respecting the pursuit of activities as a representative;

— Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships.

July 9, 2013

NICOLAS MARCEAU,
Minister of Finance and the Economy,

Regulation to amend the Regulation respecting the pursuit of activities as a representative

An Act respecting the distribution of financial products and services (chapter D-9.2, ss. 202, 211 and 213)

1. Section 2 of the Regulation respecting the pursuit of activities as a representative (chapter D-9.2, r. 10) is amended:

(1) by inserting the following after subparagraph 2:

“(2.1) performing the duties of a minister of religion;

“(2.2) performing the duties of a funeral director or any other similar duties in the funeral services industry;”;

(2) by replacing the words “carrying on the profession of” in subparagraph 3 with the words “pursuing activities as a”;

(3) by replacing the words “the profession of chartered accountant, certified management accountant, certified general accountant, or chartered administrator” in subparagraph 6 with the words “the professional activity of public accountancy”;

(4) by replacing the words “occupation of real estate broker or real estate agent” in subparagraph 7 with the words “activities of a real estate broker”.

2. Section 3 of the Regulation is amended:

(1) by replacing the words “incompatible avec l'exercice des activités d'agent”, in the introductory portion of section 3 of the French version with the words “incompatibles avec l'exercice des activités d'agent en assurance de dommages”;

(2) by replacing the words “la profession” in paragraph 1 of the French version with the words “l'exercice des activités”;

(3) by replacing paragraph 2 with the following:

“(2) vendor, lessor or repairer of movable property;”;

(4) by replacing the words “la profession” in paragraphs 3 and 4 of the French version with the words “l'exercice des activités”.

3. Section 4 of the Regulation is amended:

(1) by replacing paragraph 1 with the following:

“(1) he must demonstrate availability and diligence;”;

(2) by replacing the words “held by him” in paragraph 2 with the words “held by him as an independent representative”.

4. Section 5 of the Regulation is amended:

(1) by deleting the words “non-pecuniary” and “, with the exception of benefits or property of low value” in the first paragraph;

(2) by deleting the third paragraph.

5. Section 6 of the Regulation is replaced by the following:

“6. A representative in insurance of persons must, before completing an insurance proposal or offering an insurance of persons product containing an investment component, including an individual variable insurance contract, analyze the needs of the purchaser, or those of the insured, with the purchaser.

Therefore, depending on the product, the representative in insurance of persons must analyze with the purchaser, in particular, the policies or contracts in effect held by such purchaser or the insured, as the case may be, the features thereof, the name of the issuing insurers, the purchaser's investment objectives, risk tolerance and financial knowledge, and all other necessary elements such as the income, financial situation, number of dependants, and personal and family obligations of the purchaser.

The representative in insurance of persons must record the information gathered for such analysis in a dated document. A copy of the document must be given to the purchaser no later than on the date the policy is delivered.”.

6. Section 7 of the Regulation is repealed.

7. Section 8 of the Regulation is amended:

(1) by replacing subparagraph 2 with the following:

“(2) an estimate of the number of hours required to complete the mandate;”;

(2) by deleting the words “offered by the financial planner” in the second paragraph;

(3) by inserting the following after the second paragraph:

“This mandate must be dated and signed by the financial planner and given to the client.”.

8. The Regulation is amended by inserting the following after section 8:

“8.1. No representative in group insurance may render services or offer products in such capacity directly to the policyholder unless he enters into a written agreement with the client which, as a minimum, specifies the following:

(1) the identification of the policyholder and the person designated as the policyholder's contact person;

(2) the nature and scope of the mandate specifying, as a minimum, the following:

(a) the needs analysis;

(b) in the case of calls for tenders pertaining to one or more insurance products, a comparison of guarantees, including costs and any differences noted;

(c) where an insurance contract is renewed, the description of the existing plan and an analysis of group experience.

No agreement entered into may oblige the policyholder to purchase a financial product or service.

This mandate must be dated and signed by the representative. The representative must always give a copy of the mandate to the policyholder or the person designated as his contact person."

9. Section 9 of the Regulation is amended by adding the word "financière" after the word "planification" in the French version.

10. The Regulation is amended by inserting the following after section 9:

"**9.1.** A representative in group insurance must, when rendering services or offering products in such capacity, give a written report of his recommendations to the person designated as the policyholder's contact person."

11. Section 10 of the Regulation is replaced by the following:

"**10.** Upon first meeting a client, a representative must give the client a document, such as a business card, which indicates the following:

(1) the representative's name;

(2) the representative's main business address, business telephone number and electronic mail address, if any;

(3) the name of the firm or independent partnership on whose behalf the representative is acting or the description "independent representative", as the case may be;

(4) the titles under An Act respecting the distribution of financial products and services which the representative is authorized to use in respect of the firm or independent

partnership on whose behalf he is acting or the titles under such Act which he is authorized to use as an independent representative, as the case may be."

12. Section 11 of the Regulation is amended:

(1) by replacing, in the introductory portion of section 11, the words "may also include the following" with the words "or any other written representation may contain other information, provided such information is not likely to cause confusion, is related to the pursuit of activities as a representative and is not incompatible with those activities, including the following";

(2) by deleting paragraphs 1 and 2;

(3) by replacing paragraph 3 with the following:

"(3) the representative's education and qualifications as well as the titles he holds based on such education and qualifications;"

13. Section 12 of the Regulation is amended by replacing the first paragraph with the following:

"Where the representative deals with the client from a distance, he must communicate to the client the items referred to in paragraphs 1, 3 and 4 of section 10."

14. Section 14 of the Regulation is amended by adding, in the introductory portion of section 14 after the words "or representation that", the words "may cause confusion or that".

15. Section 16 of the Regulation is amended:

(1) by replacing the words "including an endowment contract, the representative must give to the client a document, printed in at least 10-point Bookman Old Style font or its equivalent," in the introductory portion of section 16 with the words "the representative must give to the client, no later than on the date the policy is delivered, a legible document";

(2) by deleting paragraph 6.

16. Section 18 of the Regulation is amended by deleting the words "including serious or critical-illness insurance contracts" in the first paragraph.

17. Section 22 of the Regulation is amended:

(1) by deleting paragraph 1;

(2) by replacing paragraph 2 with the following:

“(2) complete, prior to or at the same time as the insurance proposal, the form set out in Schedule I if it is in the interests of the policyholder or the insured to replace one contract with another;”;

(3) by replacing the words “give the form, once completed, to the insured or the policyholder and explain the form to such insured or policyholder” in paragraph 3 with the words “explain the content of the form to the policyholder”;

(4) by inserting the following after paragraph 3:

“(3.1) give to the policyholder a copy of the form completed and signed by the representative within 5 working days of the signing of the proposal;”;

(5) by replacing the words “completed form” in paragraph 4 with the words “form completed and signed by the representative”.

18. Section 23 of the Regulation is repealed.

19. Section 28 of the Regulation is replaced by the following:

“**28.** A damage insurance broker or agent is authorized to act, exceptionally, as a claims adjuster pursuant to section 46 of An Act respecting the distribution of financial products and services under the following conditions and circumstances:

(1) his pursuit of activities as a claims adjuster must be incidental to the pursuit of activities as a damage insurance broker or agent;

(2) he must comply with the rules governing the activities of a claims adjuster, with the necessary modifications;

(3) he must disclose, in writing, to each client with whom he transacts business the type of remuneration he receives for services rendered as a claims adjuster.”.

20. Schedule I of the Regulation is replaced by the following:

“SCHEDULE I
(section 22)

Notice No.: _____
The Notice number is the same as the proposal
number.

Notice of Replacement of Insurance of Persons Contract

IMPORTANT MESSAGE FOR CONSUMERS

Read the following before you terminate your insurance contract.

1. Read the needs analysis prepared by your representative.

Among other things, it outlines your current and future needs, your objectives and your ability to pay the insurance premium.

Verify that your representative has taken the necessary steps to retain or modify your existing contract.

2. Read this replacement notice prepared by your representative. After reading the notice and your representative's explanations, determine whether or not you still wish to replace your existing insurance contract with the proposed contract.

If you decide to replace your contract, instruct your representative to proceed with the replacement. Your representative will give you a copy of the notice, signed by him, and will forward a copy to any insurer concerned within 5 days of the signing of the proposal. **This notice is not a contract and does not terminate your insurance.**

You must sign the notice and initial each page of the document no later than on the date the new policy is delivered. Before signing, make sure that the information contained in the document is the same as that on the copy your representative has already given you.

3. Read the insurance proposal prepared by your representative. The signed copy sent to the insurer is confirmation of your application to purchase insurance. On receipt, the insurer will determine whether or not to insure you.

4. Read the insurance contract you receive from the insurer that has accepted your insurance proposal. If you are satisfied, you can terminate your former contract, since your new contract will be in effect.

Termination of contract

You may terminate the purchase of your new insurance contract at any time before it is issued. In addition, most insurers allow clients 10 days in which to terminate the contract at no charge. Ask your representative if you are eligible to do so.

To contact the AMF Information Centre:

www.lautorite.qc.ca

Telephone:

Québec City: 418-525-0337

Montréal: 514-395-0337

Toll-free: 1-877-525-0337

Important documents to read

To replace an insurance contract, your representative must complete several documents and explain them to you:

- Needs analysis
- Notice of replacement of insurance contract
- Insurance proposal

You will subsequently receive your insurance contract, as applicable.

Date:

Client's initials: _____

Notice No.: _____

IMPORTANT MESSAGE FOR INSURANCE OF PERSONS REPRESENTATIVES

You must encourage the client to maintain an insurance contract in effect, unless it is in the interests of the policyholder or the insured to replace the contract.

This replacement notice helps your client make an informed decision by allowing him to compare the advantages and disadvantages of replacing the contract.

Nonetheless, you are responsible for providing your client, fully and objectively, with the explanations he needs to make an informed decision.

You must complete this notice if you are proposing that a client replace his insurance contract.¹

Here is some useful information regarding this notice:

- You must explain each point to your client.
- Your client must sign the notice no later than on the date the policy is delivered.
- The notice number and insurance proposal number must be the same. It must appear at the top of each page of this notice.
- If the proposed insurance contract is replacing more than one contract, a replacement notice must be completed for each replaced contract. The number on each replacement notice must correspond to the number on the insurance proposal, followed by a figure (e.g., proposal number 1, proposal number 2).
- You must give a copy of this replacement notice to the policyholder.
- You must send a copy of this notice to the insurer whose contract is being replaced, within 5 working days of the signing of the insurance proposal.
- You must keep a copy of this notice signed by your client.

1. Division VII of the *Regulation respecting the pursuit of activities as a representative (R.R.Q., c. D-9.2, r. 10)* - *An Act respecting the distribution of financial products and services*.

Important documents to explain to the client

To replace an insurance contract, you must complete several documents and explain them to the client:

- Needs analysis
- Notice of replacement of insurance contract
- Insurance proposal

The client must subsequently receive his insurance contract, as applicable.

To contact the AMF Information Centre:

www.lautorite.qc.ca

Telephone:

Québec City: 418-525-0337

Montréal: 514-395-0337

Toll-free: 1-877-525-0337

Notice No.: _____

Notice of replacement of insurance of persons contract	
<i>If you need extra space, add pages, clearly indicating the Part number and the notice number. Both you and your client must initial each page.</i>	
PART 1 – General information	
Policyholder Person purchasing the contract.	_____ Date of birth: _____ Last name and first name Day Month Year
	_____ Date of birth: _____ Last name and first name Day Month Year
	_____ Date of birth: _____ Last name and first name Day Month Year
Insured (if different from Policyholder)	_____ Date of birth: _____ Last name and first name Day Month Year
Other insureds Other persons covered by the replaced contract who will also be covered under the proposed contract.	_____ Last name and first name
	_____ Last name and first name
	_____ Last name and first name
Cancelled insureds Other persons covered by the replaced contract who will not be covered under the proposed contract and who will therefore no longer be insured.	_____ Last name and first name Type of coverage: _____ Amount: _____
	_____ Last name and first name Type of coverage: _____ Amount: _____
Additional insureds Other persons who are not insured under the replaced contract but who will be covered under the proposed contract.	_____ Last name and first name Type of coverage: _____ Amount: _____
	_____ Last name and first name Type of coverage: _____ Amount: _____

Client's initials: _____

Notice No.: _____

PART 1 – General information (cont.)		
Indicate all insurance contracts replaced by the proposed contract	Policy No.	Date in effect
	_____	_____
		Day Month Year
	_____	_____
	Day Month Year	Day Month Year
	Day Month Year	Day Month Year
Insurance contract	Existing	Proposed
Name of insurer		
Nature of insurance Life, critical illness, disability, etc. (specify type: term, permanent, universal life, etc.)		
If joint insurance, payable on	1st death <input type="checkbox"/> 2nd death <input type="checkbox"/>	1st death <input type="checkbox"/> 2nd death <input type="checkbox"/>
Date in effect		Not applicable
Benefit amount Amount paid on occurrence of covered risk		
• List amount(s).		
Amount of annual premium		
Indemnity period / Waiting period		
Comments Use this section for any additional information, such as whether or not the benefits and premiums indicated above are fixed or guaranteed, the premiums payable in 10 years, at a specific age, etc.		

Notice No.: _____

IMPORTANT MESSAGE FOR CONSUMERS	
Incontestable clause	
<p>When death occurs within two years of the date on which the contract comes into effect, the insurer may refuse to pay the death benefit if information regarding the insured's health or lifestyle was incomplete, inaccurate or omitted. An insurer may refuse to pay the death benefit if it can prove that the insured intended to commit fraud.</p> <p>The two-year incontestable clause may not generally be transferred from one contract to another. Therefore, the validity of a new contract may sometimes be contested, whereas the former contract may have been incontestable.</p> <p>By replacing an insurance contract, you may lose this advantage, since the two-year incontestable period begins on the day on which the proposed contract comes into effect.</p> <p>In disability insurance, this clause does not apply if the disability occurs within two years of the date the proposed contract comes into effect.</p> <p>Expiry date of incontestable clause</p> <p>Proposed contract: <input type="text"/> year(s) after the contract comes into effect</p> <p>_____</p> <p style="text-align: center;">Day Month Year</p> <p>Replaced contract: _____</p> <p style="text-align: center;">Day Month Year</p> <p>Read and signed by policyholder: _____ Date: _____</p> <p style="text-align: right;">Day Month Year</p>	<p><input type="checkbox"/> Not applicable</p> <p>Representative's initials:</p> <p>_____</p>
Suicide clause	
<p>When death is by suicide and occurs within two years of the date on which the contract comes into effect, the insurer will not usually pay the death benefit. Generally, the validity of a clause providing for payment of the death benefit despite suicide may not be transferred from one contract to another.</p> <p>By replacing an insurance contract, you may lose this advantage, since the two-year suicide period begins on the day on which the proposed contract comes into effect.</p> <p>Expiry date of suicide clause</p> <p>Proposed contract: <input type="text"/> year(s) after the contract comes into effect</p> <p>_____</p> <p style="text-align: center;">Day Month Year</p> <p>Replaced contract: _____</p> <p style="text-align: center;">Day Month Year</p> <p>Read and signed by policyholder: _____ Date: _____</p> <p style="text-align: right;">Day Month Year</p>	<p><input type="checkbox"/> Not applicable</p> <p>Representative's initials:</p> <p>_____</p>

Notice No.: _____

PART 2 – Reasons for replacement

2.1 Explain why the existing insurance contract does not meet your client's needs.

2.2 Explain how the proposed contract better meets your client's needs.

2.3 Explain the disadvantages for your client of replacing his contract (additional exclusions, higher premium, extra premium, etc.).

2.4 Explain why you are not modifying your client's existing contract.

Notice No.: _____

PART 2 – Reasons for replacement (cont.)

2.5 Explain the financial impact of the replacement (e.g., redemption fees, cash surrender value [guaranteed or non-guaranteed], cancellation fees, premiums, tax considerations, policyholder dividends, registration as an RRSP, forthcoming dividend payment).

2.6 Explain the differences between complementary or optional guarantees under the existing contract and the proposed contract (waiver of premiums, guarantee of insurability, other endorsements, additional or fewer guarantees, variations in equivalent or similar guarantees, etc.).

Comments

Autorité des marchés financiers – Notice of replacement of insurance of persons contract

Page 7 of 8

Client's initials: _____

Notice No.: _____

PART 3 – Signature of policyholder

Having read and understood the notice,

I, _____, the undersigned,

Policyholder's first and last name

wish to replace my existing insurance contract no. _____

and subscribe to the following new insurance contract _____

(Name of policy)

Date: _____

Signature of policyholder(s)

Day Month Year

PART 4 – Signature of representative			
I have explained to my client, fully and objectively, the type of insurance, as well as the advantages and disadvantages of replacing his existing insurance contract. A copy of this notice will be sent to the insurer of the replaced insurance contract.			
Representative			
_____	_____	_____	_____
Representative's last name and first name	Certificate No.	Telephone	Signature
Representative			
_____	_____	_____	_____
Representative's last name and first name	Certificate No.	Telephone	Signature
Supervisor			
_____	_____	_____	_____
Supervisor's last name and first name	Certificate No.	Telephone	Signature
Trainee			
_____	_____	_____	_____
Trainee's last name and first name	Certificate No.	Telephone	Signature

Autorité des marchés financiers – Notice of replacement of insurance of persons contract

Page 8 of 8

Client's initials:

_____”

21. Schedule II of the Regulation is repealed.

22. The forms sold by the Authority for purposes of paragraph 2 of section 22 as it read on the date of the coming into force of this Regulation may be used until 22 October 2014 to replace an insurance of persons contract, in accordance with Division VII of the Regulation respecting the pursuit of activities as a representative (R.R.Q., c. D-9.2, r. 10).

23. This Regulation comes into force on 22 October 2013.

Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships

An Act respecting the distribution of financial products and services (chapter D-9.2, s. 223, pars. (6), (8), (11) and (13.1))

1. The Regulation respecting firms, independent representatives and independent partnerships (chapter D-9.2, r. 2) is amended by inserting the following after section 11:

“**11.1.** The firm or independent partnership may not introduce any incentives that could have an influence on the performance of the obligations of a representative to the detriment of his client.

A contest or promotion to sell specific products is deemed to have such influence.

The firm or independent partnership may however provide non-pecuniary benefits that are of a promotional nature and of low value where such benefits are not sufficiently material, in value or frequency, to have an influence on the performance of the obligations of a representative to the detriment of his client.”

2. Section 17 of the Regulation is amended:

(1) by deleting the words “or real estate brokerage” and “, where necessary” in the introductory portion of section 17;

(2) by replacing subparagraph 2 with the following:

“(2) the client’s address, telephone number, and facsimile number or electronic mail address, if any;”;

(3) by replacing the word “prévus” in subparagraph 8 of the French version with the word “prévues”;

(4) by replacing subparagraph 9 with the following:

“(9) a copy of the form completed and signed, at the time of replacement of an insurance policy, where applicable, as prescribed in Division VII of the Regulation respecting the pursuit of activities as a representative (chapter D-9.2, r. 10);”;

(5) by inserting the following after subparagraph 9:

“(10) a copy of the documents prescribed in sections 8, 9 and 16 of the Regulation respecting the pursuit of activities as a representative.”

3. Section 20 of the Regulation is amended:

(1) by deleting the words “, where necessary” in the introductory portion of section 20;

(2) by inserting the following after paragraph 3:

“(4) a copy of the mandate and report prescribed in sections 8.1 and 9.1 of the Regulation respecting the pursuit of activities as a representative (chapter D-9.2, r. 10).”

4. Section 21 of the Regulation is amended by deleting the words “, where necessary” in the introductory portion of section 21.

5. The Regulation is amended by inserting the following after section 28:

“§7. *Register of incentives*

“**28.1.** A firm or independent partnership must keep a register of the incentives that it introduces.

The firm or independent partnership must provide in such register a description of the terms and conditions of each incentive introduced, including its duration, related benefits, applicable products or services, a description of the group of representatives concerned and the names of the winners.”

6. This Regulation comes into force on 22 October 2013.

2888

Draft Regulations

Notice

An Act respecting collective agreement decrees
(chapter D-2)

Security guards — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour has received an application from the contracting parties to amend the Decree respecting security guards (chapter D-2, r. 1) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree amends the bonuses, increases the wage rates and allows the division of the annual vacation.

The consultation period will specify the extent of the impact of the amendments applied for.

Further information regarding the draft Decree may be obtained by contacting:

Louis-Philippe Roussel
Direction des politiques du travail
Ministère du Travail
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Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

MANUELLE OUDAR,
Deputy Minister of Labour

Decree to amend the Decree respecting security guards

An Act respecting collective agreement decrees
(chapter D-2, ss. 2 and 6)

1. The Decree respecting security guards (chapter D-2, r. 1) is amended by striking out the part preceding DIVISION 1.00.

2. The Decree is amended by inserting the following Division before DIVISION 1.00:

“DIVISION 0.00 CONTRACTING PARTIES

0.01. The contracting parties to this Decree are the following:

(1) for the employer party: Association provinciale des agences de sécurité (A.P.A.S.);

(2) for the union party: Union des agents de sécurité du Québec, Métallos local 8922.».

3. Section 1.01 is amended

(1) by adding the following after subparagraph 2.1 of the first paragraph:

“(2.2) “office of the employer”: address of the place of business of the employer as listed in the register of enterprises;”;

(2) by adding the following in subparagraph 6 of the first paragraph and after paragraph c:

“(d) benefit paid to a guard who is assigned to a health care institution and who, at the request of the customer of the employer, is required to intervene physically with persons in the normal and customary performance of his duties;”;

(3) by inserting “or employer” in subparagraph 7 of the first paragraph after “customer”;

(4) by striking out subparagraph 10.1 of the first paragraph;

(5) by replacing “P-9” in subparagraph 10.2 of the first paragraph by “P-8”;

(6) by replacing “P-10” in subparagraph 10.3 of the first paragraph by “P-9”;

(7) by adding the following after subparagraph 10.3 of the first paragraph:

“(10.4) “P-10 premium”: benefit paid to a guard whose customer or employer requires a certificate from the Joint Sector-Based Construction Association on Occupational Health and Safety;”;

(8) by striking out “, on horseback” in paragraph *f* of subparagraph 20 of the first paragraph.

4. Section 3.12 is amended by adding the following paragraph at the end:

“An employee who is assigned to guard privately a patient in a hospital environment is replaced during his lunch break, except in case of emergency.”.

5. Section 4.07 is amended by replacing the table by the following:

“

	As of 2013 07 24	As of 2014 06 29	As of 2015 06 28	As of 2016 07 03	As of 2017 07 02
Class A employee	\$15.66	\$16.14	\$16.59	\$17.04	\$17.49
Class B employee	\$15.91	\$16.39	\$16.84	\$17.29	\$17.74
Premiums					
P-1 premium*	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35
P-2 premium*	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55
P-3 premium*	\$1.25	\$1.25	\$1.25	\$1.25	\$1.25
P-4 (a) premium*	\$0.40	\$0.40	\$0.40	\$0.40	\$0.40
P-4 (b) premium*	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20
P-5 premium*	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50
P-6 premium*	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50
P-7 premium*	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
P-8 premium*	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55
P-9 premium*	\$0.15	\$0.15	\$0.15	\$0.15	\$0.15
P-10 premium*	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10

* More than one premium at the same time may be applicable.

”.

6. Section 5.01 is amended by replacing “30 June 2009” in the third paragraph by “[insert the date of coming into force of this Decree]”.

7. Section 5.02 is amended by adding the following paragraph at the end:

“Subject to section 5.06, the annual vacation can be divided into periods of 1 week.”

8. Section 5.06 is amended by replacing “periods” by “or 3 periods of 1 week”.

9. Section 8.01 is amended by replacing “\$0.45” wherever it appears by “\$0.50”.

10. Section 8.02 is amended

(1) by replacing “au vêtement féminin” in the third paragraph by “en vêtement féminin” in the French text;

(2) by inserting the following paragraph after the fourth paragraph:

“For regular A-01 employees, the annual renewal of the uniform is made with new clothes.”

11. Section 9.01 is amended by replacing “1 July 2012” and “year 2012” by “2 July 2017” and “year 2017”, respectively.

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

2893

Notice

An Act respecting collective agreement decrees (chapter D-2)

Security guards — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Government, after consulting the Comité paritaire des agents de sécurité and in accordance with sections 6 and 8 of the Act, intends to amend the Decree respecting security guards (chapter D-2, r. 1).

Notice is also given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree excludes from the jurisdiction of the Decree respecting security guards, employees involved in the operation of a parking lot, except where, as part of their duties, they monitor, watch or protect, where applicable, persons, property or premises mainly to prevent theft, fire and vandalism. Every person who engages in such activities regardless of whether or not it is the person’s main duties is subject to the decree.

The consultation period will specify the extent of the impact of the amendments applied for.

Further information may be obtained by contacting

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

MANUELLE OUDAR,
Deputy Minister of Labour

Decree to amend the Decree respecting security guards

An Act respecting collective agreement decrees (chapter D-2, ss. 2, 6 and 8)

1. The Decree respecting security guards (chapter D-2, r. 1) is amended in section 2.03 by replacing paragraph 7 by the following:

“(7) employees involved in the operation of a parking lot, except where, as part of their duties, they monitor, watch or protect persons, property or premises mainly to prevent theft, fire and vandalism;”

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

2895

Draft Minister's Order

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of proposed biodiversity reserve status to land located on Île aux Lièvres, in the St. Lawrence estuary, and establishment of the plan of that area and its conservation plan

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Order respecting the assignment of proposed biodiversity reserve status to land located on Île aux Lièvres, in the St. Lawrence estuary, and the establishment of the plan of that protected area and its conservation plan, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Order sets aside, in accordance with the Natural Heritage Conservation Act (chapter C-61.01), for a period of four years, as Réserve de biodiversité projetée de l'Île-aux-Lièvres, land located on Île aux Lièvres, in the St. Lawrence estuary, in Municipalité de Saint-André, in the Kamouraska area. That assignment of status is to render applicable the activities framework provided for in the Act and in the conservation plan drawn up for that area in respect of land designated in the plan that accompanies it.

The activities framework is provided for in Division 3 of the proposed conservation plan of the Réserve de biodiversité projetée de l'Île-aux-Lièvres appearing below. The activities framework is based, in general, on the provisions contained in the Amendments to the conservation plans for the proposed biodiversity and aquatic reserves made by Order in Council 136-2008 dated 20 February 2008.

Further information on the draft Order, the conservation plan of the Réserve de biodiversité projetée de l'Île-aux-Lièvres and the plan of the proposed boundaries for that reserve may be obtained by contacting Patrick Beauchesne, Director, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 4^e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4783; fax: 418 646-6169; email: patrick.beauchesne@mdefp.gouv.qc.ca

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

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Order of the Minister of Sustainable Development, Environment, Wildlife and Parks

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of proposed biodiversity reserve status to land located on Île aux Lièvres, in the St. Lawrence estuary, and establishment of the plan of that area and its conservation plan

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT, WILDLIFE AND PARKS,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING section 28 of the Act under which the setting aside of land under the first paragraph of section 27 is valid for a period of not more than four years, subject to renewals or extensions, which may not be such that the term of the setting aside exceeds six years, unless so authorized by the Government;

CONSIDERING Order in Council 646-2013 dated 19 June 2013 by which the Government authorized the Minister of Sustainable Development, Environment, Wildlife and Parks to assign the status of proposed biodiversity reserve to land located on Île aux Lièvres, in the St. Lawrence estuary, to prepare the plan of that area and to establish the conservation plan of the Réserve de biodiversité projetée de l'Île-aux-Lièvres;

CONSIDERING the land's outstanding features, given the marine and coastal biodiversity of the St. Lawrence estuary, and for ecotourism activities;

ORDERS AS FOLLOWS:

The status of proposed biodiversity reserve, the plan of that area and its conservation plan being those attached to this Minister's Order, is assigned to the land located on Île aux Lièvres, in the St. Lawrence estuary;

The status is assigned for a period of four years beginning on the fifteenth day following the date of publication of this Minister's Order in the *Gazette officielle du Québec*.

Québec, 9 July 2013

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de l'Île-aux- Lièvres

Conservation plan



June 2013

1. Protection status and toponym

The protection status of the territory described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (chapter C-61.01).

The permanent protection status planned is that of “biodiversity reserve” under the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de l'Île-aux-Lièvres” The official toponym will be determined when the territory is given permanent protection status.

2. Plan and description

2.1 Geographic location, boundaries and dimensions

The boundaries and location of Réserve de biodiversité projetée de l'Île-aux-Lièvres are shown on the plan in Appendix.

Île aux Lièvres is located in the upper estuary of the St. Lawrence with Saint-Siméon to the north and Rivière-du-Loup to the south. It is about 8 km from both shores and has a length of 13 km and a width of no more than 1.6 km. Its centre lies approximately at 47° 51' north latitude and 69° 43' west longitude. It is the largest uninhabited island of the St. Lawrence.

The Réserve de biodiversité projetée de l'Île-aux-Lièvres is in the Bas-Saint-Laurent administrative region. It belongs to the territory of the municipality of Saint-André in the Kamouraska regional county municipality and is contiguous to the Saguenay-St. Lawrence Marine Park.

Île aux Lièvres has a total surface area of 8.5 km². It has been owned entirely by the Société Duvetnor Ltée since 1986. In December 2012, the Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs (MDDEFP) acquired lots 24, 25, 26, 27, 28, 29, 30, 31 (except for the observation tower), 47, 48, 49, 51 and 52, which cover 793 hectares of land. The MDDEFP also acquired all the rights that the Société Duvetnor Ltée held on the registered flat (lot 23) surrounding the island and covering approximately 270 hectares. Lot 50, on which are located the accommodations infrastructure, is still fully owned by the Société Duvetnor Ltée.

2.2 Ecological overview

Île aux Lièvres is part of a group of islands forming a chain and including Île Aux Fraises, Île Blanche and the three islands making up the Pot à l'Eau-de-Vie. This chain is a shoal that runs

along the river's longitudinal axis, measuring about 25 km in length and covering about 1,400 ha. Approximately 440 ha of this total are flats and 960 ha are island bodies.

The bedrock of Île aux Lièvres consists of clay shales that locally contain beds of conglomerate, limestone, orthoquartzite and feldspathic sandstone. These shales are covered by a thin layer of unconsolidated deposits of coastal origin. The soils are shallow and there is an abundance of rock outcrops. The maximum land altitude is 86 meters.

Most of Île aux Lièvres is covered by balsam fir white birch with the exception of the higher areas. The island's forest cover was affected by a fire in 1922, intensive logging in the early 1950s and several outbreaks of spruce budworm between 1975 and 1985.

The island's shrub flora is relatively poor because of the abundance of snowshoe hares and due to grazing on woody species composing this stratum, which consists primarily of balsam fir, white birch, trembling aspen, red-osier dogwood, mooseberry and Canada yew.

Of the 50 species of forest birds inhabiting the island, the most abundant are the Swainson's thrush, white-throated sparrow, bay-breasted warbler, American robin, Nashville warbler, fox sparrow and Tennessee warbler. Several species of diurnal or nocturnal birds of prey have been observed there including: the northern saw-whet owl, eastern screech-owl, great horned owl, barred owl, northern goshawk, sharp-shinned hawk, osprey, merlin and northern harrier. The ruffed grouse, introduced in 1990 and 1991, is now ubiquitous.

With the exception of the occasional presence of the red fox, the only terrestrial mammals inhabiting the island are snowshoe hares, muskrats, meadow voles and deer mice. Little brown bats have likewise been observed.

The Île aux Lièvres flats are highly frequented by the estuary's wildlife. The flats are an important habitat for breeding common eider ducklings in addition to being a site widely used by grey seals and harbour seals and a significant herring spawning site.

The pass located southwest of Île aux Lièvres is reportedly frequented by Atlantic herring during the spawning period as well as by species of forage fish such as capelin and sandlance. The area proves to be a highly attractive biological crossroads in the upper estuary of the St. Lawrence, particularly in late spring and early summer for belugas and several species of marine birds (common eiders, scoters, razorbills, black guillemots, etc.). In the spring, Île aux Lièvres is a favourite migratory stopover for brants and numerous shorebirds.

Île aux Lièvres is one of twenty islands between Kamouraska and the confluence of the Saguenay and St. Lawrence. The islands and marine area separating them are of major importance for marine

and coastal wildlife. The location and size of Île aux Lièvres make it key to the conservation of wildlife in the St. Lawrence estuary.

2.3 Land occupation and uses

Lot 50, which belongs to the Société Duvetnor Ltée, is the port of entry to the island and the proposed biodiversity reserve. There is a six-room inn, four rental cottages, two residences for employees, a sani-station, garage (workshop), small cafe, wind turbine, several solar panels, septic systems and equipment for drinking water supply. There is also a campground called La Plage with nine sites. The entire infrastructure is located within 500 m of the reception area.

The Société Duvetnor Ltée offers ecotourism activities such as hiking and wilderness camping. The island (including lot 50) has a 45 km network of trails in all. The proposed biodiversity reserve has three campgrounds with a total of 13 sites. The first campground, called Les Cèdres, includes seven sites and is located in the centre of the island on the north shore, slightly more than 4 km from the reception area. A second campground called L'Anse à la Boule has three sites. It is located in the centre of the island on the south shore, slightly more than 4 km from the reception area. A third campground called Les Bélugas has three sites and is about 12 km from the reception area.

3. Activities framework

§ 1. Introduction

§1.1 Foreword

Activities carried on within the Réserve de biodiversité projetée de l'Île-aux-Lièvres are governed mainly by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited by the Act and provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed biodiversity reserve. Accordingly, certain activities require the prior authorization of the Minister. The permitted and prohibited activities considered for the period that follows the assignment of permanent status by the Government are the same with the necessary adjustments to take into account the application of section 46 of the Act.

Under the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity reserve has been assigned are:

- mining, and gas or petroleum development;
- forest development activity within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1); and

- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§1.2 Management of the proposed biodiversity reserve

The Minister may, on the conditions the Minister determines, entrust any natural person or legal person established in the public interest or for a private interest with all or any of the Minister's powers relating to the management of the proposed biodiversity reserve.

The Minister, on the conditions the Minister determines, entrusts the management of the Réserve de biodiversité projetée de l'Île-aux-Lièvres to Société Duvetnor Ltée.

§ 2. Prohibitions, prior authorizations and other conditions governing certain activities in the proposed reserve

§2.1 Protection of resources and the natural environment

3.1. Every person who enters the proposed reserve or stays, travels or engages in an activity in the proposed reserve must first obtain authorization from the Minister or a manager designated by the Minister.

3.2. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna into the reserve, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

3.3. No person may use fertilizer or fertilizing material in the proposed biodiversity reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, made by Order in Council 468-2005 dated 18 May 2005 and amended by Order in Council 709-2008 dated 25 June 2008.

3.4. No person may, unless the person has been authorized by the Minister,

- (1) carry out a wildlife intervention;
- (2) intervene in a wetland area, including a marsh, swamp or bog;

- (3) modify the natural drainage or water regime of the proposed reserve, including by creating or developing watercourses or bodies of water;
- (4) dig, fill, obstruct or divert a watercourse or body of water;
- (5) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water;
- (6) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed biodiversity reserve, including by discharging or dumping waste or pollutants into the watercourse or body of water;
- (7) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (8) install or erect any structure, infrastructure or new works;
- (9) reconstruct or demolish an existing structure, infrastructure or works;
- (10) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;
- (11) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (12) carry on educational activities, strategic environmental assessment activities or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (13) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed biodiversity reserve at the same time; no authorization may be issued by the Minister if the activity involves motor vehicle traffic, unless it has been shown to the Minister that it is impossible to organize the activity elsewhere or that bypassing the proposed biodiversity reserve is highly unfeasible.

3.5. Despite subparagraphs 5, 7, 8, 9 and 10 of section 3.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves:

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a campsite, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of an appurtenance or ancillary facility of a rough shelter, shelter or campsite such as a shed, well, water intake or sanitary facilities;

(c) the demolition or reconstruction of a campsite, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities; or

(d) the installation of a floating wharf by the manager designated by the Minister, provided that the manager holds the authorization required under the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1).

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed biodiversity reserve;

(b) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

3.6. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister or in another place with the authorization of the Minister or the manager authorized by the Minister.

§2.2 Rules of conduct for users

3.7. Every person staying, carrying on an activity or travelling in the proposed biodiversity reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.8. Every person who makes a campfire must:

(1) first clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible material;

(2) ensure that the fire is at all times under the immediate supervision of a person on the premises; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.9. In the proposed biodiversity reserve, no person may:

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other users or interferes with their enjoyment of the premises; or
- (3) harass wildlife.

For the purposes of subparagraphs 1 and 2 of the first paragraph, behaviour that significantly disturbs other persons and constitutes unusual or abnormal conditions for the carrying on of an activity or for the permitted use of property, a device or an instrument within the proposed biodiversity reserve is considered excessive or undue.

3.10. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed biodiversity reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

3.11. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister or the manager designated by the Minister within the proposed biodiversity reserve.

§2.3 Activities requiring an authorization

3.12. No person may occupy or use the same site in the proposed biodiversity reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

- i. staying or settling in the proposed reserve, including for vacation purposes;
- ii. installing a camp or shelter in the proposed reserve; and
- iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

3.13. (1) No person may carry on forest development activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

(2) Despite paragraph 1, persons staying or residing in the proposed reserve who harvest wood to make a campfire in the open are exempted from obtaining an authorization from the Minister.

An authorization from the Minister is not required to harvest firewood for domestic purposes when

(a) the wood is harvested to supply a trapping camp or rough shelter permitted within the proposed reserve:

i. if the harvest is carried out in accordance with the conditions of the forest management permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources under the Sustainable Forest Development Act;

ii. if the amount of wood harvested per year does not exceed 7 m³;

(b) in other cases:

i. if the harvest is carried out in a sector accepted by the Minister of Natural Resources as a sector that may be subject to the issuance of forest management permits for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act, provided that sector has already been accepted by the Minister on the date on which the protection status as a proposed reserve takes effect;

ii. if the harvest is carried out by a person who, on the date on which the protection status as a proposed reserve takes effect, or during the three preceding years, held a permit for the harvest of firewood for domestic purposes that enabled the person to harvest wood in the proposed reserve;

iii. if the harvest is carried out in accordance with the conditions of the forest management permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources under the Sustainable Forest Development Act.

3.14. No person may carry on commercial activities within the proposed biodiversity reserve, unless the person has been authorized by the Minister.

§2.4 Authorization exemption

3.15. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4. Activities governed by other laws

Certain activities likely to be carried on within the reserve are also governed by other legislative and regulatory provisions, including provisions that require the issue of a permit or authorization or the payment of fees. Certain activities may also be prohibited or limited by other laws or regulations that are applicable within the proposed biodiversity reserve.

A special legal framework can provide cohesion concerning permitted activities, especially in connection with the following matters:

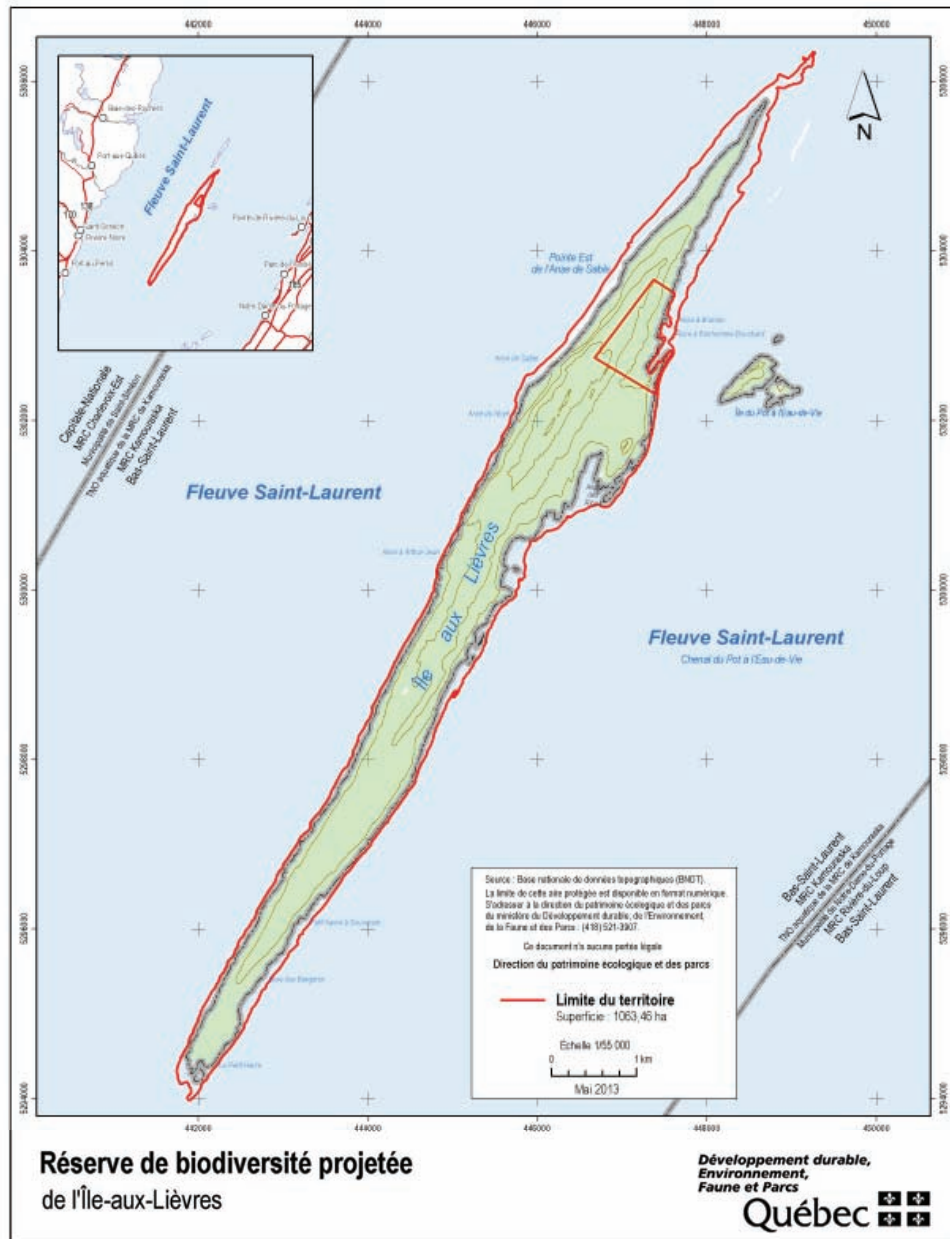
- Environmental protection: measures set out in particular in the Environment Quality Act (chapter Q-2) and its regulations;
- Species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (chapter E-12.01) prohibiting the removal of such species;
- Development and conservation of wildlife resources: measures set out in the Act respecting the conservation and development of wildlife and its regulations (chapter C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, in particular fishery regulations;
- Archeological research and finds: measures set out in particular in the Cultural Heritage Act (chapter P-9.002);
- Access and land rights related to the domain of the State: measures set out in the Act respecting the lands in the domain of the State (chapter T-8.1) and in the Watercourses Act (chapter R-13);
- Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State and in the regulation on motor vehicle traffic in certain fragile environments enacted pursuant to the Environment Quality Act;
- Construction and layout standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

5. Responsibilities of the Minister of Sustainable Development, Environment, Wildlife and Parks

The conservation and management of Réserve de biodiversité projetée de l'Île-aux-Lièvres are the responsibility of the Minister of Sustainable Development, Environment, Wildlife and Parks, who is therefore responsible for the monitoring and control of activities permitted there. In managing the reserve, the Minister works with the collaboration and participation of other government representatives having specific responsibilities in or adjacent to the territory, such as the Minister of Natural Resources. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has now been granted them. No additional conservation measure is planned at this point. Regarding zoning, the conservation objectives for the temporary protection period are the same for the entire area, the proposed reserve being only one conservation area.

Appendix

Plan of the Réserve de biodiversité projetée de l'Île-aux-Lièvres



Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Sûre-la-Montagne Nature Reserve — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Hérouxville, Regional County Municipality of Mékinac, known and designated as a part of the lot number 4 400 489 of the Quebec cadastre, Shawinigan registry division. This property covering an area of 12,824 hectares.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks,

2894

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

	Page	Comments
Assignment of proposed biodiversity reserve status to land located on Île aux Lièvres, in the St. Lawrence estuary, and establishment of the plan of that area and its conservation plan. (Natural Heritage Conservation Act, chapter C-61.01)	2040	Draft
Collective agreement decrees, An Act respecting... — Security guards (chapter D-2)	2037	Draft
Collective agreement decrees, An Act respecting... — Security guards (chapter D-2)	2039	Draft
Distribution of financial products and services, An Act respecting the... — Firms, independent representatives and independent partnerships (chapter D-9.2)	2023	M
Distribution of financial products and services, An Act respecting the... — Pursuit of activities as a representative. (chapter D-9.2)	2023	M
Firms, independent representatives and independent partnerships. (An Act respecting the distribution of financial products and services, chapter D-9.2)	2023	M
Natural Heritage Conservation Act — Assignment of proposed biodiversity reserve status to land located on Île aux Lièvres, in the St. Lawrence estuary, and establishment of the plan of that area and its conservation plan (chapter C-61.01)	2040	Draft
Natural Heritage Conservation Act — Sûre-la-Montagne Nature Reserve — Recognition (chapter C-61.01)	2055	Notice
Pursuit of activities as a representative (An Act respecting the distribution of financial products and services, chapter D-9.2)	2023	M
Security guards. (An Act respecting collective agreement decrees, chapter D-2)	2037	Draft
Security guards. (An Act respecting collective agreement decrees, chapter D-2)	2039	Draft
Sûre-la-Montagne Nature Reserve — Recognition. (Natural Heritage Conservation Act, chapter C-61.01)	2055	Notice

