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Part

2

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Laws and Regulations

Volume 145

Summary

Table of Contents
Coming into force of Acts
Regulations and other Acts
Draft Regulations
Treasury Board
Notices
Index

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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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Table of Contents

Page

Coming into force of Acts

1133-2013	Governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions, An Act respecting the... — Coming into force of the provisions of the Act	3259
-----------	--	------

Regulations and other Acts

	Agreement concerning the testing of new polling formalities	3261
--	---	------

Draft Regulations

	Environment Quality Act — Financial guarantees payable for the operation of a residual organic materials reclamation facility.	3265
	Société des alcools du Québec, An Act respecting the... — Possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada	3269

Treasury Board

213341	Pension Plan of Management Personnel, An Act respecting the... — Regulation (Amend.)	3271
213342	Government and Public Employees Retirement Plan, An Act respecting the... — Regulation (Amend.)	3272
213343	Pension Plan of Peace Officers in Correctional Services, An Act respecting the... — Regulation (Amend.)	3274

Notices

	David-Schwartz Nature Reserve — Recognition	3277
--	---	------

Coming into force of Acts

Gouvernement du Québec

O.C. 1133-2013, 6 November 2013

**An Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23)
— Coming into force of the provisions of the Act**

COMING INTO FORCE of the provisions of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions

WHEREAS the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23) was assented to on 30 October 2013;

WHEREAS section 169 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the dates of coming into force of the provisions of the Act;

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

THAT 6 November 2013 be set as the date of coming into force of sections 96, 97, 104 to 111, 118 to 126, 137 to 139, 141 and 169 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23);

THAT 13 November 2013 be set as the date of coming into force of sections 1 to 10, 14 to 95, 98 to 103, 112 to 117, 127 to 136, 140 and 142 to 168 of the Act;

THAT 1 December 2014 be set as the date of coming into force of sections 11 to 13 of the Act.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulations and other Acts

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 sections 132 and 300 of the
Election Act (chapter E-3.3), polling stations located in
the offices of returning officers and advance polling stations
must be accessible to handicapped persons;

WHEREAS pursuant to section 303 of the Election
Act, polling stations on polling day must be accessible
to handicapped persons; however, if the returning officer
is unable to establish a polling station in a place that is
accessible, he or she must obtain authorization from the
Chief Electoral Officer;

WHEREAS the returning officers visited the voting
places in September 2013 at the request of the Chief
Electoral Officer, in order to prepare a status report on
their accessibility;

WHEREAS the Chief Electoral Officer has observed
that the obsolescence of certain buildings that will serve
as polling places will make access difficult;

WHEREAS the current provisions of the Election Act
do not allow electors to vote in a place other than the one
in which the polling station for the polling subdivision of
their domicile is located;

WHEREAS the Chief Electoral Officer wishes to avail
himself of section 489 of the Election Act in order to rec-
ommend to the leaders of the authorized parties repre-
sented in the National Assembly that a new method of
voting should be tested, in order to allow a returning offi-
cer to issue an authorization to vote to a elector whose
mobility is impaired and whose polling station is located
in a voting place that is not accessible on polling day;

WHEREAS the recommendation of the Chief Electoral
Officer has been accepted by the four leaders of author-
ized 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 method
of voting, whereby an elector whose polling station is
located in an inaccessible voting place on polling day may
obtain an authorization to vote that would allow him to
vote in another accessible voting place in his electoral
division.

3. AMENDMENTS TO THE ELECTION ACT

3.1 Section 340 of the Election Act (chapter E-3.3) is amended by adding the following subparagraph at the end of the first paragraph:

“(7) whose mobility is impaired and whose voting place is not accessible on polling day”.

3.2 Section 490 of the Act is amended by adding the following paragraph at the end:

“This section applies to an agreement entered into by the leaders of the authorized parties represented in the National Assembly and the Chief Electoral Officer, pursuant to section 489.”

4. AMENDMENTS TO VOTING REGULATION

4.1 Section 9 of the Voting Regulation (chapter E-3.3, r. 17) is amended by inserting the following paragraph after the first paragraph:

“The authorization to vote stipulated in the first paragraph may also be issued to an elector whose mobility is impaired and whose voting place is not accessible on polling day.”

4.2 Form 50 of the Voting Regulation, as adapted by the Chief Electoral Officer pursuant to section 35 of the Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17) and section 88 of the Act to amend the Election Act and other legislative provisions (2008, chapter 22) is replaced by the following form:

« FORM 50

**Election Act
(chapter E-3.3, s. 340)****AUTORIZATION TO VOTE**

Electoral Division:

Polling Subdivision:

- I attest that the revised list of electors for the said polling subdivision of the electoral division contains the following entry:
- I attest the following name was erroneous during the transcription of the decision of the board of revisors:
- I attest that the following elector was struck the list of electors due to an error with the identity of another elector:
- I attest that the following elector has left his domicile to ensure his safety or that of his children:
- I attest that the elector is an election officer in the electoral division in which he is domiciled, that he is entered on the list of electors of said electoral division, but that his name does not appear on the list of electors of one of the polling stations of the place where he is performing his duties on polling day:
- I attest that the elector is entered on the list of electors for the polling subdivision of the address of his domicile, but that the voting place at which he must vote on polling day is not accessible to persons whose mobility is impaired:

Name_____
Domiciliary address_____
Sex_____
Date of birth

Signed at _____

this _____, 20 _____.

Returning Officer

OR

Assistant Returning Officer

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 Québec, on 6 November 2013

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

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 Montréal, on 28 October 2013

PIERRE-PAUL ST-ONGE,
Leader of Québec solidaire

In Québec, on 8 November 2013

— 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.

JACQUES DROUIN,
Chief Electoral Officer of Québec

3094

7. EFFECT AND DURATION OF THE AGREEMENT

This agreement comes into force on the date of the last signature and shall be applicable to every general election or by-election that is ordered after it comes into force.

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

In Québec, on 5 November 2013

PAULINE MAROIS,
Leader of The Parti Québécois

In Québec, on 7 November 2013

PHILIPPE COUILLARD,
Leader of The Quebec Liberal Party

Draft Regulations

Draft Regulation

Environment Quality Act
(chapter Q-2)

Operation of a residual organic materials reclamation facility — Financial guarantees

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 respecting financial guarantees payable for the operation of a residual organic materials reclamation facility, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to ensure the performance of the obligations with which the operators of residual organic materials reclamation facilities must comply under the Environment Quality Act or its regulations. To that end, the draft Regulation proposes that the operation of such facilities be conditional on the setting up of a financial guarantee.

Subject to exceptions provided for therein, the draft Regulation applies to every facility in which any category of residual organic materials listed is reclaimed and whose operation requires obtaining a certificate of authorization under section 22 of the Environment Quality Act. In the case of an existing reclamation facility, a time period is granted to the operator to set up the guarantee.

The draft Regulation establishes the rules concerning the calculation of the amount of the financial guarantee payable. It also provides for the various forms of the guarantee and the specific conditions to be met according to the form of guarantee chosen.

Lastly, the draft Regulation provides for the conditions on which a financial guarantee may be used and the administrative or penal sanctions applicable in case of non-compliance with the requirements provided for therein.

The draft Regulation imposes an additional financial load on the residual organic materials reclamation industry. However, it will allow the industry to structure itself on solid and credible operators. It will also give the Minister of Sustainable Development, Environment,

Wildlife and Parks adequate financial means should the Minister be required to intervene to solve environmental problems linked to the operation of a reclamation facility.

Further information may be obtained by contacting

Alain Lavoie, Head
Service des matières résiduelles
Direction des matières résiduelles et des lieux
contaminés
Ministère du Développement durable, de
l'Environnement, de la Faune et des Parcs
Édifice Marie-Guyart
675, boulevard René-Lévesque Est, 9^e étage, boîte 71
Québec (Québec) G1R 5V7
Telephone: 418 521-3950, extension 4803
Fax: 418 644-3386
Email: alain.lavoie1@mddefp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Alain Lavoie at the above address.

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

Regulation respecting financial guarantees payable for the operation of a residual organic materials reclamation facility

Environment Quality Act
(chapter Q-2, s. 53.30, 1st par., subpar. 4, and ss. 115.27
and 115.34)

CHAPTER I PRELIMINARY

1. This Regulation applies to residual organic materials reclamation facilities whose operation requires obtaining a certificate of authorization pursuant to section 22 of the Environment Quality Act (chapter Q-2).

A facility in which one or more of the following residual organic materials are sorted, transferred, stored or treated for the purpose of obtaining, from the materials, useful elements or products or energy is considered a residual organic materials reclamation facility:

- (1) food, agri-food and marine waste;
- (2) green residue such as grass, leaves or horticultural residues, except farm plant residue;
- (3) municipal wastewater sludge, industrial putrescible sludge, slaughterhouse sludge or agri-food sludge;
- (4) paper, cardboard or absorbent fibres soiled by food, human waste or “livestock waste” within the meaning of the Agricultural Operations Regulation (chapter Q-2, r. 26);
- (5) compostable waxed paper and cardboard;
- (6) “livestock waste” within the meaning of the Agricultural Operations Regulation (chapter Q-2, r. 26) or farm products;
- (7) digestate or compost from the materials listed above.

2. Despite the provisions of section 1, this Regulation does not apply to the following reclamation facilities:

(1) a residual organic materials sorting, storage or treatment facility operated as part of an industrial or commercial activity other than residual materials reclamation where both of the following conditions are met:

(a) the facility is situated on the site where the activity involved is carried out;

(b) the operator of the facility is authorized to reclaim in the facility only residual organic materials generated by the operator’s activity or to receive at the facility a quantity of exogenous residual organic materials equal to or less than 2,000 tonnes per year;

(2) a facility for storing livestock waste or farm products where the facility is part of a raising site or is located on a spreading site;

(3) a residual organic materials storage facility where the three following conditions are met:

(a) the facility is part of a “raising site” or is located on a “spreading site” within the meaning of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(b) the residual organic materials storage capacity authorized for the site concerned is equal to or less than 4,000 cubic metres;

(c) the residual organic materials stored are intended solely for agricultural spreading;

(4) a facility for the biological treatment of residual organic materials where the authorized yearly treatment capacity is equal to or less than 2,000 tonnes of residual organic materials per year;

(5) a facility for the biological treatment of livestock waste or farm products, operated as part of an agricultural activity in any of the following cases:

(a) the operator of the facility is authorized to treat in the facility only livestock waste or farm products;

(b) in addition to livestock waste or farm products, the operator of the facility is authorized to treat in the facility other residual organic materials in a proportion that does not exceed 25% of the yearly treatment capacity of the facility concerned;

(6) a facility for biological treatment by biomethanation operated as part of the operation of municipal wastewater treatment works, where the operator of the facility is not authorized to receive at the facility organic materials other than sludge generated by the works concerned.

CHAPTER II SETTING UP AND USE OF FINANCIAL GUARANTEE

3. The operation of a residual organic materials reclamation facility is conditional on the setting up of a financial guarantee to ensure the performance of obligations with which the operator of the facility must comply under the Environment Quality Act (chapter Q-2) and its regulations.

It is incumbent upon the operator of the facility to take the measures required to maintain the guarantee provided for the whole period of operation of the facility and for an additional 12-month period beginning,

(1) on the date of the cessation of operations for any reason whatsoever; or

(2) on the date of transfer of the certificate of authorization provided for in section 22 of the Environment Quality Act (chapter Q-2) pertaining to the facility,

whichever occurs first.

4. The financial guarantee may be set up by the operator of the reclamation facility or by a third person on behalf of the operator. It must be provided at least 60 days before the facility starts operating.

5. The amount of the financial guarantee is calculated on the basis of the principal use of the reclamation facility in accordance with the following table:

Principal use of the reclamation facility	Amount of the financial guarantee
Sorting	\$100,000 + \$100/tonne for the quantity in excess of 1,000 tonnes ¹
Transfer	\$100,000
Storage	\$100,000 + \$100/cubic metre for the quantity in excess of 1,000 cubic metres ²
Biological treatment ³ where the yearly treatment capacity authorized for the facility is	
— more than 2,000 tonnes without exceeding 5,000 tonnes	\$15/tonne
— more than 5,000 tonnes without exceeding 50,000 tonnes	\$75,000 + \$20/tonne for the quantity in excess of 5,000 tonnes
— more than 50,000 tonnes	\$975,000 + \$25/tonne for the quantity in excess of 50,000 tonnes
Thermal treatment	
— where the facility is operated as part of an industrial or commercial activity other than the reclamation of residual materials and the operator is authorized to receive at the facility for treatment more than 2,000 tonnes of exogenous residual organic materials	1% of capital costs of the facility multiplied by the percentage ⁴ of exogenous residual organic materials that the operator is authorized to receive for treatment per year — minimum \$200,000 — maximum \$4,000,000
— any other cases	1% of capital costs of the reclamation facility — minimum \$200,000 — maximum \$4,000,000

¹ The amount of the guarantee is calculated on the basis of the total yearly capacity of residual materials that the operator is authorized to receive at the operator's facility.

² The amount of the guarantee is calculated on the basis of the total capacity of residual organic materials authorized for the facility concerned.

³ In the case of a biological treatment facility operated as part of an industrial or commercial activity other than the reclamation of residual materials, the amount of the guarantee is calculated on the basis of the yearly treatment capacity authorized for the facility less the quantity of residual organic materials generated by the activity.

In the case of a facility for biological treatment by biomethanation operated as part of the operation of municipal wastewater treatment works, the amount of the guarantee is calculated on the basis of the yearly treatment capacity authorized for the facility less the quantity of sludge generated by the municipal wastewater treatment works.

⁴ The percentage is calculated according to the following formula, where "ROM" means "residual organic materials":

$$\frac{\text{Quantity of exogenous ROM authorized (tonnes/year)} - 2,000 \text{ tonnes/year}}{\text{Total quantity of residual materials authorized for the facility (tonnes/year)}} \times 100$$

6. Except in the case of a transfer facility, the amount of the financial guarantee is reviewed where the certification of authorization provided for in section 22 of the Environment Quality Act (chapter Q-2) related to the reclamation facility is modified or renewed.

In the case where the amount of a guarantee already provided is less than the amount calculated under the first paragraph, an additional guarantee must be provided to the Minister at least 60 days before the facility begins operating on the conditions of the new certificate.

7. The financial guarantee may be provided in the form of

(1) a bank draft or a certified cheque made out to the Minister of Finance;

(2) debt securities in Canadian dollars issued or guaranteed by the Gouvernement du Québec or any other government in Canada having a market value at least 10% greater than the amount of the guarantee calculated in accordance with section 5;

(3) a security, with a stipulation of solidarity, taken with a legal person governed by the Act respecting insurance (chapter A-32), the Act respecting financial services cooperatives (chapter C-67.3) or the Bank Act (S.C. 1991, chapter 46); or

(4) an irrevocable letter of credit issued by a legal person referred to in the previous paragraph.

8. A financial guarantee in the form of a bank draft, certified cheque or debt securities must be deposited with the Minister of Finance pursuant to the Deposit Act (chapter D-5).

9. A financial guarantee provided in the form of a security or an irrevocable letter of credit must have a term of not less than 12 months and proof of its renewal or a new guarantee must be provided to the Minister not less than 60 days before the expiry of the guarantee.

The guarantee must contain a clause setting at not less than 12 months after its the rescission or expiry the time available to the Minister to file a claim with the legal person who issued the guarantee.

The guarantee must also provide that its rescission or amendment may take effect only if prior notice of at least 60 days is sent by registered or certified mail to the Minister.

10. Subject to the law applicable in Québec, a financial guarantee provided in the form of an irrevocable letter of credit must comply with the rules of the International

Chamber of Commerce related to documentary credits or stand-by letters of credit as the rules read on the day of coming into force of the guarantee.

11. The Minister uses the financial guarantee provided by the operator of a reclamation facility in all cases where the operator, despite a notice to remedy the failure, refuses or fails to execute an obligation with which the operator must comply under the Environment Quality Act (chapter Q-2) or its regulations.

The guarantee may be used to pay or reimburse expenses related to the performance of the obligation involved.

CHAPTER III ADMINISTRATIVE AND PENAL SANCTIONS

12. An administrative monetary sanction of \$500 in the case of a natural person or \$2,500 in all other cases may be imposed to the operator of a reclamation facility that, in contravention of this Regulation, fails to

(1) provide the Minister with a financial guarantee complying with the requirements of this Regulation; or

(2) maintain a financial guarantee for the period provided for in the second paragraph of section 3.

13. The operator of a reclamation facility that fails to

(1) provide the Minister with a financial guarantee complying with the requirements of this Regulation, or

(2) maintain a financial guarantee for the period provided for in the second paragraph of section 3,

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

CHAPTER IV TRANSITIONAL AND FINAL

14. Every person who, on (insert the date of coming into force of this Regulation), operates a reclamation facility must provide the Minister, not later than (insert the date occurring 60 days before the date that occurs 3 years after the date of coming into force of this Regulation), with a financial guarantee complying with the requirements of this Regulation.

If the amount of the guarantee is greater than \$3,000,000, the amount is reduced to \$3,000,000 until (insert the date before the date occurring 5 years after the date of coming into force of this Regulation).

15. Every person who begins operating a reclamation facility between (insert the date of coming into force of this Regulation) and (insert the date before the date occurring 60 days after the coming into force of this Regulation), must provide the Minister with a financial guarantee complying with the requirements of this Regulation within 60 days following the beginning of the operation of the facility.

16. The operator of a reclamation facility who, contrary to this Regulation, has failed to provide the Minister with a financial guarantee in accordance with the conditions prescribed by section 14 or 15,

(1) may be imposed a monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in all other cases;

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

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

3091

Draft Regulation

An Act respecting the Société des alcools du Québec (chapter S-13)

Alcoholic beverages — Possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Made under section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), the purpose of the draft Regulation is to determine the conditions on which a person may bring into Québec alcoholic beverages acquired in another province or a territory of Canada for his or her personal consumption, and to prescribe the quantities of alcohol that are authorized.

Further information on the draft Regulation may be obtained by contacting Lucie Lépine, Director, Organisation financière et sociétés d'État, Ministère des Finances et de l'Économie, 12, rue Saint-Louis, bureau B-22, Québec (Québec) G1R 5L3; telephone: 418 528-2410; fax: 418 644-5801; email: lucie.lepine@mfeq.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Finance and Economy, 12, rue Saint-Louis, Québec (Québec) G1R 5L3.

NICOLAS MARCEAU
Minister of Finance
and the Economy

STÉPHANE BERGERON,
Minister of Public Security

Regulation respecting the possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada

An Act respecting the Société des alcools du Québec (chapter S-13, s. 37, par. 9.2)

1. Alcoholic beverages acquired in another province or a territory of Canada may be brought into Québec by every person having the right to purchase and possess them under the Act respecting offences relating to alcoholic beverages (chapter I-8.1) when they are intended for his or her personal consumption and not for resale or any other commercial purpose, if they are in the person's possession or form part of the baggage transported by the person.

2. The maximum quantities of alcoholic beverages per trip that a person may bring into Québec are the following:

- (1) 3 litres of spirits;
- (2) 9 litres of wine;
- (3) 24.6 litres of beer.

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

3092

Treasury Board

Gouvernement du Québec

T.B. 213341, 5 novembre 2013

An Act respecting the Pension Plan
of Management Personnel
(chapter R-12.1)

Regulation — Amendment

Regulation to amend the Regulation under the Act
respecting the Pension Plan of Management Personnel

WHEREAS, under section 174 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the rate of contribution applicable to the plan each year is determined according to the rules, terms and conditions prescribed by regulation and the rate is based on the result of the actuarial valuation referred to in the first paragraph of section 171 of the Act and is adjusted from 1 January following the receipt by the Minister of the report of the independent actuary and, for the two subsequent years, from 1 January of each year;

WHEREAS, under subparagraph 18 of the first paragraph of section 196 of the Act, the Government may, by regulation, establish, for the purposes of section 174 of the Act, the rate of contribution applicable to the plan each year, according to the rules, terms and conditions prescribed by the regulation;

WHEREAS the Minister received the report of the independent actuary on 23 October 2013;

WHEREAS the most recent actuarial valuation of the pension plan indicates that the rates of contribution applicable for the years 2014, 2015 and 2016 should be adjusted;

WHEREAS, under subparagraph 23.1 of the first paragraph of that section 196, amended by section 59 of chapter 9 of the Statutes of 2013, the Government may, by regulation, for the purposes of section 204 of the Act respecting the Pension Plan of Management Personnel, amended by section 61 of that same chapter 9, determine for a given period the rules and procedures for determining the rates

of interest in Schedule VII to the Act respecting the Pension Plan of Management Personnel according to the rates of return on certain categories of amounts referred to in section 177 of the Act and designated by the regulation, and the rules and procedures for determining the rates of interest in Schedule VIII to the Act according to an external index designated by the regulation;

WHEREAS, under subparagraph 24 of the first paragraph of section 196 of the Act, the Government may, by regulation, establish, for the purposes of section 206 of the Act, the other conditions for computing the interest on contributions within the meaning of section 73 of the Act;

WHEREAS, under the first paragraph of that section 196, the Government exercises the regulatory powers provided for therein after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 196.2 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1) by its decision dated 24 May 2005 (C.T. 202420);

WHEREAS it is expedient to amend the Regulation;

WHEREAS consultations were held;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached hereto, is hereby made.

MARIE-CLAUDE RIOUX,
La greffière du Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel (chapter R-12.1, ss. 174, 196, 1st par., subpars. 18, 23.1 and 24; 2013, c. 9, s. 59)

1. The Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1) is amended by revoking section 11.1.

2. Section 17 is amended by replacing “The annual rate of interest in Schedule VII to the Act” by “The interest rate in Schedule VII to the Act, applicable from 1 June of a given year to 31 May of the following year.”

3. Section 18 is amended by replacing “specific fund” by “employees’ contribution fund”.

4. Section 19 is replaced by the following:

“**19.** The interest rate in Schedule VIII to the Act is applicable from 1 June of a given year to 31 May of the following year. The rate is established by determining the arithmetic mean, for the 12-month period ending on 31 December of the preceding year, of the nominal rates of interest on negotiable bonds issued by the Government of Canada for a term of 3 to 5 years as compiled by Statistics Canada and published in the *Bank of Canada Review* under the identification No. V-122485 in the CANSIM System.”

5. Schedules I.1 and I.2 are replaced by the following:

“SCHEDULE I. 1 (s. 11)

RATE OF CONTRIBUTION RESULTING FROM THE ACTUARIAL VALUATION

Year	Rate of contribution resulting from the actuarial valuation
2014	20.11%
2015	20.11%
2016	20.11%

SCHEDULE I. 2 (s. 11)

APPLICABLE RATE OF CONTRIBUTION

Year	Rate of contribution to the plan
2014	14.38%
2015	14.38%
2016	14.38%

6. The heading of Schedule II is amended by replacing “RATE OF INTEREST” by “COMPUTATION OF THE INTEREST RATE”.

7. Schedule III is amended by replacing:

“SCHEDULE III (s. 20.1)

The interest rate applicable to the contributions referred to in section 20.1” by the following:

“SCHEDULE III (s. 20.1)

INTEREST RATE

Pursuant to section 20.1, the interest rate applicable to contributions referred to in subparagraph 1 of the first paragraph of section 206 of the Act”.

8. This Regulation comes into force on 1 January 2014.

3088

Gouvernement du Québec

T.B. 213342, 5 novembre 2013

An Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 22.4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10),

amended by section 54 of chapter 9 of the Statutes of 2013, the Government may, by regulation, for the purposes of section 217 of the Act respecting the Government and Public Employees Retirement Plan, amended by section 57 of the same chapter 9, determine for a given period the rules and procedures for determining the rates of interest in Schedule VI to the Act respecting the Government and Public Employees Retirement Plan according to the rates of return on certain categories of amounts referred to in section 127 of the Act and designated by the regulation, and the rules and procedures for determining the rate of interest in Schedule VII to the Act according to an external index also designated by the regulation;

WHEREAS, under subparagraph 24 of the first paragraph of section 134 of the Act, the Government may, by regulation, determine, for the purposes of section 219 of the Act, the other conditions for computing the interest on contributions within the meaning of section 50 of the Act;

WHEREAS, under the first paragraph of section 134 of the Act, the Government exercises the regulatory powers provided for therein after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the consultations have been held;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached hereto, is hereby made.

MARIE-CLAUDE RIOUX,
La greffière du Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(chapter R-10, s. 134, 1st par., subpars. 22.4 and 24; 2013, c. 9, s. 54)

1. The Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) is amended in section 46.6 by replacing “The annual rate of interest in Schedule VI to the Act” by “The rate of interest in Schedule VI to the Act, applicable from 1 June of a given year to 31 May of the following year.”

2. Section 46.8 is replaced by the following:

“**46.8.** The rate of interest in Schedule VII to the Act is applicable from 1 June of a given year to 31 May of the following year. The rate is established by determining the arithmetic mean, for the 12-month period ending on 31 December of the preceding year, of the nominal rates of interest on negotiable bonds issued by the Government of Canada for a term of 3 to 5 years as compiled by Statistics Canada and published in the *Bank of Canada Review* under the identification No. V-122485 in the CANSIM System.”

3. Schedule VI is amended by replacing the following:

“**SCHEDULE VI**
(s. 49.1)

The interest rate applicable to the contributions referred to in section 49.1” by the following:

“**SCHEDULE VI**
(s. 49.1)

RATE OF INTEREST

Pursuant to section 49.1, the rate of interest applicable to contributions referred to in subparagraph 1 of the first paragraph of section 219 of the Act”.

4. This Regulation comes into force on 1 January 2014.

3089

* The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, G.O. 2, 4154), was last amended by the regulation made by Order in Council 1104-2013 dated 30 October 2013. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2013, updated to 1 July 2013.

Gouvernement du Québec

T.B. 213343, 5 novembre 2013

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(chapter R-9.2)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS the first paragraph of section 42 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) provides that the employer must, except for a pensioner who, even if the pensioner holds pensionable employment under the Pension Plan of Peace Officers in Correctional Services, under the Government and Public Employees Retirement Plan or under the Pension Plan of Management Personnel, is not an employee within the meaning of the Pension Plan of Peace Officers in Correctional Services, withhold each year from the pensionable salary paid to each employee and, if applicable, in the case of a pensioner or a person who ceased to be a member of the plan, from the pensionable salary mentioned in section 9.1 of the Act or a lump sum mentioned in section 11 of the Act, an amount equal to the result of applying the contribution rate established by regulation under section 128 of the Act to that part of the pensionable salary which exceeds 25% of the lesser of the pensionable salary and the maximum pensionable earnings within the meaning of the Act respecting the Québec Pension Plan (chapter R-9);

WHEREAS section 128 of the Act respecting the Pension Plan of Peace Officers in Correctional Services provides that the Government may, by regulation, revise the rate of contribution applicable to the plan from 1 January of each year on the basis of the result of the actuarial valuation referred to in the first paragraph of section 126 of the Act;

WHEREAS, under subparagraph 9 of the first paragraph of section 130 of the Act, the Government may, by regulation, establish, in accordance with section 128 of the Act, the new contribution rate;

WHEREAS the actuarial valuation was sent to the Minister responsible for the application of the Act on 15 November 2012;

WHEREAS it is expedient to revise the contribution rate applicable from 1 January 2014 and the rate applicable from 1 January 2015;

WHEREAS the third paragraph of section 42 of the Act provides that the employer must, in respect of the employee who has qualified for membership in the Pension Plan of Peace Officers in Correctional Services and holds pensionable employment under the second paragraph of section 6 of the Act, add to the contribution rate determined under the first and second paragraphs of that section 42 an additional contribution rate determined by regulation;

WHEREAS the second paragraph of section 147.10 of the Act provides that the additional contribution rate provided for in the third paragraph of section 42 of the Act is equal to 1% from 1 January 2005 until a new rate is established by regulation;

WHEREAS no new additional contribution rate has been established since;

WHEREAS, under subparagraph 3.2 of the first paragraph of section 130 of the Act, the Government may, by regulation, determine an additional contribution rate for the purposes of the third paragraph of section 42 of the Act;

WHEREAS it is expedient to establish the additional contribution rate applicable for the years 2014 and 2015 respectively and the additional contribution rate applicable from 1 January 2016;

WHEREAS, under subparagraph 7.3.1.1 of the first paragraph of that section 130, the Government may, by regulation, for the purposes of section 74.0.1 of the Act, determine for a given period the rules and procedures for determining the rates of interest in Schedule II of the Act according to the rates of return on certain categories of amounts referred to in section 134 of the Act and designated by the regulation, and the rules and procedures for determining the rates of interest in Schedule III of the Act according to an external index designated by the regulation;

WHEREAS, under subparagraph 7.3.1 of the first paragraph of that section 130, the Government has established by regulation, for the purposes of section 72 of the Act, the other conditions for computing the interest on the contributions, and, with regard to those conditions, following the passage of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions (2013, chapter 9), consequential amendments must be made to replace references to Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) by references to Schedules II and III of the Act respecting the Pension Plan of Peace Officers in Correctional Services;

WHEREAS, under the first paragraph of that section 130, the Government exercises the regulatory powers provided for therein after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 139.3 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) by Order in Council 1842-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS consultations were held;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached hereto, is hereby made.

MARIE-CLAUDE RIOUX,
La greffière du Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(chapter R-9.2, s. 42, 1st and 3rd pars., s. 128, s. 130, 1st par., subpars. 3.2, 7.3.1., 7.3.1.1 and 9)

1. The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) is amended in section 7.18.1 by replacing “VI to the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2)” by “I”.

2. Section 7.18.2 is amended by replacing “VI and VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” by “II and III of the Act”.

3. The following chapter is inserted after section 7.18.2:

**“CHAPTER VII.2.2
DETERMINATION OF THE RATES OF INTEREST
(s. 130, 1st par., subpar. 7.3.1.1)**

**DIVISION I
RATE OF INTEREST ACCORDING TO THE RATES
OF RETURN**

7.18.3. The rate of interest in Division II of Schedule II to the Act, applicable from 1 June of a given year to 31 May of the following year, is determined by computing the geometrical mean of the annual rates of return for the 3-year period ending on 31 December of the year preceding the reference year, according to the formula in Schedule II.

7.18.4. The annual rate of return is the rate determined by the Caisse de dépôt et placement du Québec as of 31 December of each year, taking into account the categories of amounts referred to in subparagraphs 1, 2, 3 and 5 of the first paragraph of section 134 of the Act, for the employees' contribution fund under the Pension Plan of Peace Officers in Correctional Services, after deduction of the management expenses.

Despite the foregoing, the annual rates of return for the years 2011, 2012 and 2013 where any of the rates is used to compute the geometrical mean referred to in section 7.18.3, are the rates determined by the Caisse de dépôt et placement du Québec as of 31 December of each of those years, taking into account the categories of amounts referred to in subparagraphs 1, 2 and 4 of the first paragraph of section 127 of the Act respecting the Government and Public Employees Retirement Plan, for the employees' contribution fund under that plan, after deduction of the management expenses.

**DIVISION II
RATE OF INTEREST ACCORDING TO
AN EXTERNAL INDEX**

7.18.5. The rate of interest in Schedule III to the Act is applicable from 1 June of a given year to 31 May of the following year. The rate is determined by computing the arithmetic mean, for the 12-month period ending on 31 December of the preceding year, of the nominal rates of interest on negotiable bonds issued by the Government of Canada for a term of 3 to 5 years as compiled by Statistics Canada and published in the Bank of Canada Review under the identification No. V-122485 in the CANSIM System.”

4. The heading of Chapter VIII.I is replaced by the following:

“RATE OF CONTRIBUTION
(s. 130, 1st par., subpars. 3.2, 7.3 and 9)”.

5. Section 8.0.2 is amended by adding the following paragraph at the end:

“From 1 January 2014, and from 1 January of each subsequent year, the rate of contribution provided for in the first paragraph of section 42 of the Act is the rate in Schedule III.”.

6. The following section is added after section 8.0.3:

“**8.0.4.** From 1 January 2014, the additional rate of contribution provided for in the third paragraph of section 42 of the Act is the rate in Schedule IV, for the period indicated therein.”.

7. Chapter XI is revoked.

8. The following Schedules are added at the end.

“**SCHEDULE I**
(s. 7.18.1)

RATE OF INTEREST

Under section 7.18.1, the rate of interest applicable to the contributions referred to in subparagraph 1 of the second paragraph of section 72 of the Act corresponds to rate I determined according to the following formula:

$$I = [(1+i_1)^{nb1/365} \times (1+i_2)^{nb2/365}]^{1/2} - 1, \text{ where}$$

i_1 represents the rate of interest in Schedule II to the Act applicable at the beginning of the employee’s period of membership until the earlier of the following dates: the date of the end of the period of application of the rate of interest, the date of the end of the period of membership or 31 December of the year concerned;

nb1 represents the number of days during which the rate of interest represented by the variable i_1 is applicable;

i_2 represents, where the employee’s period of membership ends on a date later than the date of the end of the period of application of the rate of interest represented by the variable i_1 , the rate of interest in Schedule II to the Act applicable on the day following the end of the period of application until the earlier of the following dates: the date of the end of the period of membership or 31 December of the year concerned;

nb2 represents the number of days during which the rate of interest represented by the variable i_2 is applicable.

Where the period of membership ends on a date prior to the date of the end of the period of application of the rate of interest represented by the variable i_1 , the term $(1+i_2)^{nb2/365}$ is equal to 1.

SCHEDULE II

(s. 7.18.3)

COMPUTATION OF THE RATE OF INTEREST

The formula for the computation of the rate of interest for the reference year is the following:

$$i_y = ((1 + T_{y-1}) (1 + T_{y-2}) (1 + T_{y-3}))^{1/3} - 1, \text{ where:}$$

T_{y-1} represents the rate of return for the year preceding the reference year

T_{y-2} represents the rate of return for the year preceding the reference year by 2 years

T_{y-3} represents the rate of return for the year preceding the reference year by 3 years

SCHEDULE III

(s. 8.0.2)

RATE OF CONTRIBUTION

Year	Rate
2014	8.3%
2015	9.3%

SCHEDULE IV

(s. 8.0.4)

ADDITIONAL RATE OF CONTRIBUTION

Period	Rate
1 January to 31 December 2014	1.5%
1 January to 31 December 2015	2%
From 1 January 2016	2.5%”.

9. This Regulation comes into force on 1 January 2014.

3090

Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

David-Schwartz 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 of the area of 46,43 hectares, situated on the territory of the Municipality of Bolton-Ouest, Regional County Municipality Brome-Missisquoi, known and designated as a part of the lot number 315 and a part of the lot number 316 of the township of Bolton cadastre, Brome Champlain Registry division.

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,

3086

Index

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

	Page	Comments
Agreement concerning the testing of new polling formalities (Election Act, chapter E-3.3)	3261	N
Alcoholic beverages — Possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada (An Act respecting the Société des alcools du Québec, chapter S-13)	3269	Draft
David-Schwartz Nature Reserve — Recognition (Natural Heritage Conservation Act, chapter C-61.01)	3277	Notice
Election Act — Agreement concerning the testing of new polling formalities (chapter E-3.3)	3261	N
Environment Quality Act — Financial guarantees payable for the operation of a residual organic materials reclamation facility (chapter Q-2)	3265	Draft
Financial guarantees payable for the operation of a residual organic materials reclamation facility (Environment Quality Act, chapter Q-2)	3265	Draft
Governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions, An Act respecting the... — Coming into force of the provisions of the Act (2013, chapter 23)	3259	
Government and Public Employees Retirement Plan, An Act respecting the... — Regulation (chapter R-10)	3272	M
Natural Heritage Conservation Act — David-Schwartz Nature Reserve — Recognition (chapter C-61.01)	3277	Notice
Pension Plan of Management Personnel, An Act respecting the... — Regulation (chapter R-12.1)	3271	M
Pension Plan of Peace Officers in Correctional Services, An Act respecting the... — Regulation (chapter R-9.2)	3274	M
Société des alcools du Québec, An Act respecting the... — Alcoholic beverages — Possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada (chapter S-13)	3269	Draft

