

Gazette
officielle

^{DU}
Québec

Part

2

No. 30

23 July 2014

Laws and Regulations

Volume 146

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

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2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.26 per copy.

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Regulations and other Acts

M.O., 2014

**Order of minister of Sustainable Development,
Environment and the Fight Against Climate Change
dated 9 July 2014**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of temporary protection status as proposed biodiversity reserve to land of the Charlevoix region, for a period of 4 years, and establishment of a plan and a conservation plan of the area

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

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, such as a park, 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, which provided that, unless the Government authorizes a longer period, the setting aside of land under 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 1199-2013 dated 20 November 2013 authorizing the Minister of Sustainable Development, Environment, Wildlife and Parks to assign the temporary protection status of proposed biodiversity reserve to land of the Charlevoix region, to draw a plan of the area and to establish the conservation plan of the Réserve de biodiversité projetée de la Côte-de-Charlevoix;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 15 January 2014, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft conservation plan and a draft Order concerning the assignment of temporary protection status as proposed biodiversity reserve to land of the Charlevoix region with a notice that they could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that the period has expired and no comments were received;

CONSIDERING the important ecological and heritage value of the land, which is particularly known for the presence of species of flora and fauna of interest and remarkable natural landscapes;

ORDERS AS FOLLOWS:

The temporary protection status as proposed biodiversity reserve is assigned to land of the Charlevoix region for a period of 4 years beginning on the fifteenth day following the date of publication of this Minister's Order in the *Gazette officielle du Québec*;

The plan of the Réserve de biodiversité projetée de la Côte-de-Charlevoix, attached to this Minister's Order, is drawn;

The conservation plan of the Réserve de biodiversité projetée de la Côte-de-Charlevoix, attached to this Minister's Order, is established.

Québec, 9 July 2014

DAVID HEURTEL,
*Minister of Sustainable Development,
Environment and the Fight Against
Climate Change*

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de la Côte-de- Charlevoix

Conservation plan



May 2014

1. Protection status and toponym

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

The envisaged permanent protection status could be “national park” per the Parks Act (chapter P-9).

The provisional toponym is: Réserve de biodiversité projetée de la Côte-de-Charlevoix. The official toponym will be determined when permanent protection status is awarded to this territory.

2. Plan and description

2.1 Geographic location, boundaries and dimensions

The location and boundaries of the réserve de biodiversité projetée de la Côte-de-Charlevoix are shown on the appended plan.

The réserve de biodiversité projetée de la Côte-de-Charlevoix is located in the Capitale-Nationale administrative region, between 47°51' and 48° 02' latitude North and 70°02' and 69°45' longitude West, approximately 8 km North-east (Palissades sector) and North (coastal sector) of the municipality of Saint-Siméon.

This proposed protected area extends over the territory of the Charlevoix-Est regional county municipality (RCM) and lies partially within the territories of the municipalities of Saint-Siméon and Baie-Sainte-Catherine.

The réserve de biodiversité projetée de la Côte-de-Charlevoix covers an area of 61,9 km². It includes two large blocks of public lands. The first block, located between highway 138 and the middle estuary of the St. Lawrence River, falls between the northern boundary of anse à Boudin and the southern boundary of anse du Chafaud aux Basques. The entire coastal sector is adjacent to the Saguenay–St. Lawrence Marine Park. The second block is located on both sides of highway 170 and includes the former “Les Palissades” forest education centre.

Within the territory of the proposed biodiversity reserve, a 50-metre right-of-way is excluded from portions of highways 138 and 170, as is a 20-metre right-of-way from the chemin de la Mer. As well, all private landholdings are excluded from the proposed reserve.

2.2 Ecological overview

According to the Cadre écologique de référence, this proposed biodiversity reserve falls within the Central Laurentian Natural Province. For the purposes of the Québec national park network planning framework, the proposed biodiversity reserve is included in Natural Region B-21 (La côte de Charlevoix).

The territory of the proposed biodiversity reserve falls within the Grenville geological province, at the southeast border of the Canadian Shield. The Precambrian basement rock is comprised of mostly gneiss and, to a lesser extent, of granite. From the point of view of geological structure, the coastal escarpment that runs along the St. Lawrence River between anse à Boudin and anse du Chafaud aux Basques corresponds to a normal fault line regionally called the Saint-Laurent fault, which is itself parallel to Logan's Line. The rivière Noire, which crosses the Palissades sector, fills another fault that is perpendicular to the Saint-Laurent fault.

The principal geomorphological formations in the proposed protected area are mainly due to glacial action, marine invasion that followed the deglaciation of the region, and to current erosion. The last ice advance shaped trough valleys in the rivière Noire and rivière de la Baie des Rochers valleys. A glacial cirque can also be observed in the cliffs to the north of cap aux Corbeaux. The basin-like lac à Jean kettle lake, formed by the melting of a block of ice imprisoned in deposits left by glacial thaw, can be found in the Palissades sector. Glacial thaw ponding also shaped potholes bordering the rivière de la Baie des Rochers and left glaciofluvial deposits of sand and gravel in the rivière Noire valley. Various erratic blocks, abandoned by glacial downwasting, are dispersed here and there in the Palissades sector.

In general, glacial deposits cover the greater part of the surface of the proposed protected area, with outcroppings of rocky substrate visible in many locations. Till, sand and gravel deposits are of varying thickness (thinner on the hills and thicker in the valleys), with till the most abundant. These deposits are found at altitudes higher than 170 metres.

The melting of the Laurentian ice-sheet and collapse of the Earth's crust under the weight of the glacier led to a marine invasion known as the Goldthwait Sea, which flooded all of the depressions and valleys in the proposed biodiversity reserve to approximately 170 metres above sea level and left a variety of deposits, including clay, sand and gravel, some of which cover other deposits or shapes left by the advancing or retreating glacier. Below 170 metres in altitude, glacial deposits have been generally reworked by the waters of the Goldthwait Sea and the action of today's watercourses.

Finally, as a large part of the proposed biodiversity reserve is highly escarped, various angular blocks of talus can be found at the base of cliffs, formed by the phenomenon known as congelifraction.

The topography of the proposed biodiversity reserve is uneven, with high relief resulting from watercourse erosion that deeply dissected the southeast border of the Laurentian Plateau giving the landscape a mountainous look. A number of hill summits are virtually flattened and display steep flanks. As the summits are all approximately the same height, the horizon of the plateau is relatively even, which seems to confirm the existence of an ancient peneplain with an average elevation of 330 metres, corresponding to the Laurentian Peneplain.

Along the coast, the relief culminates at an altitude of approximately 350 metres, while the colline de la Dune, located behind cap de la Tête au Chien, rises to 417 metres. The rocky escarpments that border the entire coastline are steep, with relief rising very quickly. Of the numerous small coves cut out of the shoreline, very few can provide shelter to navigators in bad weather. The only notable recesses along the coast are the baie des Rochers and anse du Chafaud aux Basques. However, both are difficult to reach at low tide. Relief is more pronounced in the Palissades sector, with average hill height rising to more than 500 metres. The highest peak, reaching 599 metres, is found to the west of Petit lac Noir. Here too, the cliffs that border the rivière Noire valley are very steep, with vertical drop exceeding 300 metres.

The waters of the entire proposed biodiversity reserve either flow directly into the St. Lawrence River (coastal sector) or indirectly, through the rivière Noire (Palissades sector). In the coastal sector, drainage basins are for the most part small in size and flow directly into the river, sometimes creating small watercourses that cascade down the escarpments. The major part of the hydrographic basins of the rivière du Basque, which flows into anse du Chafaud aux Basques, and of the rivière de la Baie des Rochers, which cascades near its mouth and flows into the bay of the same name, are located outside of the proposed protected area and as such, only account for a small share of the reserve's waters. The entire Palissades sector is drained by the rivière Noire, whose total watershed is 295 km², meaning that approximately 10% of its size (31.2 km²) is located within the proposed protected area. The riverbed of the eastern part of the rivière Noire is fairly rectilinear, while to the west, it snakes: in the lac à Jean sector there are many meanderings, some of which are abandoned.

A little more than twenty small lakes or ponds less than three hectares in area are dispersed throughout the proposed biodiversity reserve. The only lake of some size is the 22.8 hectares lac de la Chute, which is located to the north of the baie des Rochers into which it flows through the ruisseau à Jean-Gousse.

The climate of the réserve de biodiversité projetée de la Côte-de-Charlevoix is intermediate continental subpolar and subhumid. The influence of the St. Lawrence River estuary gives the territory a more marine climate that tends to abate seasonal temperature variance. However, weather conditions become more severe toward the interior of the territory and on the plateau. Weather is milder along the coast and in the lower rivière Noire valley than on the plateau. The Saint-Siméon weather station (altitude 15.2 metres) measures average annual daily temperature to be 3.2°C with average annual rainfall at 1 013.6 mm, the snow fraction being 29.5%. As we know that air temperature drops by approximately 0.6°C per 100 metres of elevation, average annual temperature of at least 0°C may be reached on the highest peaks of the Palissades sector. The frost-free season in the proposed protected area oscillates around 128 days, while annual sunshine is approximately 1,830 hours.

The territory of the réserve de biodiversité projetée de la Côte-de-Charlevoix falls within the yellow birch fir forest bioclimatic domain, which can be considered as a transitional forest between the coniferous forest of the Laurentian massif and the deciduous forest of the St. Lawrence Lowlands. Balsam fir is sometimes found in conjunction with yellow birch, red spruce and sugar maple. In the Palissades sector, the cold temperate forest is mixed, with balsam fir predominating and reflecting the regional climate. Alder groves cover the fluvial deposits that border the rivière Noire. On both sides of this alluvial plate, black spruce has established itself on deposits of glaciofluvial origin that support the valley walls. The lower talus has been colonized by white birch stands, while sunny species succeed in rooting here and there in the higher talus. Slopes with south and southwest exposure tolerate thermophilic species such as maple. Red pine has colonized the walls of the upper plateau, while other coniferous groups cover the plateau itself. Forests in the Palissades sector are well preserved and have been little disturbed by human activity for more than 35 years, given its former status (abolished in 2001) as a forest education centre.

The forest in the coastal sector of the proposed biodiversity reserve is mixed, with white birch and quaking aspen often cohabiting with conifer species. Red maple stands are limited to the more protected sites, while enclaves of softwood forest occupy the most inhospitable environments such as the area surrounding the baie des Rochers. From the point of view of floristics, there are two species in the territory likely to be designated as threatened or vulnerable. The first is in cap du Basque: the Climbing Bleeding Heart (*Adlumina fungosa*), which generally colonizes humid rocky environments in western Québec. The second species, the large-flowered ground cherry (*Leucophysalis grandiflora*), was observed in the 1980s along the rivière Noire (Palissades sector).

The principal species of Québec large and small wildlife are to be found in this proposed protected area, including moose, beaver, hare, muskrat, otter, groundhog and ruffed grouse, to name but a few. The peregrine falcon species that is designated as vulnerable is also present here. The coastal zone abuts three areas of waterfowl concentration: anse du Chafaud aux Basques, baie des Rochers and pointe à Pierre. All three aquatic sectors are part of the Saguenay–St. Lawrence Marine Park. Another wildlife habitat that has been designated under the Act Respecting the Conservation and Development of Wildlife (chapter C-61.1), is located in the réserve de biodiversité projetée de la Côte-de-Charlevoix: l'île du Chafaud aux Basques (two hectares). The status of this area is protected as an island or peninsular bird colony of less than 50 hectares in size that has at least 25 nests of bird species that live in colonies, other than heron. In this case, l'île du Chafaud aux Basques protects a colony of Double-crested Cormorant.

Three archeological sites identified by the ministère de la Culture et des Communications are found within the proposed protected area. Site DaEk-26, located in anse du Chafaud aux Basques, includes a semicircular dry masonry oven apparently built in the 17th century by Basque sailors to extract oil from marine mammal fat and that was discovered during an archeological dig in 1961. The other two sites, CIEk-a and CIEk-4, are both located in the baie des Rochers sector. The first is a shipwreck on the anse de Sable foreshore, while the second is comprised of vestiges of the old baie des Rochers mill dam.

2.3 Land occupation and uses

A number of leases exist on the proposed biodiversity reserve. Ten leases were granted for vacationing purposes and 2 for buildings and encampments. Two commercial outfitter leases also exist, as well as an exclusive fishing right in Étang de la Chute, which is also located in the outfitter area. Finally, five rights of passage have been issued, involving trail development, construction and/or maintenance.

Extensive recreational activities such as hiking, rock-climbing and nature observation are practiced on the territory proposed as a protected area, as are fishing, hunting and trapping, except in the Palissades sector, where hunting and trapping are prohibited by the Regulation respecting hunting (Act Respecting the Conservation and Development of Wildlife) (chapter C-61.1, r. 12). Finally, a 4.8 km power line (3.6 km of which crosses the territory of the proposed reserve), provides electricity to the cap de la Tête au Chien lighthouse.

The majority of the territory involved is covered by a land management agreement with the Charlevoix-Est regional county municipality.

2.4 Conservation and zoning measures

No additional conservation measures are envisaged at this stage. With respect to zoning, all conservation goals for the provisional protection period being identical throughout the territory, the proposed biodiversity reserve is comprised of a single conservation zone.

3. Activities within the Réserve

§ 1. Introduction

Activities carried on within the proposed reserve are governed mainly by the provisions of the Natural Heritage Conservation Act.

This Division describe prohibited activities in addition to those already forbidden by the above-mentioned 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.

Under the Natural Heritage Conservation Act, certain activities prohibited in the proposed biodiversity reserve 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.

§ 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. 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.

3.2. No person may use fertilizer or fertilizing material in the proposed 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.

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

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or modifying watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) 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, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) 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 biochemical characteristics or quality of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into the watercourse or body of water;
- (6) 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;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works;
- (9) 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;
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;

(11) carry on educational 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;

(12) 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 reserve is highly unfeasible.

3.4. Despite paragraphs 6, 7, 8 and 9 of section 3.3, 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 camp cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; and

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve;

(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.

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

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

(b) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(d) 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.

3.5. 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.

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act (chapter Q-2) and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2 Rules of conduct for users

3.6. Any person staying, carrying on an activity or travelling within the proposed 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.

3.7. 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.

3.8. In the proposed 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 reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, circulation 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.

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

§2.3 Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been so 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.

- (2) Despite the first paragraph, no authorization is required if a person

(a) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(b) in accordance with law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in paragraph a, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; and

(c) elects to acquire land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 subsection 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 Forests, Wildlife and Parks 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 Forests, Wildlife and Parks 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 Forests, Wildlife and Parks under the Sustainable Forest Development Act.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* of subsection 3 is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

(a) the activity is carried on by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act allowing the person to carry on within the proposed reserve the activities associated with operating a sugar bush;

(b) the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the effective date of the protection status as a proposed reserve or in any of the three preceding years; or

(c) the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

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

Despite the first paragraph, no authorization is required to continue carrying on commercial activities that, on the date on which the protection status as a proposed reserve takes effect, are subject to the right to use the land for that purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits permitted by that right.

§2.4 Authorization exemptions

3.14. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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.

3.15 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

3.16 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act, if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement incidental to the work.

4. Activities governed by other laws

Various activities that may be carried on within the boundaries of the proposed reserve are also subject to other applicable legislative and regulatory provisions, including those that require a permit or authorization or the payment of fees. Some activities may also be prohibited or limited by other Acts or regulations that apply within the boundaries of the proposed reserve.

In particular, within the boundaries of proposed reserves, a special legal framework may govern permitted and prohibited activities in the following areas:

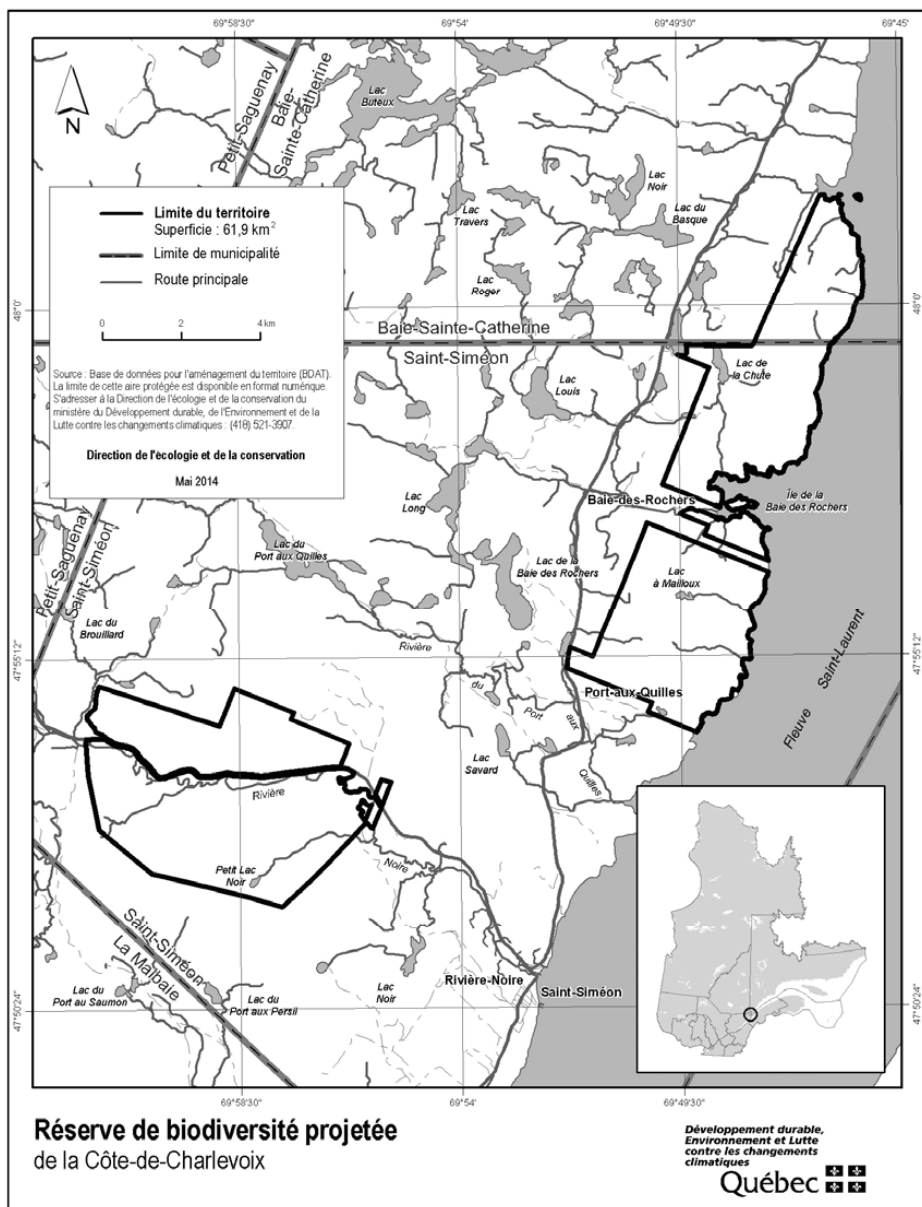
- Environmental protection: measures especially contained in the Environment Quality Act (chapter Q-2), and its regulations
- Floristic species designated as threatened or vulnerable: measures contained in the Act respecting threatened or vulnerable species (chapter E-12.01) that in particular prohibit harvesting these species
- Development and conservation of wildlife resources: measures contained in the Act Respecting the Conservation and Development of Wildlife (chapter C-61.1) and its regulations
- Archeological research and discoveries: measures contained especially in the Cultural Heritage Act (chapter P-9.002)
- Access and land rights related to the domain of the State: measures contained in the Act respecting the lands in the domain of the State (chapter T-8.1) and the Watercourses Act (chapter R-13)
- Circulation: measures contained especially in the Act respecting the lands in the domain of the State and regulations on the circulation of motor vehicles in specified fragile environments as enacted under the Environment Quality Act
- Construction and development: regulatory measures adopted by municipal authorities at regional and local levels, under applicable law

5. Responsibilities of the Minister of Sustainable Development, Environment and the Fight Against Climate Change

Conservation and management of the réserve de biodiversité projetée de la Côte-de-Charlevoix falls within the mandate of the Minister of Sustainable Development, Environment and the Fight Against Climate Change, who ensures the monitoring and control of activities therein with the collaboration of other government actors that have specific responsibilities either within the territory or in close proximity to it. These actors include the Minister of Energy and Natural Resources, the Minister of Forests, Wildlife and Parks, the Charlevoix-Est RCM due to the agreement on land management that applies to intramunicipal parcels and, as the case may be, bodies with an interest in the conservation and management of this territory. The Ministère may also delegate specified management activities to regional partners and a management agreement could be prepared for this purpose.

APPENDIX

Plan of the réserve de biodiversité projetée de la Côte-de-Charlevoix



M.O., 2014

Order number AM 2014-002 of the Minister of Forests, Wildlife and Parks dated 2 July 2014

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Regulation to amend the Regulation respecting hunting

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING the second paragraph, subparagraphs 1 to 4 of the third paragraph and subparagraph 2 of the fourth paragraph of section 56 and subparagraphs 1 to 3 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provide that the Minister may make regulations on the matters set forth therein;

CONSIDERING the first paragraph of section 164 of the Act, which provides in particular that a regulation made under section 56 or subparagraphs 1 to 3 of the first paragraph of section 163 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the making of the Regulation respecting hunting (chapter C-61.1, r. 12);

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached hereto, is hereby made.

Québec, 2 July 2014

LAURENT LESSARD,
Minister of Forests, Wildlife and Parks

Regulation to amend the Regulation respecting hunting

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 56, 2nd par., 3rd par., subpars. 1 to 4, and 4th par., s. 163, 1st par., subpars. 1 to 3)

1. The Regulation respecting hunting (chapter C-61.1, r. 12) is amended in section 13

(1) by replacing the first occurrence of “White-tailed deer, female or male with antlers less than 7 cm” in the first paragraph by “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20”;

(2) by replacing “in section 1” in the first paragraph by “in sections 1 and 1.1”.

2. Section 13.2 is amended

(1) by inserting “or non-resident’s” in the first paragraph after “resident’s”;

(2) by inserting “, if the licence holder uses the services of an outfitter without exclusive rights at all times of the hunting activity” in the third paragraph after “prior to that date”.

3. The following is inserted after section 13.4:

“**13.4.1.** A person between 12 and 24 years of age, referred to in section 7.1 or 7.2 of the Regulation respecting hunting activities (chapter C-61.1, r. 1), who killed an animal under the licence of a holder who is 18 years of age or more, may not obtain a licence to hunt that species, unless the licence of the holder who is 18 years of age or more includes 2 transportation coupons and the person between 12 and 24 years of age has killed only 1 animal. In that case, the latter may obtain his or her own licence to complete his or her bag limit.”.

4. Section 13.6 is amended

(1) by striking out subparagraph 5 of the first paragraph;

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

“There is no licence limit on “White-tailed deer, in Area 20” and “White-tailed deer, female or male, with antlers that measure less than 7 cm, in Area 20” hunting licences.”.

5. Section 13.7 is amended

(1) by striking out subparagraph 2 of the first paragraph;

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

“There is no licence limit on “White-tailed deer, in Area 20” and “White-tailed deer, female or male, with antlers that measure less than 7 cm, in Area 20” hunting licences.”.

6. Section 15 is amended

(1) by replacing “Rouge-Matawin” in the third paragraph by “Saint-Maurice”;

(2) in the fourth paragraph

(a) by inserting “or a male whose antlers are less than 10 cm or a moose calf, according to what is provided for in Schedule VI,” in the first sentence after “moose”;

(b) by striking out the last sentence;

(3) by adding the following at the end:

“(1) youth group: a group of 3 or 4 hunters including at least 1 under 18 years of age

(2) conservation group: a group of 4 hunters”.

7. Section 17 is amended

(1) in the first paragraph

(a) by replacing the first sentence by “Subject to the privileges attached to the female moose more than 1 year old hunting licence, obtained by random draw under subparagraph 3 of the second paragraph of section 7.1, the segments of moose populations that may be hunted are established as follows.”;

(b) by replacing “moose hunting” in subparagraphs 2, 4 and 6 by “the hunting of moose with antlers not less than 10 cm, female moose more than 1 year old and moose calves”;

(c) by replacing “in areas 1, 5, 8, 19 southern part, 20 and 29” in subparagraph 6 by “in areas 5, 8, 19 southern part, 20 and 29”;

(d) by inserting “Area 1 and “ in subparagraph 7 after the first occurrence of “in”;

(2) in the second paragraph

(a) by inserting “ and subject to the privileges attached to the female moose more than 1 year old hunting licence, obtained by random draw under subparagraph 3 of the second paragraph of section 7.1” after “Despite the first paragraph”;

(b) by replacing subparagraphs 1 to 7 by the following:

“(1) in the Anse-Saint-Jean, Bas-Saint-Laurent, Chapais, Chapeau-de-Paille, Croche, D’Iberville, Forestville, Gros-Brochet, Jeannotte, Labrieville, Lac-aux-Sables, Lac-Brébeuf, Lac-de-la-Boîteuse, la Lièvre, Mars-Moulin,

Marin-Valin, Menokeosawin, Nordique, Onatchiway, Owen, Des Martres, Des Passes, Rivière-aux-Rats and Tawachiche controlled zones, moose with antlers not less than 10 cm may be hunted in 2012, 2014, 2016 and 2018;

(2) in the controlled zones referred to in subparagraph 1 of this paragraph, moose hunting is permitted in 2013, 2015, 2017 and 2019;

(3) in the Capitachouane and Festubert controlled zones, moose with antlers not less than 10 cm and moose calves may be hunted in 2014, 2016 and 2018; during the same years, moose with antlers not less than 10 cm, female moose more than 1 year old and moose calves may be hunted with a Type 11 implement where a hunting season with that type of implement is provided for;

(4) in the controlled zones mentioned in subparagraph 3 of this paragraph, moose with antlers not less than 10 cm, female moose more than 1 year old and moose calves may be hunted in 2015, 2017 and 2019;

(5) in the Dumoine, Kipawa and Restigo controlled zones, moose with antlers not less than 10 cm and moose calves may be hunted in 2014, 2015, 2016 and 2018; during the same years, moose with antlers not less than 10 cm, female moose more than 1 year old and moose calves may be hunted with a Type 11 implement where a hunting season with that type of implement is provided for;

(6) in the controlled zones referred to in subparagraph 5 of this paragraph, moose with antlers not less than 10 cm, female moose more than 1 year old and moose calves may be hunted in 2017 and 2019;

(7) in the Batiscan-Neilson, Petawaga and Rivière-Blanche controlled zones, moose with antlers not less than 10 cm and moose calves may be hunted from 2012 to 2019;

(8) in the Bras-Coupé-Désert, Jaro, including the territory referred to in Schedule CCI, Lesueur, Maganasipi, Mazana, Mitchinamecus, Normandie, Maison-de-Pierre, Pontiac, Rapides-des-Joachims, Saint-Patrice and Wessonneau controlled zones, only moose with antlers not less than 10 cm may be hunted from 2012 to 2019;

(9) in the Chauvin controlled zone, moose with antlers not less than 10 cm may be hunted in 2012, 2014, 2016 and 2018 and moose with antlers not less than 10 cm and female moose more than 1 year old may be hunted in 2015, 2017 and 2019.”;

(3) in the third paragraph

(a) by inserting “more than 1 year old” after “female moose”;

(b) by replacing “moose hunting” by “hunting of moose with antlers not less than 10 cm, female moose more than 1 year old and moose calves”;

8. Section 24 is amended by replacing “in section 7.2.3” in the second paragraph by “in sections 7.2.3 and 7.2.4”.

9. Section 27.1 is replaced by the following:

“**27.1.** Any person may kill, in a single year, 2 bearded wild turkeys, but the second one must come from area 4, 5, 6, 8 or 10.”

10. Schedule I is amended by replacing section 9 by the following:

“

9.	Wild turkey	
	i. resident	2
		”.

11. Schedule II is amended

(1) by replacing section 1.1 by the following:

“1.1. For hunting white-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing):

Area	Number of licences
western part of Area 5 shown on the plan in Schedule XXXVIII	6,000
8 except the southern part of that area shown on the plan in Schedule XIII and the eastern part of that area shown on the plan in Schedule CXXXV	0
the southern part of Area 8 shown on the plan in Schedule XIII	4,500
the eastern part of Area 8 shown on the plan in Schedule CXXXV	3,500
	”.

(2) by replacing paragraphs *ii* and *iii* of section 3 by the following:

“*ii.* in the wildlife sanctuary

Wildlife sanctuary	Number of licences
Ashuapmushuan	38
Chic-Chocs	0
Laurentides	203
La Vérendrye	261
Mastigouche	77
Papineau-Labelle	50
Port-Daniel	6
Portneuf	40
Rouge-Matawin	10
Saint-Maurice	65

iii. in the controlled zone

Controlled zone	Number of licences
Batiscan-Neilson	56
Bras-Coupé-Désert	0
Casault	185
Jaro, including the territory referred to in Schedule CCI	10
Lavigne	0
Lesueur	23
Maganasipi	0
Mazana	22
Mitchinamécus	25
Normandie	25
des Nymphes	0
Petawaga	70
Pontiac	0
Rapide-des-Joachims	20
Rivière-Blanche	32
Saint-Patrice	30
Wessonneau	70

”.

12. Schedule III is amended

(1) in paragraph 3 of section 1

(a) by replacing the area in subparagraph *a* by “(a) 1, 2 except the parts of territories shown on the plans in Schedules XXIV to XXVI, 5”;

(b) by inserting the following area and hunting season after subparagraph *a*:

“

(a.1) the western part of Area 11 shown on the plan in Schedule XV	(a.1) from the Saturday on or closest to 27 September to the Sunday on or closest to 3 October
--	--

”;

(2) by replacing the hunting season in subparagraph *h* of paragraph 3 of section 3 by “(h) from the Saturday on or closest to 18 September to the Sunday on or closest to 3 October”;

(3) in paragraph 1 of section 4

(a) by replacing the hunting season in subparagraph *a* by “(a) from the Saturday on or closest to 1 November to Sunday on or closest to 9 November”;

(b) by replacing the area in subparagraph *b* by “(b) 2 except the parts of territories shown on the plans in Schedules XIX, XXIV to XXVI, 3, 4, 5, 6, the southern part of Area 8 shown on the plan in Schedule XIII, 10 except the part of territory shown on the plan in Schedule XXII, 12 and the part of Area 13 shown in the plan in Schedule CXC”;

(c) by replacing the area in subparagraph *c* by “(c) 9 except the part of territory shown on the plan in Schedule XXI”;

(4) by replacing the area and hunting season in subparagraph *a* of paragraph 2 of section 4 by the following:

“

(a) the western part of Area 3 shown on the plan in Schedule X, 4	(a) from the Saturday on or closest to 22 November to the Wednesday on or closest to 26 November
---	--

”;

(5) in paragraph 3 of section 4

(a) by replacing the hunting season in subparagraph *a* by “(a) from the Saturday on or closest to 27 September to the Sunday on or closest to 5 October”;

(b) by replacing the area in subparagraph *e* by “(e) 9 except the part of territory shown in the plan in Schedule XXI”;

(c) by striking out subparagraph *e.1*;

(d) by replacing the hunting season in subparagraph *f* by “(f) from the Saturday on or closest to 1 October to the Sunday on or closest to 16 October”;

(6) by replacing the area in subparagraph *a* of paragraph 1 of section 5 by “(a) 6 except the part of territory shown on the plan in Schedule XXXIX”;

(7) in paragraph 1 of section 6

(a) by replacing the area in subparagraph *a* by “(a) 1, 2 except the parts of territories shown on the plans in Schedules XXIV to XXVI, 3, 5, 7 except the part of territory shown on the plan in Schedule XXVII, 8 except the part of territory shown on the plan in Schedule XX, 9 except the part of territory shown on the plan in Schedule XXI, 11, 12, 13 except the parts of territories shown on the plans in Schedules XXXII and CLXXXVII, 14, 15, 16, 18 except the part of territory shown on the plan in Schedule XXXI, 21, 27 except the part of territory shown on the plans in Schedules XXIII and XXVIII and 28 except the part of territory shown on the plan in Schedule CLXXXIII”;

(b) by replacing the hunting season in subparagraph *h* by “(h) from 15 May to 30 June from the Saturday on or closest to 9 October to the Sunday on or closest to 24 October”;

(8) by replacing the hunting season in subparagraph *a.1* of paragraph 2 of section 12 by “(a.1) from 25 October to 31 March”;

(9) in section 16

(a) by replacing the area and hunting season in subparagraph *a* by the following:

“

(a) 4, 5, 6, 8 except the part of territory shown on the plan in Schedule XX, 10 except the part of territory shown on the plan in Schedule XXII	(a) from the Friday on or closest to 27 April to the Friday on or closest to 18 May
--	---

”;

(b) by replacing the hunting season in subparagraph *b* by “(b) from the Friday on or closest to 27 April to the Tuesday on or closest to 8 May”.

13. Schedule IV is amended

(1) by replacing its heading by the following:

“HUNTING SEASON FOR MOOSE AND WHITE- TAILED DEER IN CERTAIN ZECs

The following ZECs are subject to the provisions referred to and those of Schedule III do not apply”;

(2) in section 1

(a) by replacing “Moose” by “Moose (The segments of populations that can be harvested are mentioned in the second paragraph of section 17 of this Regulation)”;

(b) by inserting the following ZECs and hunting seasons with respect to type 11 implement and in alphabetical order:

“

Des Nymphes	from the Saturday on or closest to 25 September to the Sunday on or closest to 3 October
Maison-de-Pierre	from the Saturday on or closest to 18 September to the Sunday on or closest to 3 October

”;

(c) by inserting the following ZEC and hunting season with respect to type 13 implement and in alphabetical order:

“

Normandie	from the Saturday on or closest to 9 October to the Sunday on or closest to 17 October
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”;

(3) in section 2

(a) by striking out the name of the ZEC and the hunting season in respect of the Bas-Saint-Laurent, Bras-Coupé-Désert and Saint-Patrice controlled zones;

(b) by inserting the following ZEC and hunting season in alphabetical order:

“

Louise-Gosford	from the Saturday on or closest to 8 October to the Friday on or closest to 14 October
----------------	--

”;

(4) in section 2.1

(a) by striking out the name of the ZEC and the hunting season in respect of type 2 implement and in respect of the Bras-Coupé-Désert and Saint-Patrice ZECs;

(b) by striking out the name of the ZEC and the hunting season in respect of type 9 implement and in respect of the Bras-Coupé-Désert and Saint-Patrice ZECs;

(c) by inserting the following implement, ZEC and hunting season at the end:

“

11	Bas Saint-Laurent	from the Monday on or closest to 5 October to the Friday on or closest to 10 October
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”.

14. Schedule V is amended by replacing the parts of territories in section 1 by the following:

“Parts of territories shown on the plans in Schedules XL to XLIV, XLVI to LIII, LV to LVIII, LX to LXVIII, LXX to LXXXVIII, LXXX to LXXXIV, LXXXVI to CII, CIV to CVI, CVIII, CXIV to CXVII, CXX, CXXV to CXXVII, CXXXIX, CXLI, CXLIV to CXLVI, CLI, CLIV to CLVI, CLVII to CLXIV, CLXXXIX and CCIV.

Parts of territories shown on the plans in Schedules XLV and CXLVII to CXLIX”.

15. Schedule VI is amended

(1) by replacing the species “Moose” in the Ashuapmushuan, Laurentides, La Vérendrye, Mastigouche, Papineau-Labelle, Port-Daniel, Portneuf, Rouge-Matawin and Saint-Maurice wildlife sanctuaries by “Moose (male and moose calf)”;

(2) for the Chic-Chocs sanctuary

(a) by replacing the species “Moose (male, female and moose calf)” by “Moose (male and moose calf)”;

(b) by replacing, in respect of moose, the hunting season by “From the Wednesday on or closest to 4 September to the Saturday on or closest to 26 October”;

(c) by replacing, in respect of coyotes, the hunting season by “From 18 October to the Saturday on or closest to 26 October”;

(3) by replacing, for the Mastigouche sanctuary and in respect of moose, the hunting season by “From the Tuesday following the first Monday of September to the Friday on or closest to 6 October”;

(4) for the Papineau-Labelle sanctuary

(a) by replacing, in respect of moose, the hunting season by “From the Monday on or closest to 18 September to the Thursday on or closest to 5 October”;

(b) by replacing, in respect of white-tailed deer, ruffed grouse, spruce grouse, snowshoe hare and eastern cottontail rabbit, the hunting season by “From the Friday on or closest to 6 October to the Thursday on or closest to 12 October

From the Monday on or closest to 30 October to the Saturday on or closest to 18 November”;

(5) by replacing, for the Saint-Maurice sanctuary and in respect of moose, the hunting season by “From the Tuesday following the first Monday of September to the Friday on or closest to 6 October”.

16. Schedule VII is amended

(1) by replacing, for the Chic-Chocs sanctuary and in respect of the ruffed grouse, spruce grouse, snowshoe hare (Type 3 implement), snowshoe hare (Type 7 implement) and coyote, the hunting season by “From the Saturday on or closest to 26 October to the Monday on or closest to 5 November”;

(2) by replacing, for the Laurentides sanctuary and in respect of the ruffed grouse, spruce grouse and snowshoe hare (Type 3 implement), the hunting season by “From 17 October to the Sunday on or closest to 5 November”;

(3) by replacing, for the Mastigouche sanctuary and in respect of the ruffed grouse, spruce grouse and snowshoe hare (Type 3 implement), the hunting season by “From the Saturday on or closest to 30 September to 31 December”;

(4) for the Papineau-Labelle sanctuary

(a) by replacing, in respect of the ruffed grouse, spruce grouse and snowshoe hare Eastern cottontail rabbit (Type 3 implement), the hunting period by “From the Monday on or closest to 4 September to the Sunday on or closest to 17 September

From the Friday on or closest to 13 October to the Sunday on or closest to 29 October

From the Sunday on or closest to 19 November to 15 January”;

(b) by replacing, in respect of the snowshoe hare (Type 7 implement), the hunting season by “From the Sunday on or closest to 19 November to 15 January”;

(5) for the Saint-Maurice sanctuary

(a) by replacing, in respect of the ruffed grouse, spruce grouse and snowshoe hare (Type 3 implement), the hunting season by “From the Saturday on or closest to 30 September to 31 December”;

(b) by replacing, in respect of the snowshoe hare (Type 7 implement), the hunting season by “From the Saturday on or closest to 30 September to 31 March”.

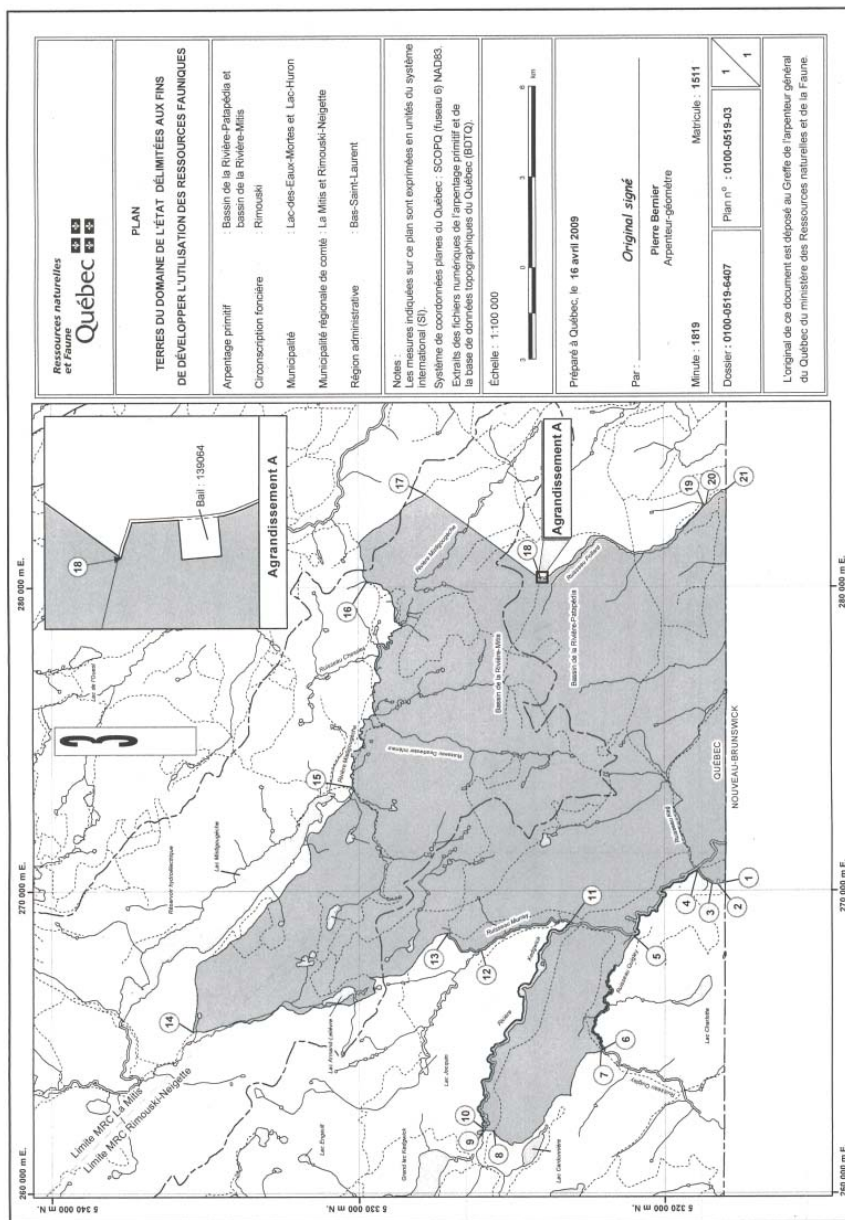
17. Schedule XLV is amended by replacing map P-9102 by map 0100-0519-03 attached to this Regulation.

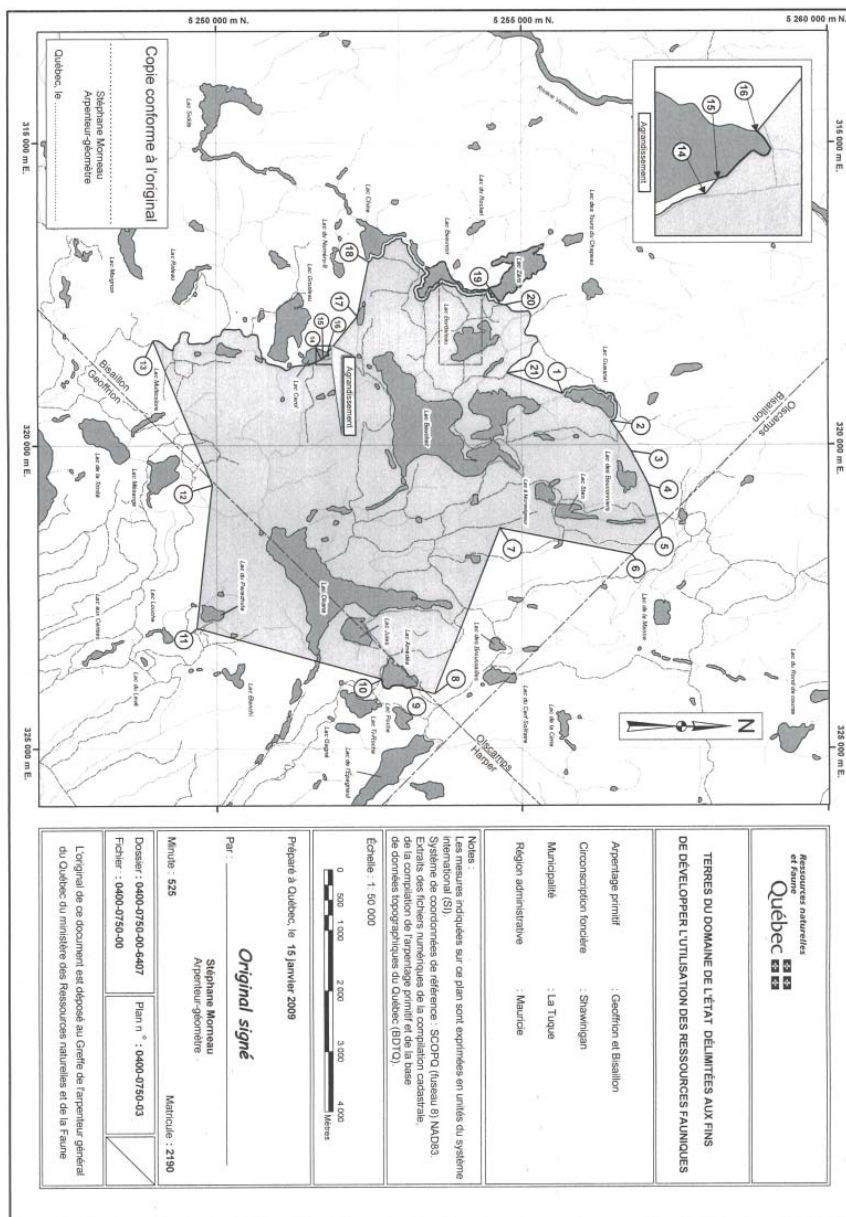
18. Schedule CXVII is amended by replacing map P-552 by map 0400-0750-03 attached to this Regulation

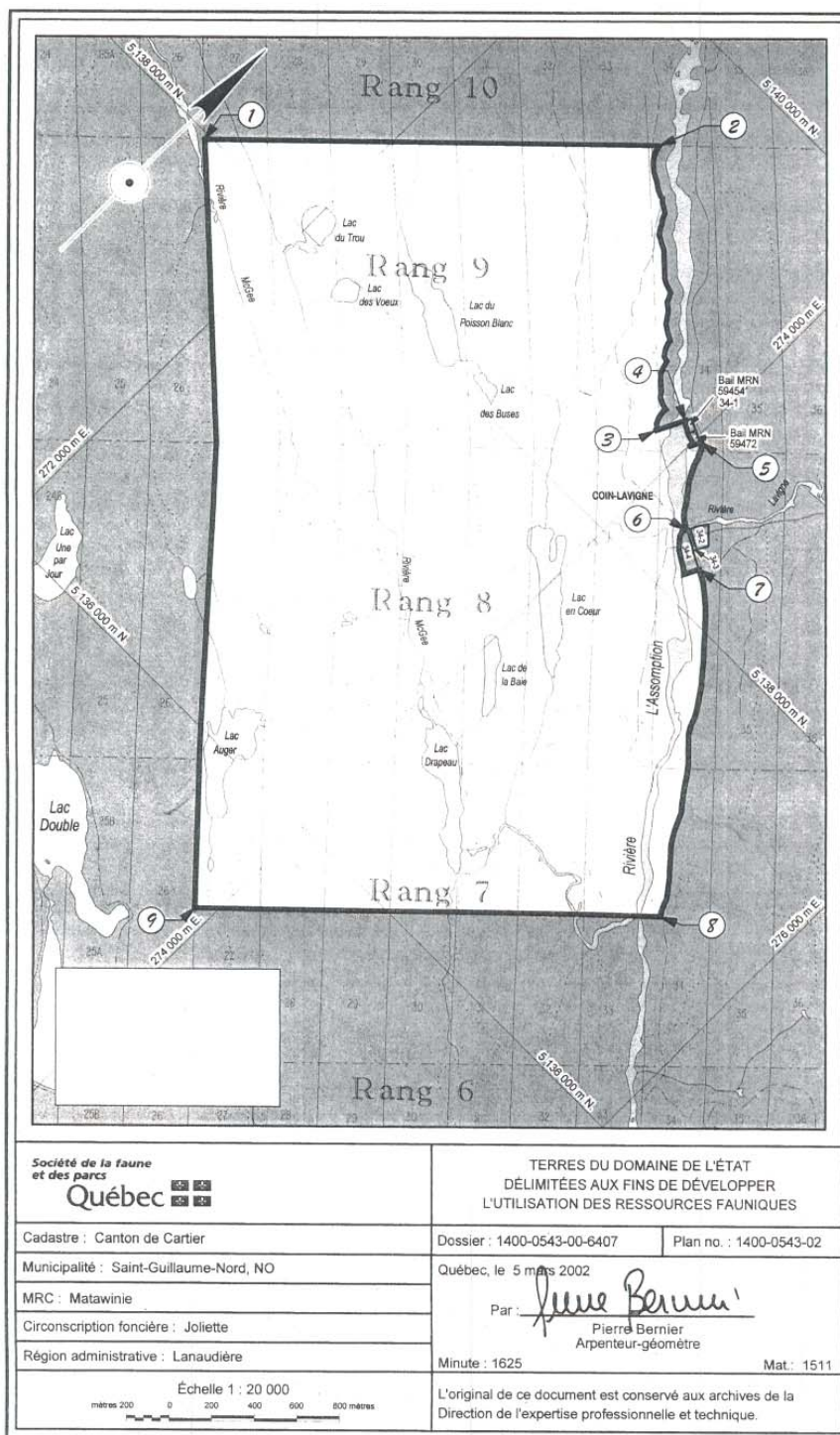
19. The Regulation is amended by inserting, after Schedule CXXVI, Schedule CXXVII - Terres du domaine de l'état désignées à des fins de développement de l'utilisation des ressources fauniques whose map 1400-0543-02 attached to this Regulation.

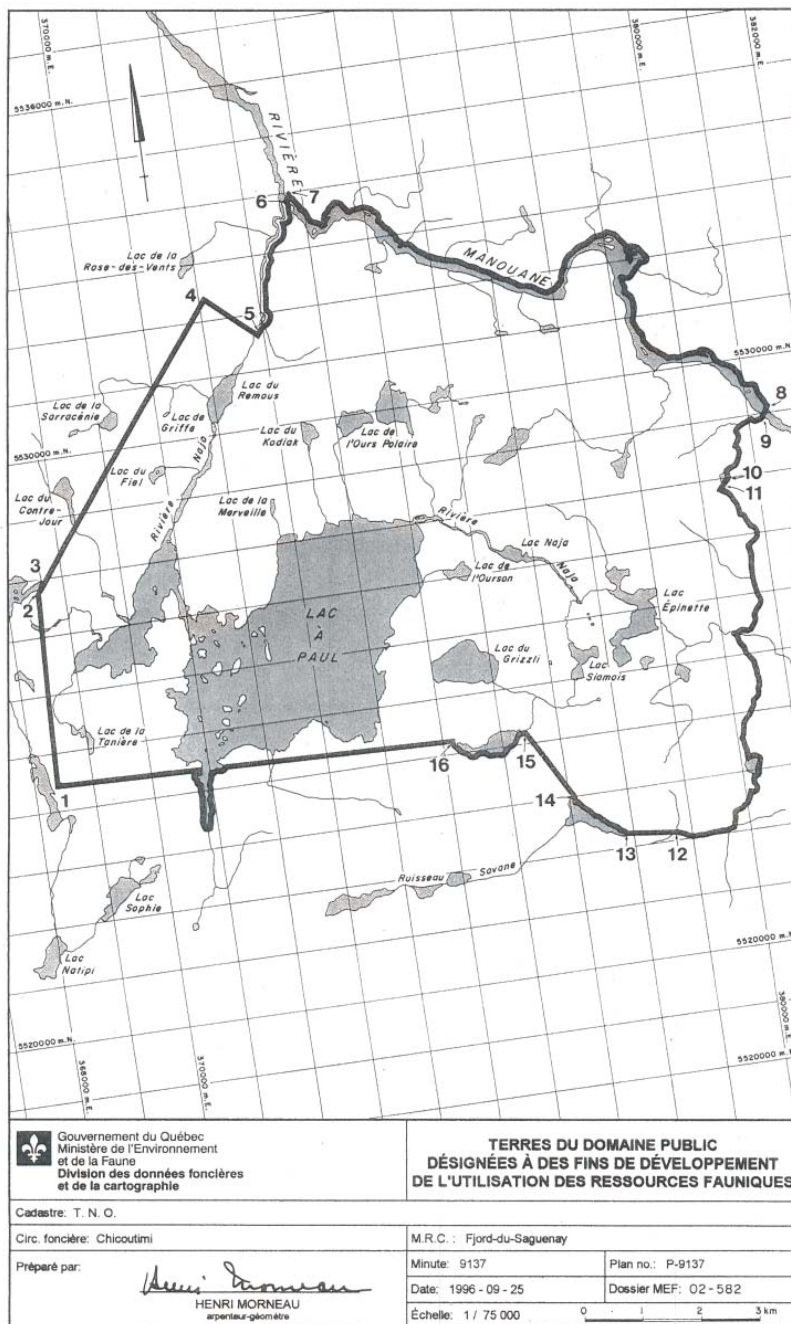
20. The Regulation is amended by adding at the end Schedule CCIV - Terres du domaine de l'état désignées à des fins de développement de l'utilisation des ressources fauniques whose map P-9137 is attached to this Regulation.

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









M.O., 2014**Order number AM 2014-003 of the Minister of Forests, Wildlife and Parks dated 2 July 2014**

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Regulation to amend the Regulation respecting hunting

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING subparagraph 2 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides in particular that the Minister may make regulations limiting the number of licences for a zone, territory or place the Minister specifies;

CONSIDERING the first paragraph of section 164 of the Act, which provides that a regulation made under subparagraph 2 of the first paragraph of section 163 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the making of the Regulation respecting hunting (chapter C-61.1, r. 12);

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached hereto, is hereby made.

Québec, 2 July 2014

LAURENT LESSARD,
Minister of Forests, Wildlife and Parks

Regulation to amend the Regulation respecting hunting

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 163, 1st par., subpar. 2)

1. Schedule II to the Regulation respecting hunting (chapter C-61.1, r. 12) is amended

(1) by replacing section 1 by the following:

“1. For hunting white-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20:

i. in area

Area	Number of licences
1	0
2 except the western part shown on the plan in Schedule IX	0
the western part of Area 2 shown on the plan in Schedule IX	0
3 except the western part shown on the plan in Schedule X	0
the western part of Area 3 shown on the plan in Schedule X, excluding the territory referred to in Schedule CCI	900
4	3,500
5 except the western part shown on the plan in Schedule XXXVIII	0
6 except the northern part shown on the plan in Schedule XXXIX	1,200
the northern part of Area 6 shown on the plan in Schedule XXXIX	5,000
7 except the southern part shown on the plan in Schedule CXXXIV	950
the southern part of Area 7 shown on the plan in Schedule CXXXIV	6,500
9 except the western part shown on the plan in Schedule CXXXII	100
the western part of Area 9 shown on the plan in Schedule CXXXII	150
10 except the western part shown on the plan in Schedule XVI	0
the western part of Area 10 shown on the plan in Schedule XVI and Area 12	980
11 and the western part of Area 15 shown on the plan in Schedule CXXXIII	0
the southwestern part of Area 13 shown on the plan in Schedule CX	50
the eastern part of Area 26 shown on the plan in Schedule CXCH	0
the part of Area 27, sector white-tailed deer, shown on the plan in Schedule CLXXXVIII except Île d'Orléans and Île au Ruau	1,700

ii. in the wildlife sanctuary

Wildlife sanctuary	Number of licences
La Vérendrye	15
Papineau-Labelle	77
Rouge Matawin	0

iii. in the controlled zone

Controlled zone	Number of licences
Bras-Coupé-Désert	0
Casault	0
Jaro, including the territory referred to in Schedule CCI	40
Maganasipi	50
Pontiac	30
Rapides-des-Joachims	5
Restigo	50
Saint-Patrice	5

”;

(2) by replacing section 1.1 by the following:

“1.1 For hunting white-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)

Area	Number of licences
the western part of Area 5 shown on the plan in Schedule XXXVIII	6,000
8 except the southern part shown on the plan in Schedule XIII and except the eastern part shown on the plan in Schedule CXXXV	500
the southern part of Area 8 shown on the plan in Schedule XIII	4,500
the eastern part of Area 8 shown on the plan in Schedule CXXXV	3,500

”.

(3) by replacing section 3 by the following:

“3. For hunting female moose more than one year old:

i. in area

Area	Number of licences
1	3, 375

ii. in the wildlife sanctuary

Wildlife sanctuary	Number of licences
Ashuapmushuan	38
Chic-Chocs	148
Laurentides	203
La Vérendrye	261
Mastigouche	77
Papineau-Labelle	50
Port-Daniel	6
Portneuf	40
Rouge-Matawin	3
Saint-Maurice	65

iii. in the controlled zone

Controlled zone	Number of licences
Batiscan-Neilson	56
Casault	170
Jaro, including the territory referred to in Schedule CCI	0
Lavigne	0
Lesueur	0
Mazana	0
Mitchinamécus	0
Normandie	0
des Nymphes	0
Petawaga	55
Rapides-des-Joachims	20
Rivière-Blanche	32
Saint-Patrice	30
Wessonneau	90

”.

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

Draft Regulations

Draft Regulation

An Act respecting the acquisition of farm land by non-residents
(chapter A-4.1)

Application for authorization and information and documents required —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting an application for authorization and the information and documents required for the application, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation harmonizes the regulation with the new provisions introduced into the Act respecting the acquisition of farm land by non-residents by the Act to amend the Act respecting the acquisition of farm land by non-residents (2013, chapter 24).

Study of the matter shows an insignificant economic impact for the public and enterprises.

Further information may be obtained by contacting Mathieu Rousseau, Direction de l'appui au développement des entreprises et de l'aménagement du territoire, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100, extension 3914; fax: 418 380-2161; email: mathieu.rousseau@mapaq.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to Hélène Doddridge, Director, Direction de l'appui au développement des entreprises et de l'aménagement du territoire, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1R 4X6; fax: 418 380-2161.

PIERRE PARADIS,
Minister of Agriculture, Fisheries and Food

Regulation to amend the Regulation respecting an application for authorization and the information and documents required for the application

An Act respecting the acquisition of farm land by non-residents
(chapter A-4.1, s. 35)

1. The Regulation respecting an application for authorization and the information and documents required for the application (chapter A-4.1, r. 2) is amended in section 1:

(1) by adding “and, where applicable, a copy of the signed promise of purchase” at the end of paragraph *a*;

(2) by replacing paragraph *b* by the following:

“(b) a dated and signed scale plan, indicating the scale used, the cardinal points, the numbers of the lots referred to in the application, the area and measurement of each side of the sites in question, the area and the location of each lot belonging to the owner of the lots in question that is contiguous or deemed contiguous under the Act to each of the lots in question, the location of the buildings erected on the lots in question and the use of the lots contiguous to those lots;”;

(3) by adding the following at the end:

“(e) the incorporating document of the legal person, where applicable.”.

2. Section 2 is amended:

(1) by replacing subparagraphs i and ii of paragraph *a* by:

“i. in the case of a natural person: his or her surname, first name, citizenship, address of domicile, email address or other technological address, job or occupation and telephone number, and the number of days the person has stayed in Québec during the 48 months preceding the date of the application;

ii. in the case of a legal person:

—the name of the legal person, where it was constituted and the Act that governs it;

—the address of its head office and, where applicable, of its business establishment in Québec and the telephone number and email address of the said head office and establishment;

—in the case of a company with share capital, the percentage of the shares of its share capital with full voting rights that belong to one or several persons that are not resident in Québec; the total number of its directors as well as the number of directors not resident in Québec; and

—in the case of a company without share capital, the percentage of its members that are not resident in Québec;”;

(2) by inserting “and the name and address of the proprietor” after “the farm land is located” in subparagraph i of paragraph b;

(3) by replacing subparagraph iii of paragraph b by the following:

“iii. the present and future uses of the farm land and the areas devoted to the uses;

iv. the description of any permanent structure and work existing on the farm land, including any house and building;

v. the production costs and the livestock;

vi. the acquisition cost agreed to, distinguishing the prices for the land, the buildings and the equipment, and other property acquired;

vii. where applicable, the opinion of the applicant that the land concerned is not suitable for the cultivation of the soil or the raising of livestock due to the biophysical conditions of the soil and of the environment.”.

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

3432

Draft Regulation

Environment Quality Act
(chapter Q-2)

Cap-and-trade system for greenhouse gas emission allowances —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation introduces amendments to the information that must be provided to register for the system, to trade emission allowances or to take part in an auction of emission units or a sale by mutual agreement. It also stipulates certain requirements and terms and conditions respecting the coverage of greenhouse gas emissions and the allocation of emission units without charge, in particular where an emitter makes a correction to its emissions report.

The draft Regulation also introduces amendments to the provisions pertaining to the auction of emission units and the sale of emission units by mutual agreement in order to clarify their operation. In addition, it modifies the purchasing limits at an auction, most of which will come into force on 1 January 2015.

The draft Regulation amends the provisions pertaining to offset credits in order to simplify the project registration procedure. It also sets out the procedure for recovering offset credits that have been cancelled by a partner entity. Lastly, it revises the protocol for ozone depleting substances to make the destruction of certain refrigerants used in refrigeration, freezer and air-conditioning appliances eligible for the issue of offset credits.

Study of the matter shows that the proposed amendments create no significant additional requirements for emitters and participants. The nature of the requirements does not necessitate a distinction between SMEs and other enterprises. Consequently, no specific provision is made for the size of enterprises.

Further information may be obtained by contacting Kim Ricard, engineer, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, telephone: 418 521-3868, extension 4893; email: kim.ricard@mddelcc.gouv.qc.ca; fax: 418 646-4920.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Jean-Yves Benoit, senior economist and carbon market director, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 6^e étage, boîte 31, Québec (Québec) G1R 5V7; email: jean-yves.benoit@mddelcc.gouv.qc.ca

DAVID HEURTEL,
*Minister of Sustainable Development, the Environment
and the Fight Against Climate Change*

Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

Environment Quality Act

(chapter Q-2, s.31, 1st par., subpars. *b*, *c*, *d*, *e.1*, *h* and *h.1*, ss. 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34)

1. The Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) is amended in section 2

(1) by replacing “gasoline, diesel fuel, propane, natural gas and heating oil” in the part preceding subparagraph 1 of the third paragraph by “automotive gasoline, diesel fuels, propane, natural gas and heating fuel”;

(2) by replacing “marine bunker fuel” in subparagraph 1 of the third paragraph by “fuel oil for ships”.

2. Section 5 of the Regulation is amended

(1) by striking out “, de la Faune” in the first paragraph;

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

“Despite the first paragraph, where all or part of the system is delegated to a person or a body pursuant to the second paragraph of section 46.13 of the Environment Quality Act (chapter Q-2), the information and documents indicated in the notice published in accordance with the third paragraph of that section must be sent to the delegatee.”.

3. Section 6 of the Regulation is amended

(1) by replacing “an allocation” in subparagraph 1 by “a distribution”;

(2) by inserting the following subparagraph after subparagraph 1:

“(1.1) an allocation account, containing the emission units available for allocation without charge, calculated in accordance with Part II of Appendix C of this Regulation;”;

(3) by replacing “reserve emission units, along with any other emission allowance that must be recorded in the account in accordance with this Regulation, is intended for sale by mutual agreement by the Minister, or is used” in subparagraph 3 by “emission units intended for sale by mutual agreement by the Minister or to be used”;

(4) by adding the following subparagraph after subparagraph 5:

“(6) an invalidation account, containing offset credits issued and cancelled by a partner entity.”.

4. The first paragraph of section 7 of the Regulation is amended

(1) by striking out “home and” in subparagraph 2;

(2) by striking out “and home addresses” in subparagraph 6;

(3) by adding the following at the end of subparagraph 9: “and attesting that the information and documents provided are valid and that consent has been given as to their communication when necessary for the purposes of this Regulation and of the corresponding rules and regulations of a partner entity”.

5. Section 8 of the Regulation is amended by adding the following paragraph:

“However, a natural person employed by an emitter or a participant may not register as a participant in the system.”.

6. Section 8.1 of the French text is amended by replacing “à titre du” by “à titre de”.

7. Section 9 of the Regulation is amended

(1) by adding the following at the end of subparagraph 3 of the first paragraph: “, specifying the percentage share of the purchasing limit at an auction conducted solely by the Minister, conducted by the Minister jointly with a partner entity and conducted solely by the partner entity”;

(2) by adding the following at the end of subparagraph 5 of the second paragraph: “, as well as any emitter or participant who shares an account representative”.

8. Section 10 of the Regulation is amended

(1) by replacing “; and” at the end of subparagraph a of subparagraph 7 by “and the corresponding rules and regulations of a partner entity”;

(2) by inserting the following subparagraph after subparagraph a of subparagraph 7:

“(a.1) that the person consents to a judicial record verification by the Minister or a person mandated for that purpose; and”.

9. Section 11 of the Regulation is amended

(1) by adding the following at the end of subparagraph 5 of the third paragraph: “The declaration must also indicate the name and contact information of any other emitter or participant on whose behalf the account representative acts for that purpose”;

(2) by replacing “or, when an emitter or participant has only 2 representatives, when a new representative is designated” in the sixth paragraph by “and, when an emitter or a participant has only 2 representatives, only after a new representative has been designated”.

10. Section 12 of the Regulation is amended by inserting “or with the corresponding rules and regulations of a partner entity” after “with section 10” in the first paragraph.

11. Section 14 of the Regulation is amended by replacing “traded or retired” in subparagraph 1 by “traded”.

12. Section 14.1 of the Regulation is replaced by the following:

“**14.1.** Any change to the information and documents provided pursuant to subparagraph 6 of section 10 or to section 11 must be communicated to the Minister without delay and, in the case of those provided pursuant to sections 7, 8 and 9, subparagraphs 1 to 5 and subparagraph 7 of section 10 or section 12, within 30 days from this amendment.”.

13. Section 18 of the Regulation is amended by inserting “, where applicable,” after “the surrendered units being” in subparagraph 1 of the first paragraph.

14. Section 19 of the Regulation is amended

(1) by replacing “visée à l'article 2” in the first paragraph of the French text by “visés à l'article 2”;

(2) by adding the following at the end of the first paragraph: “or the permanent stop in production of a reference unit if the emissions attributable to the other reference units produced have been below the emissions threshold for the last 3 years”;

(3) by replacing “reported emissions” in subparagraph 2 of the second paragraph by “verified emissions”.

15. Section 20 of the Regulation is amended by adding the following at the end of the first paragraph: “, except for offset credits, which may be used if they were issued in the first year following the year of expiry of the compliance period”.

16. Section 21 of the Regulation is amended

(1) by inserting “or, if that day is not a business day, on the first following business day, at 8:00 p.m.” after “expiry of a compliance period” in the first paragraph;

(2) by adding “, using units from categories C, B and A, in that order” at the end of subparagraph 1.1 of the second paragraph.

17. Section 22 of the Regulation is amended

(1) by adding “in the manner provided for in the second paragraph of section 21” at the end of the second paragraph;

(2) by inserting “and early reduction credits” after “emission units” in the part preceding subparagraph 1 of the third paragraph;

(3) by adding the following at the end of subparagraph 1 of the third paragraph: “using reserve units from categories C, B and A, early reduction credits and units identified by vintage from the least recent to the most recent, in that order”;

(4) by replacing “and emission units” in the fourth paragraph by “as well as emission units and early reduction credits”;

(5) by replacing “and emission units” in the fifth paragraph by “, emission units and early reduction credits”.

18. Section 23 of the Regulation is amended by replacing the second paragraph by the following:

“The emission units identified by vintage deducted following the application of the administrative sanction provided for in that section are placed in the Minister's auction account to be auctioned at a later date, and the reserve emission units and early reduction credits deducted are placed in the Minister's retirement account to be extinguished.”.

19. The Regulation is amended by inserting the following section after section 23:

“**23.1.** An emitter who, in accordance with section 6.5 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), communicates a notice of correction to raise the quantity of GHG emissions reported in an emissions report filed in the previous 7 years must, for every compliance period that includes one of those years and for which the compliance deadline has expired, cover the GHG emissions that have not been covered by an equivalent number of additional emission allowances if the situation corresponds to one of the following criteria:

Criterion 1

$$[(\text{GHG}_{\text{corr}} - \text{Allowances}_{\text{surrendered}}) / \text{Allowances}_{\text{surrendered}}] \geq 0.05$$

Criterion 2

$$(\text{GHG}_{\text{corr}} - \text{Allowances}_{\text{surrendered}}) \geq 5\,000 \text{ metric tonnes CO}_2 \text{ equivalent}$$

Where:

GHG_{corr} = Corrected GHG emissions, in metric tonnes CO₂ equivalent;

$\text{Allowances}_{\text{surrendered}}$ = Quantity of emission allowances surrendered for the compliance period to which the correction applies, expressed in metric tonnes CO₂ equivalent.

Not later than 8:00 p.m. on the 180th day following the notice of correction or, if that day is not a business day, on the first following business day, the emitter must transfer into its compliance account the number of additional emission allowances calculated in accordance with the first paragraph, which must meet the following conditions:

(1) emission allowances identified by vintage must be from the current year or a previous year;

(2) the offset credits used, along with the offset credits already deducted for the compliance period during which the correction is recorded, must not exceed 8% of the GHG emissions to be covered for that period.

The Minister deducts the additional emission allowances required in the manner provided for in the second paragraph of section 21 and places them in the Minister's retirement account to be extinguished.

Until such time as the additional emission allowances are not transferred in accordance with the second paragraph, transactions in the emitter's general account are limited to transfers into the emitter's compliance account.

If the additional emission allowances are not surrendered in the time prescribed in the second paragraph, the provisions of sections 22 and 23 apply, with the necessary modifications.

No emission allowances will be surrendered in the case of a notice of correction whose purpose is to reduce the emissions referred to in the first paragraph.”.

20. Section 25 of the Regulation is amended in the first paragraph

(1) by adding “as well as the method used to determine the settlement price” at the end of subparagraph 4;

(2) by replacing subparagraph 5 by the following:

“(5) the type of emissions trading agreement, the date of signing of the agreement, the agreed upon trading date and the name and contact information of the other parties involved;”;

(3) by adding the following subparagraph after subparagraph 5:

“(6) where applicable, all other transactions or products covered by the agreement, a description of those transactions or products, and the name and contact information of the other parties involved.”.

21. Section 26 of the Regulation is amended by inserting “and as soon as possible” after “on request” in the sixth paragraph.

22. Section 27.1 of the Regulation is amended by inserting “and as soon as possible” after “on request” in the fifth paragraph.

23. Section 32 of the Regulation is amended

(1) by replacing “sold by mutual agreement” in the first paragraph preceding equation 32-1 by “from the reserve account”;

(2) by replacing “soumises” in the French text of the third paragraph by “soumis”.

24. Section 35 of the Regulation is replaced by the following:

“35. The Minister posts, on the website of the Ministère du Développement durable, de l'Environnement et des Parcs, an annual list of all emitters and participants registered for the system as well as a summary of transactions conducted the previous year.”.

25. Section 36 of the Regulation is amended by replacing the second paragraph by the following:

“Reserve emission units are also identified according to the categories provided for in the first paragraph of section 58, whereas other emission units as well as offset credits are also identified by vintage.”.

26. The Regulation is amended by inserting the following section after section 41:

“41.1. An emitter who, in accordance with section 6.5 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), communicates a notice of correction to raise the number of reference units reported in an emissions report filed for a year in the current compliance period is allocated, during the next issue of emission units, additional units equal to the difference between the quantity calculated for the first emissions report and the quantity calculated for the corrected emissions report in accordance with Part II of Appendix C.

No additional emission units are allocated for a notice of correction to an emissions report for a year in a compliance period for which the compliance deadline has expired.”.

27. Section 42 of the Regulation is amended

(1) by replacing “units placed on reserve” in the second paragraph by “emission units”;

(2) by replacing “In the latter case,” in the third paragraph by “In the case of emission units from the reserve account referred to in the second paragraph, the category of emission unit is replaced by the same vintage of the allocation year. In addition,”.

28. Section 46 of the Regulation is amended by replacing the fourth paragraph by the following:

“In all cases, an emitter or a participant must update, at least 30 days before the date of each auction, the following information:

- (1) all information or documents required under section 7 concerning the identity, ownership, administration and structure of the emitter's or participant's establishment or enterprise;
- (2) the existence of any business relationship referred to in section 9;
- (3) the allocation of the purchasing limit among the related entities;
- (4) the allocation of the holding limit among the related entities.

If any change is made to the information referred to in subparagraphs 3 and 4 of the fourth paragraph less than 30 days before the date of the auction, the emitter or participant may not take part in the auction.”.

29. Section 48 of the Regulation is amended by replacing “21” in the part preceding subparagraph 1 of the second paragraph by “26”.

30. Section 49 of the Regulation is amended

- (1) by replacing subparagraph 2 of the third paragraph by the following:

“(2) for auctions conducted in any year after 2012, the minimum price is set annually using the price set for the previous year increased by 5% and adjusted in the manner provided for in section 83.3 of the Financial Administration Act (chapter A-6.001), as per the equation below:

$$MP_t = MP_{(t-1)} \times (1 + 0.05 + Ir)$$

Where:

MP_t = Minimum price set for the current year;

$MP_{(t-1)}$ = Minimum price set for the previous year;

Ir = Indexation rate.”;

- (2) by adding the following paragraph at the end:

“A bid submitted at less than the minimum price set in accordance with the third and fourth paragraphs will be refused.”.

31. Section 50 of the Regulation is amended

(1) by replacing “15%” in subparagraph 1 of the third paragraph by “20%”;

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

“The total quantity of emission units of the current or a prior vintage or of a vintage subsequent to the current year that may be purchased by the same bidder at each auction is, however, limited to:

(1) 25% of the units to be auctioned in the case of an emitter;
and

(2) 4% of the units to be auctioned in the case of a participant.”;

(3) by striking out the fourth and fifth paragraphs;

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

“Bidders that are related entities have an overall purchasing limit. However, the purchasing limit for a group of participants related to an emitter may not exceed 4%.”;

(5) by striking out the ninth paragraph.

32. Section 51 of the Regulation is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**51.** A bidder or participant must not disclose whether or not it is taking part in an auction, or any other confidential information relating to its participation in an auction, including:”.

33. Section 52 of the Regulation is amended

(1) by replacing the first and second paragraphs by the following:

“**52.** At the close of the auction, when the total bids submitted by a bidder exceed that bidder's holding limit determined in accordance with sections 32 and 33 or its purchase limit determined in accordance with section 50, the Minister removes from the bidder's bids the quantity of excess lots, beginning with the lots awarded at the lowest price.”;

(2) by replacing “second paragraph” in the third paragraph by “first paragraph”;

(3) by replacing “fourth paragraph” in the fifth paragraph by “third paragraph”.

34. Section 53 of the Regulation is amended by replacing “third paragraph” in the third paragraph by “second paragraph”.

35. Section 54 of the Regulation is amended by replacing the first paragraph by the following:

“**54.** Emission units of the vintage of the current or a previous year that remain unsold after an auction are put up for sale as soon as the final sale price of the emission units has been above the minimum price for at least 2 auctions.”.

36. Section 58 of the Regulation is amended by replacing “emission units placed on reserve” in subparagraphs 1, 2 and 3 of the first paragraph by “reserve emission units”.

37. Section 59 of the Regulation is amended

(1) by replacing “21” in subparagraph 3 of the first paragraph by “26”;

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

“In all cases, an emitter must update, at least 30 days before the date of each sale by mutual agreement, the following information:

(1) all information or documents required under section 7 concerning the identity, ownership, administration and structure of the emitter’s establishment or enterprise;

(2) the existence of any business relationship referred to in section 9;

(3) the allocation of the holding limit among the related entities.

If any change is made to the information referred to in subparagraph 3 of the third paragraph less than 30 days before the date of the sale by mutual agreement, the emitter may not take part in the sale.”.

38. Section 61 of the Regulation is amended by replacing “emission units placed on reserve” in the first and second paragraphs by “reserve emission units”.

39. Section 70.1 of the Regulation is amended by replacing “project plans, project reports, validation and verification reports” by “the name of the promoter’s enterprise, information related to the project submitted with the application for registration, project reports and verification reports”.

40. Section 70.2 of the Regulation is amended by replacing “same period as the initial period” in the third paragraph by “period applicable to this type of project”.

41. Section 70.3 of the Regulation is amended by replacing subparagraph 13 by the following:

“(13) the activities carried out under the project must meet all applicable requirements for the type of project and the place where it is carried out.”.

42. Section 70.5 of the Regulation is amended

(1) by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**70.5.** A promoter wishing to be issued offset credits for a project must, not later than 18 months after the project begins but not exceeding the date of submission of the first report for the project referred to in the second paragraph, apply to the Minister for the project to be registered in the register of offset credit projects by submitting the promoter's name and professional contact information, the name of the promoter's enterprise, the promoter's account numbers and the following project information:

(1) where applicable, the name and contact information of the person responsible for the promoter's activities;

(2) the title and a summary description of the project;

(3) the protocol applicable to the project, referred to in Appendix D;

(4) if the application is for a new project or is an application for renewal;

(5) if the application is for a single project and, if so, the location of the project site;

(6) if the application is for an aggregation of projects and, if so, the number of projects involved;

(7) an estimate of the annual and total GHG emissions to be reduced in accordance with this Regulation and the applicable protocol, in metric tonnes CO₂ equivalent;

(8) the duration of the project and the estimated project commencement date;

(9) the signature of the promoter and the date of the application for registration as well as a declaration attesting that the information provided is accurate.

Not later than 18 months after the project begins, the promoter must submit a first project report to the Minister covering the first project reporting period, complying with sections 70.14 to 70.19 and including, in addition to those stipulated in section 70.14, the following information and documents:";

(2) by striking out subparagraphs 1, 4, 8, 11, 14 and 15 of the first paragraph;

(3) by replacing "will be" in subparagraph 5 of the first paragraph by "is";

(4) by striking out "or, if authorization has not yet been granted, a copy of the application for authorization" in subparagraph 9 of the first paragraph;

(5) by replacing "2 year" in the second paragraph by "3 years".

43. Section 70.6 of the Regulation is amended by replacing "The application for registration referred to in section 70.5 or 70.7" in the part preceding subparagraph 1 by "the first project report referred to in the second paragraph of section 70.5".

44. Section 70.7 of the Regulation is amended

(1) by replacing "submit to the Minister an application for registration for an aggregation of projects of the same type carried out" in the first paragraph by "carry out an aggregation of the projects of the same type on";

(2) by replacing "An application for registration for an" in the part preceding subparagraph 1 of the second paragraph by "The application for registration referred to in the first paragraph of section 70.5 must, in such a case, also include the list of members of the aggregation for which the project is carried out and their contact information, and the first project report for the";

(3) by replacing "referred to in" in subparagraph 1 of the second paragraph by "referred to in the second paragraph of";

(4) by striking out subparagraph 2 of the second paragraph.

45. Section 70.8 of the Regulation is amended by replacing “along with the validation report referred to in section 70.9” in the first paragraph by “and the project report submitted immediately after the project is added must include, for the added project, the information and documents referred to in the second paragraph of section 70.5”.

46. Section 70.9 of the Regulation is revoked.

47. Section 70.10 of the Regulation is amended by replacing “70.9” by “70.8”.

48. Section 70.11 of the Regulation is replaced by the following:

“70.11. Where an application for registration is submitted for a project in accordance with the first paragraph of section 70.5, the Minister registers the project in the register of offset credit projects.”.

49. Section 70.12 of the Regulation is amended by replacing “validated project plan” in the second paragraph by “the first project report submitted in accordance with the second paragraph of section 70.5”.

50. Section 70.14 of the Regulation is amended

(1) by replacing “second paragraph of section 70.5” in the first and third paragraphs by “third paragraph of section 70.5”;

(2) by adding the following subparagraph after subparagraph c of subparagraph 8 of the second paragraph:

“(d) the information and documents provided are complete and accurate;”;

(3) by inserting the following subparagraph after subparagraph 8 of the second paragraph:

“(8.1) any information relating to financial assistance received for the project under a GHG emission reduction program;”;

(4) by inserting the following paragraph after the third paragraph:

“Despite the second paragraph, if, for a single project or for each project in an aggregation of projects, GHG emission reductions of less than 25,000 metric tonnes CO₂ equivalent have been achieved during a period covered by a project report, the promoter may postpone the submission of the project report for that period to the following year, provided the promoter notifies the Minister in writing within the time prescribed in the second paragraph. The promoter must, however, submit project reports every 2 years.”.

51. Section 70.15 of the Regulation is amended

(1) by replacing “The project report referred to in section” in the first paragraph by “Every project report submitted in accordance with section”;

(2) by striking out subparagraph 2 of the second paragraph;

(3) by replacing the fourth paragraph by the following:

“Despite the first paragraph, until 31 December 2017, a verification report on a project report may be conducted by a verification organization in the process of being accredited, on the condition that the organization receives accreditation in the year following the verification of the project.

If the organization fails to receive accreditation within the time prescribed in the fourth paragraph, the promoter must, not later than 6 months after the end of the prescribed time, send the Minister a new verification report on its project report, conducted by an accredited organization in accordance with the first paragraph.

No offset credits may be issued for the year covered by a verification report on a project report until the organization has been accredited.”.

52. Section 70.17 of the Regulation is amended

(1) by inserting the following subparagraph after subparagraph 2 of the first paragraph:

“(2.1) a description of the activities executed by the verifier to ensure the project complies with this Regulation;”;

(2) by adding “and on the percentage of error referred to in subparagraph 6” at the end of subparagraph 5 of the first paragraph.

53. Section 70.19 of the Regulation is amended by inserting the following paragraph before the first paragraph:

“A verification report on a project report is deemed positive if the verifier can attest with reasonable assurance that the percentage of error committed in applying quantification, surveillance or measurement conditions, calculated in accordance with section 70.18, is not above 5% and that the other conditions of this Regulation are met.”.

54. Section 70.20 of the Regulation is amended

(1) by replacing “, within the meaning of paragraph 5 of section 70.14, for” in the first paragraph by “reported in accordance with subparagraph 5 of the first paragraph of section 70.14 for”;

(2) by striking out the third paragraph.

55. Section 70.21 of the Regulation is amended

(1) by replacing “issued to the promoter” in the part preceding subparagraph 1 of the first paragraph by “issued for eligible GHG emission reductions reported in accordance with subparagraph 5 of the first paragraph of section 70.14”;

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

“(3) where the project was not carried out in accordance with the provisions of this Regulation.”;

(3) by replacing the second and third paragraphs by the following:

“The Minister notifies the promoter who must, within 30 days of receiving the notice, place in its general account a number of emission allowances equivalent to the number of illegitimate offset credits that must be replaced. The emission allowances must be of a prior-year or contemporary vintage to those credits.

The Minister, after being notified that the promoter has placed the credits in the general account, deducts the replacement emission allowances designated by the promoter and places them in the retirement account to be extinguished. The Minister also transfers the offset credits paid into the environmental integrity account for the project into the retirement account to be extinguished.”;

(4) by replacing “replace the offset credits” in the fourth paragraph by “replace the emission allowances”.

56. The Regulation is amended by inserting the following section after section 70.21:

“70.21.1. If a partner entity cancels offset credits held in the account of an emitter or a participant registered pursuant to this Regulation, the Minister notifies the emitter or participant of his intention to cancel the offset credits, in accordance with the second paragraph of section 46.12 of the Environment Quality Act (chapter Q-2). After the offset credits concerned have been cancelled, they are transferred into the Minister’s invalidation account to be surrendered to the partner entity.

If a partner entity cancels offset credits that were used for emitter compliance purposes, the Minister notifies the emitter, who must, within 6 months after receiving the notice, replace the cancelled offset credits by placing an equivalent number of emission allowances in its compliance account. The emission allowances are placed in the Minister’s retirement account to be extinguished. The cancelled offset credits recorded in the Minister’s retirement account are transferred into the Minister’s invalidation account and surrendered to the partner entity.

If the emission allowances required under the second paragraph are not surrendered within the prescribed time, the provisions of sections 22 and 23 apply, with the necessary modifications.”.

57. Section 71 of the Regulation is amended by replacing subparagraph 1 by the following:

“(1) contravenes section 4, 9 or 12, the second paragraph of section 13, section 14.1, the second paragraph of section 18 or 19, the sixth paragraph of section 26, the fifth paragraph of section 27.1, the second paragraph of section 33 or 51, section 53, 62, 70.5, 70.13 or 70.14, the first, third or fifth paragraph of section 70.15 or section 70.22;”.

58. Section 72 of the Regulation is amended by striking out “, 70.9”.

59. Section 73 of the Regulation is amended

(1) by replacing subparagraph 1 by the following:

“(1) contravenes section 7 or 17, the first or third paragraph of section 19, section 20, the first paragraph of section 21, the first or second paragraph of section 23.1, the first paragraph of section 24, section 28, 29, 30 or 31, the second paragraph of section 37, the first paragraph of section 51 or the second paragraph of section 70.21 or 70.21.1;”;

(2) by replacing “the second paragraph of section 18” in subparagraph 2 by “subparagraph 2 of the first paragraph of section 18”.

60. Section 74 of the Regulation is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“74. A person who contravenes section 4, 9 or 12, the second paragraph of section 13, section 14.1, the second paragraph of section 18 or 19, the sixth paragraph of section 26, the fifth paragraph of section 27.1, the second paragraph of section 33 or 51, section 53, 62, 70.5, 70.13 or 70.14, the first, third or fifth paragraph of section 70.15 or section 70.22 is guilty of an offence and is liable,”.

61. Section 75 of the Regulation is amended by striking out “, 70.9”.

62. Section 75.1 of the Regulation is amended by replacing the part preceding subparagraph 1 by the following:

“75.1. A person who contravenes section 7 or 17, the first paragraph of section 24, the second paragraph of section 37, the fourth paragraph of section 41, the first paragraph of section 51 or the second paragraph of section 70.21 is guilty of an offence and is liable,”.

63. Section 75.3 of the Regulation is amended by inserting “contravenes section 28, 29, 30 or 31 or who” after “who” in the part preceding subparagraph 1 of the first paragraph.

64. Section 75.4 of the Regulation is amended by replacing “paragraph of section 19, 20 or 21, or the fourth paragraph of section 22” by “or third paragraph of section 19, section 20, the first paragraph of section 21, the fourth paragraph of section 22, the first or second paragraph of section 23.1 or the second paragraph of section 70.21.1”.

65. Appendix C of the Regulation is amended

(1) in Table B of Part I:

(a) by replacing the fifteenth row corresponding to the sector “Other²” and the type of activity “Soya and canola oil production” by the following:

“

Other ²	Oilseed processing	Metric tonne of processed oilseeds
--------------------	--------------------	------------------------------------

”;

(b) by inserting the following row after the forty-seventh row corresponding to the sector “Mining and pelletization” and type of activity “Nickel concentrate production”:

“

Mining and pelletization	Nickel concentrate and copper concentrate production	Metric tonne of nickel and copper produced
--------------------------	--	--

”,
;

(2) by inserting the following paragraph after subparagraph 8 of the fourth paragraph of Division D of Part II:

“To be considered in the calculation of emission units allocated without charge, any change to the information set out in subparagraph 4 of the first paragraph of section 7 and provided by the emitter when registering for the system must be sent to the Minister, along with all supporting documents, not later than

(1) 1 June 2015, in the case of an emitter operating a covered establishment as of 2013;

(2) 1 June following the end of the first compliance period for which the emitter is required to cover its GHG emissions, in the case of an emitter operating a covered establishment after 2013.”;

(3) by adding “**or production of a new reference unit**” at the end of the heading of Division 6.5 of Division D of Part II;

(4) in Division 6.5 of Division D of Part II:

(a) by inserting “or of the production of any new reference unit” after “covered establishments” in the part preceding subparagraph 1;

(b) by adding “or where the new reference unit is produced” at the end of subparagraph 1;

(5) by adding the following Division after Division 6.5.2 of Division D of Part II:

“6.5.3. Production of a new reference unit

The quantity of GHG emission units allocated without charge to an emitter to take into account the production of a new reference unit at a facility of one of its covered establishments must be calculated

(1) in the case of a facility that is not considered on a sectoral basis, using equations 4-1 to 4-8;

(2) in the case of a facility considered on a sectoral basis, using equations 5-1 and 5-2.

For the application of the equations set out in the first paragraph, factors d and i are replaced by the following:

d = First year of production of the new reference unit;

i = Years $d-2$, $d-1$ and $d+1$, where available, excluding the first year of production of the new reference unit.”.

66. Protocol 1 of Appendix D of the Regulation is amended

(1) by inserting “fixed” before “CH₄” in the second paragraph of Division 1 of Part I;

(2) in Division 4.1 of Part I:

(a) by replacing equation 2 by the following:

“Equation 2

$$GHG_{project} = GHG_{dest\ flare} - GHG_{combustion\ flare} + GHG_{dest\ other} - GHG_{combustion\ other}$$

Where:

$GHG_{project}$ = Gross reduction in GHG emissions attributable to the project during the project reporting period, in metric tonnes CO₂ equivalent;

$GHG_{dest\ flare}$ = Lesser of the CH₄ emissions destroyed at flare during the project reporting period and 90% of the emissions from an uncovered manure storage facility, calculated using equation 3, in metric tonnes CO₂ equivalent;

$GHG_{combustion\ flare}$ = N₂O emissions attributable to combustion of captured gas at flare during the project reporting period, calculated using equation 6, in metric tonnes CO₂ equivalent;

$GHG_{dest\ other}$ = Lesser of the CH₄ emissions destroyed by a destruction device other than a flare during the project reporting period and 90% of the emissions from an uncovered manure storage facility, calculated using equation 7, in metric tonnes CO₂ equivalent;

$GHG_{combustion\ other}$ = N₂O emissions attributable to combustion of captured gas by a destruction device other than a flare during the project reporting period, calculated using equation 8.1, in metric tonnes CO₂ equivalent;”;

(b) by replacing equation 6 by the following:

“Equation 6

$$GHG_{\text{combustion flare}} = \sum_{j=1}^n [Q_{\text{gas cov}} \times EFF_{\text{flare}} \times C_{\text{CH}_4}]_j \times (0.049 \times 310) \times 0.000001$$

Where:

$GHG_{\text{combustion flare}}$ = N_2O emissions attributable to combustion of captured gas at flare during the project reporting period, in metric tonnes CO_2 equivalent;

n = Number of days on which gas is produced during the project reporting period;

j = Day on which gas is produced at the manure storage facility vent;

$Q_{\text{gas cov}}$ = Quantity of gas available for burning on day j measured at the capture system before delivery to the flare, in cubic metres at standard conditions;

EFF_{flare} = Flare burning efficiency rate, namely:

- for an open flare, a rate of 0.96 when the flare is operated in accordance with the method “General control device and work practice requirements” in Part 60.18 of Title 40 of the Code of Federal Regulations published by the U.S. Environmental Protection Agency (USEPA), or a rate of 0.5 in other cases;

- for an enclosed flare, a rate of 0.98 when the gas retention time in the stack is at least 0.3 seconds, or a rate of 0.9 in other cases;

C_{CH_4} = Average CH_4 content in the gas burned on day j , determined in accordance with Part III, in cubic metres of CH_4 per cubic metre of gas;

0.049 = N_2O emission factor attributable to flare burning, in grams of N_2O per cubic metre of gas burned;

310 = Global Warming Potential factor of N_2O , in grams of CO_2 equivalent per gram of N_2O ;

0.000001 = Conversion factor, grams to metric tonnes;”;

(c) by replacing equation 8 by the following:

“Equation 8

$$GHG_{other} = Q_{gas\ cov} \times [(C_{CH_4} - C_{dest-CH_4}) \times 0.667 \times 21] \times 0.001$$

Where:

GHG_{other} = CH_4 emissions destroyed by a destruction device other than a flare during the project reporting period, in metric tonnes CO_2 equivalent;

$Q_{gas\ cov}$ = Quantity of gas available for destruction during the project reporting period, measured at the capture system prior to destruction, in cubic metres at standard conditions;

C_{CH_4} = Average CH_4 content in the gas before entering the destruction device during the project reporting period, determined in accordance with Part III, in cubic metres of CH_4 per cubic metre of gas;

$C_{dest-CH_4}$ = Average CH_4 content in the gas leaving the destruction device during the project reporting period, determined in accordance with the method in Part V, in cubic metres of CH_4 per cubic metre of gas;

0.667 = Density of CH_4 , in kilograms per cubic metre at standard conditions;

21 = Global Warming Potential factor of CH_4 , in kilograms of CO_2 equivalent per kilogram of CH_4 ;

0.001 = Conversion factor, kilograms to metric tonnes;

Equation 8.1

$$GHG_{combustion\ other} = Q_{gas\ cov} \times (C_{dest-N_2O} \times 1.84 \times 310) \times 0.001$$

Where:

$GHG_{combustion\ other}$ = N_2O emissions attributable to combustion of captured gas by a destruction device other than a flare during the project reporting period, in metric tonnes CO_2 equivalent;

$Q_{gas\ cov}$ = Quantity of gas available for destruction during the project reporting period, measured at the capture system prior to destruction, in cubic metres at standard conditions;

C_{dest-N_2O} = Average N_2O content in the gas leaving the destruction device during the project reporting period, determined in accordance with the method in Part V, in cubic metres of N_2O per cubic metre of gas;

1.84 = Density of N_2O , in kilograms per cubic metre at standard conditions;

310 = Global Warming Potential factor of N_2O , in kilograms of CO_2 equivalent per kilogram of N_2O ;

0.001 = Conversion factor, kilograms to metric tonnes.”;

(3) in Division 5.2 of Part I:

(a) by adding “(other than a flare)” at the end of “ CH_4 content leaving the destruction device” and “ N_2O content leaving the destruction device” in the “Parameter” column of Figure 5.1;

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

“(2) the CH_4 content in the gas entering the destruction device, determined in accordance with the applicable method in Part III;

(3) the CH_4 and N_2O content in the gas leaving the destruction device, determined in accordance with the applicable method in Part V, when a destruction device other than a flare is used.”;

(c) by striking out the fifth paragraph;

(4) by replacing subparagraph 3 of the first paragraph of Division 5.3 of Part I by the following:

“(3) calibrated by the manufacturer or by a third person certified for that purpose, every 5 years or according to the manufacturer's specifications, whichever is more frequent”;

(5) by replacing, in Table 1 of Part II:

(a) emission factor “27.6” in the first row by “27.8”;

(b) emission factor “3.5” in the third row by “3.3”;

(c) emission factor “3.3” in the fourth row by “3.2”;

(d) emission factor “2.6” in the fifth row by “2.4”;

(6) by replacing the headings of the fifth and sixth columns of the monitoring grid in Part IV by the following:

“

GHG _{flare} or GHG _{other} in CO ₂ equivalent, using equation 4 or 8	GHG _{combustion flare} or GHG _{combustion other} in CO ₂ equivalent, using equation 6 or 8.1
---	--

”,
,

(7) in Part V:

(a) by replacing “**the destruction device**” in the heading by “**a destruction device other than a flare**”;

(b) by inserting “or N₂O” after “a continuous CH₄” in the first paragraph;

(8) by adding “or N₂O” after “CH₄” in subparagraph 4 of the first paragraph of Part VI.

67. Part I of Protocol 2 of Appendix D of the Regulation is amended

(1) in the part preceding Division 1.1 of Division 1:

(a) by replacing “at the time of registration” in subparagraphs 1 and 2 of the second paragraph by “on the date of application for registration”;

(b) by adding the following paragraph at the end:

“The provisions of subparagraph 1 of the second paragraph of this Division and those of Division 1.2 do not apply to a landfill site of a pulp and paper mill, a sawmill or an oriented strandboard manufacturing plant.”;

(2) by striking out Division 1.1;

(3) by replacing “**at the time of registration**” in the heading of Division 1.2 and “at the time of registration” in the part preceding subparagraph 1 of this Division by “**on the date of application for registration**” and “on the date of application for registration” respectively;

(4) by striking out subparagraph 1 of Division 1.2;

(5) by replacing “**and quantity of CH₄ emitted by**” in the heading of Division 3 by “**captured from**”;

(6) by striking out the second paragraph of Division 3;

(7) by replacing “project plan” in subparagraph 1 of the second paragraph of Division 6.1 and in the last paragraph of Division 7.2 by “first project report”.

68. Protocol 3 of Appendix D of the Regulation is amended

(1) by replacing “**REMOVED FROM REFRIGERATION AND FREEZER APPLIANCES**” in the heading of the protocol by “**OR USED AS REFRIGERANTS REMOVED FROM REFRIGERATION, FREEZER AND AIR-CONDITIONING APPLIANCES**”;

(2) in the part preceding Division 1 of Part I:

(a) by inserting the following subparagraph after subparagraph 3:

“(3.1) “foam”: insulating foam removed from refrigeration or freezer appliances;”;

(b) by inserting “contained in foam” after “ODS” in subparagraph 4;

(c) by adding the following after subparagraph 4:

“(5) “ODS used as refrigerants”: ozone depleting substances of the following types:

(a) CFC-11;

- (b) CFC-12;
- (c) CFC-13;
- (d) CFC-113;
- (e) CFC-114;
- (f) CFC-115;
- (6) “ODS”: ODS contained in foam and ODS used as refrigerants;
- (7) “substitute refrigerants”: refrigerants used to replace refrigerants destroyed by a project.

For the purposes of this protocol, chlorofluorocarbons (CFC) and hydrochlorofluorocarbons (HCFC) are greenhouse gases.”;

- (3) by replacing the first and second paragraphs of Division 1.1 of Part I by the following:

“This offset credit protocol covers any project designed to destroy ODS contained in foam or used as refrigerants removed from refrigeration, freezer or air-conditioning appliances recovered in Canada.

Projects target all the activities engaged in by a promoter to destroy, in an authorized destruction facility, ODS contained in foam removed from refrigeration or freezer appliances and ODS used as refrigerants removed from equipment, systems or appliances from industrial, commercial, institutional or residential sources or removed from ODS stored by such sources for future use or disposal, and used for refrigeration, freezing and air conditioning.

When ODS used as refrigerants targeted by a project are removed from refrigeration, freezer or air-conditioning appliances that also contain ODS contained in foam, the project must also, for any destruction activity taking place after (*indicate the date corresponding to one year following the date of coming into force of this Regulation*), provide for the extraction and destruction of the ODS contained in the foam in accordance with this protocol.”;

- (4) in Division 2 of Part I:

(a) by replacing “**Project plan**” in the heading and “project plan” in the part preceding subparagraph 1 by “**First project report**” and “first project report” respectively;

(b) by inserting “or refrigerants” after “removing foam” in subparagraph 1 and “or refrigerants” after “remove foam” in subparagraph 4;

(c) by striking out “-containing foam” in subparagraph 3;

(d) by inserting “and according to whether the ODS are contained in the foam or are used as refrigerants” after “type of ODS” in subparagraph 5;

(5) by inserting the following after United States” in Division 3 of Part I: “However, removal of the foam and refrigerants from the appliances and extraction of the ODS from the foam must be carried out in Canada.” after “;

(6) by adding “of this protocol” at the end of Division 4 of Part I;

(7) in Division 5 of Part I:

(a) by replacing “the ODS must” in subparagraph 1 by “ODS contained in foam must”;

(b) by replacing “the ODS must” in subparagraph 2 by “all ODS must”;

(c) by replacing subparagraph 3 by the following:

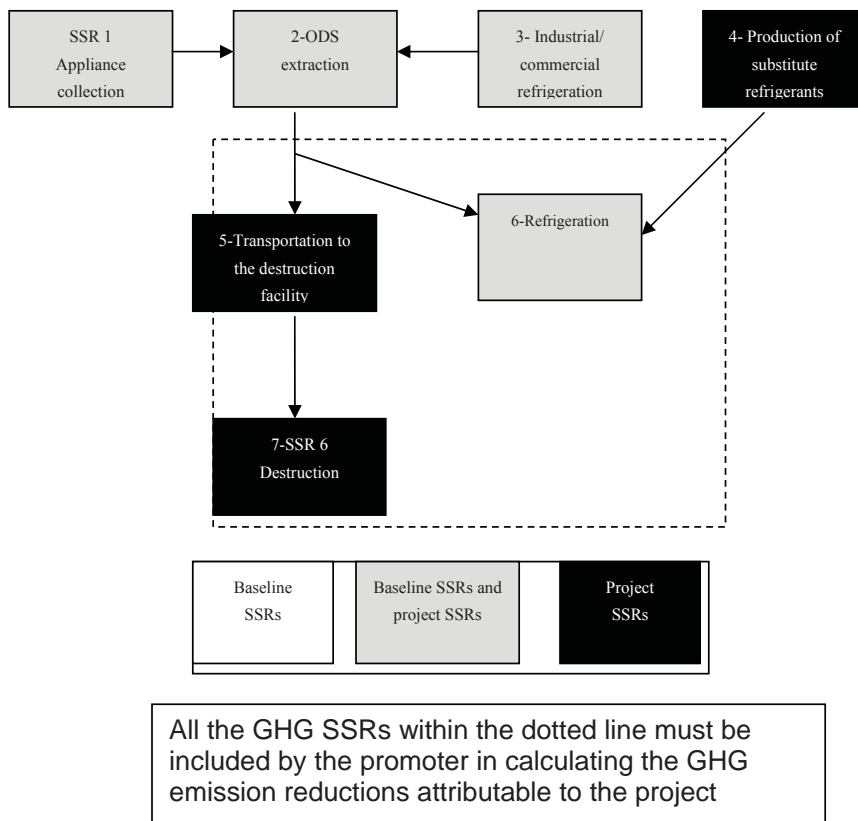
“(3) All ODS must be destroyed in concentrated form in an ODS destruction facility meeting the requirements in Division 10 of this protocol.”;

(8) in Division 6 of Part I:

(a) by replacing “6.1 and 6.2” in the part preceding Figure 6.1 by “6.1 to 6.3”;

(b) by inserting the following figure after Figure 6.1:

“Figure 6.1.1. Chart showing SSRs targeted in the calculation of GHG emissions under the baseline scenario and project scenario for ODS used as refrigerants



(c) by replacing the title of Figure 6.2 by **“Reduction project SSRs targeted in the calculation of GHG emissions under the baseline scenario and project scenario for ODS contained in foam”**;

(d) by adding the following figure after Figure 6.2:

“Figure 6.3. SSRs targeted in the calculation of GHG emissions under the baseline scenario and project scenario for ODS used as refrigerants

SSR #		Description	Type of emission	Relevant to project baseline scenario (B) and/or Project (P)	Include or Excluded
1	Appliance collection	Fossil fuel emissions attributable to the collection and transportation of end-of-life appliances	CO ₂	B, P	Excluded
			CH ₄	B, P	Excluded
			N ₂ O	B, P	Excluded
2	ODS extraction	Emissions of ODS attributable to the extraction and collection of refrigerants from end-of-life equipment or equipment undergoing maintenance	ODS	B, P	Excluded
		Fossil fuel emissions attributable to the extraction and collection of refrigerants from end-of-life equipment or equipment undergoing maintenance	CO ₂	B, P	Excluded
			CH ₄	B, P	Excluded
			N ₂ O	B, P	Excluded
3	Industrial and commercial refrigeration	ODS emissions attributable to equipment leakage and maintenance	ODS	B, P	Excluded
		Fossil fuel emissions attributable to the operation of refrigeration and air-conditioning equipment	CO ₂	B, P	Excluded
			CH ₄	B, P	Excluded
			N ₂ O	B, P	Excluded
4	Production of substitute refrigerants	Substitute refrigerant emissions during production	CO ₂ e	P	Excluded
		Fossil fuel emissions during the production of substitute refrigerants	CO ₂	P	Excluded
			CH ₄	P	Excluded
			N ₂ O	P	Excluded

5	Transportation to the destruction facility	Fossil fuel emissions attributable to the transportation of ODS from the point of origin to the destruction facility	CO ₂	P	Included
			CH ₄	P	Excluded
			N ₂ O	P	Excluded
6	Refrigeration	Emissions of ODS attributable to leakage and maintenance during the continuous operation of equipment	ODS	B	Included
		Substitute refrigerant emissions attributable to leakage and maintenance during the continuous operation of equipment	CO ₂ e	P	Included
		Indirect emissions attributable to the use of electricity	CO ₂	B, P	Excluded
			CH ₄	B, P	Excluded
			N ₂ O	B, P	Excluded
7	Destruction	Emissions of ODS attributable to incomplete destruction at the destruction facility	ODS	P	Included
		Emissions from the oxidation of carbon contained in the destroyed ODS	CO ₂	P	Included
		Fossil fuel emissions attributable to the destruction of ODS in a destruction facility	CO ₂	P	Included
			CH ₄	P	Excluded
			N ₂ O	P	Excluded
		Indirect emissions attributable to the use of electricity	CO ₂	P	Included
			CH ₄	P	Excluded
			N ₂ O	P	Excluded

»;

(9) by replacing Division 7 of Part I by the following:

“7. Calculation method for total GHG emission reductions attributable to a project

In calculating the GHG emission reductions attributable to a project for the destruction of ODS, the promoter must calculate the reductions attributable to the destruction of ODS contained in foam separately from those attributable to the destruction of ODS used as refrigerants.

The promoter must calculate the total GHG emission reductions using equation 1:

Equation 1

$$ER_T = ER_F + ER_R$$

Where:

ER_T = Total GHG emission reductions attributable to the project during the project reporting period, in metric tonnes CO₂ equivalent;

ER_F = Total GHG emission reductions attributable to the destruction of ODS contained in foam during the project reporting period, calculated using equation 2, in metric tonnes CO₂ equivalent;

ER_R = Total GHG emission reductions attributable to the destruction of ODS used as refrigerants during the project reporting period, calculated using equation 6.2, in metric tonnes CO₂ equivalent.

For the purposes of the equations, the promoter must use the global warming potential of ODS shown in Figure 7.1:

Figure 7.1. Global warming potential of ODS

Type of ODS	Global warming potential (metric tonnes CO ₂ equivalent per metric tonne of ODS)
CFC-11	4,750
CFC-12	10,900
CFC-13	14,400
CFC-113	6,130
CFC-114	10,000
CFC-115	7,370
HCFC-22	1,810
HCFC-141b	725

7.1. Calculation method for GHG emission reductions under a project for the destruction of ODS contained in foam

The promoter must calculate GHG emission reductions under a project for the destruction of ODS contained in foam using equation 2:

Equation 2

$$ER_F = BE_F - PE_F$$

Where:

ER_F = Total GHG emission reductions attributable to the project for the destruction of ODS contained in foam during the project reporting period, in metric tonnes CO₂ equivalent;

BE_F = Baseline emissions attributable to the destruction of ODS contained in foam during the project reporting period, calculated using equation 3, in metric tonnes CO₂ equivalent;

PE_F = GHG emissions under the project for the destruction of ODS contained in foam during the project reporting period, calculated using equation 5, in metric tonnes CO₂ equivalent.

7.1.1. Calculation of GHG emissions under the baseline scenario under a project for the destruction of ODS contained in foam

The promoter must calculate GHG emissions under the baseline scenario attributable to ODS-containing foam using equations 3 and 4:

Equation 3

$$BE_F = \sum_{i=1}^n [BA_{init,i} \times EF_{F,i} \times GWP_i]$$

Where:

BE_F = Baseline emissions attributable to the destruction of ODS contained in foam during the project reporting period, in metric tonnes CO₂ equivalent;

i = Type of ODS;

n = Number of types of ODS;

$BA_{init, i}$ = Initial quantity of ODS of type i contained in foam prior to removal from appliances, calculated using equation 4, in metric tonnes of ODS of type i ;

$EF_{F, i}$ = GHG emission factor for ODS of type i contained in foam, as indicated in the table in Figure 7.2;

GWP_i = Global warming potential of ODS of type i as indicated in the table in Figure 7.1, in metric tonnes CO_2 equivalent per metric tonne of ODS of type i ;

Equation 4

$$BA_{init, i} = BA_{final, i} + \left(BA_{final, i} \times \left(\frac{1 - EE}{EE} \right) \right)$$

Where:

$BA_{init, i}$ = Initial quantity of ODS of type i contained in foam prior to removal from appliances, in metric tonnes of ODS of type i ;

$BA_{final, i}$ = Total quantity of ODS of type i extracted and sent for destruction, determined in accordance with Division 9, in metric tonnes of ODS of type i ;

EE = Extraction efficiency of the ODS extraction process, calculated in accordance with the method in Part II;

i = Type of ODS.

Figure 7.2. Emission factor for each type of ODS contained in foam removed from appliances

Type of ODS	Emission factor for each type of ODS contained in foam removed from appliances ($EF_{F, i}$)
CFC-11	0.44
CFC-12	0.55
HCFC-22	0.75
HCFC-141b	0.50

7.1.2. Calculation of GHG emissions under a project for the destruction of ODS contained in foam

The promoter must calculate GHG emissions under a project for the destruction of ODS contained in foam using equations 5 to 6.1:

Equation 5

$$PE_F = BA_{pr} + (Tr + DEST)_F$$

Where:

PE_F = GHG emissions under a project for the destruction of ODS contained in foam during the project reporting period, in metric tonnes CO₂ equivalent;

BA_{pr} = Total quantity of ODS contained in foam that are emitted during extraction, calculated using equation 6, in metric tonnes CO₂ equivalent;

$(Tr + DEST)_F$ = GHG emissions attributable to the transportation and destruction of ODS contained in foam, calculated using equation 6.1, in metric tonnes CO₂ equivalent;

Equation 6

$$BA_{pr} = \sum_{i=1}^n [BA_{init,i} \times (1 - EE_F) \times GWP_i]$$

Where:

BA_{pr} = Total emissions attributable to the extraction of ODS contained in foam removed from appliances, in metric tonnes CO₂ equivalent;

i = Type of ODS;

n = Number of types of ODS;

$BA_{init,i}$ = Total quantity of ODS of type i contained in foam removed from appliances prior to extraction, calculated using equation 4, in metric tonnes of ODS of type i ;

EE_F = Extraction efficiency of the extraction process for ODS contained in foam, determined for the project using the method in Part II;

GWP_i = Global warming potential of ODS of type i as indicated in the table in Figure 7.1, in metric tonnes CO₂ equivalent per metric tonne of ODS of type i ;

Equation 6.1

$$(Tr + DEST)_F = BA_{final} \times 7.5$$

Where:

$(Tr + DEST)_F$ = GHG emissions attributable to the transportation and destruction of ODS contained in foam, in metric tonnes CO₂ equivalent;

BA_{final} = Total quantity of ODS contained in foam sent for destruction under the project, calculated using equation 10, in metric tonnes of ODS;

7.5 = Default emission factor for ODS transportation and destruction, in metric tonnes CO₂ equivalent per metric tonne of ODS.

7.2. Calculation method for total GHG emission reductions under a project for the destruction of ODS used as refrigerants

The promoter must calculate GHG emission reductions under a project for the destruction of ODS used as refrigerants using equation 6.2:

Equation 6.2

$$ER_R = BE_R - PE_R$$

Where:

ER_R = Total GHG emission reductions attributable to the project for the destruction of ODS used as refrigerants during the project reporting period, in metric tonnes CO₂ equivalent;

BE_R = Baseline emissions attributable to the destruction of ODS used as refrigerants during the project reporting period, calculated using equation 6.3, in metric tonnes CO₂ equivalent;

PE_R = GHG emissions under the project for the destruction of ODS used as refrigerants during the project reporting period, calculated using equation 6.4, in metric tonnes CO₂ equivalent.

7.2.1. Calculation of GHG emissions under the baseline scenario under a project for the destruction of ODS used as refrigerants

The promoter must calculate GHG emissions under the baseline scenario under a project for the destruction of ODS used as refrigerants using equation 6.3:

Equation 6.3

$$BE_R = \sum_{i=1}^n (Q_i \times EF_{R,i} \times GWP_i)$$

Where:

BE_R = Emissions under the baseline scenario attributable to the destruction of ODS used as refrigerants during the project reporting period, in metric tonnes CO₂ equivalent;

i = Type of ODS;

n = Number of types of ODS;

Q_i = Total quantity of ODS of type i used as refrigerants recovered and sent for destruction, determined in accordance with Division 9, in metric tonnes of ODS of type i ;

$EF_{R,i}$ = GHG emission factor for ODS of type i used as refrigerants, as indicated in the table in Figure 7.3

GWP_i = Global warming potential of ODS of type i as indicated in the table in Figure 7.1, in metric tonnes CO₂ equivalent per metric tonne of ODS of type i ;

Figure 7.3. Emission factor for each type of ODS used as a refrigerant

Type of ODS	Emission factor for each type of ODS used as a refrigerant ($EF_{R,i}$)
CFC-11	0.89
CFC-12	0.95
CFC-13	0.61
CFC-113	0.89
CFC-114	0.78
CFC-115	0.61

7.2.2. Calculation of GHG emissions under a project for the destruction of ODS used as refrigerants

The promoter must calculate total GHG emissions under a project for the destruction of ODS used as refrigerants using equations 6.4 to 6.7:

Equation 6.4

$$PE_R = Sub + (Tr + Dest)_R$$

Where:

PE_R = GHG emissions under the project for the destruction of ODS used as refrigerants during the project reporting period, in metric tonnes CO₂ equivalent;

Sub = Total GHG emissions attributable to substitute refrigerants, calculated using equation 6.5, in metric tonnes CO₂ equivalent;

$(Tr + DEST)_R$ = GHG emissions attributable to the transportation and destruction of ODS used as refrigerants, calculated using equation 6.6, in metric tonnes CO₂ equivalent;

Equation 6.5

$$Sub = \sum_{i=1}^n (Q_i \times EFS_i)$$

Where:

Sub = Total GHG emissions attributable to substitute refrigerants, in metric tonnes CO₂ equivalent;

i = Type of ODS;

n = Number of types of ODS;

Q_i = Total quantity of ODS of type i used as refrigerants recovered and sent for destruction, determined in accordance with Division 9, in metric tonnes of ODS of type i ;

EFS_i = Emission factor for substitutes for ODS of type i as indicated in the table in Figure 7.4, in metric tonnes CO₂ equivalent per metric tonne of ODS;

Figure 7.4. Emission factors for substitute refrigerants

ODS used as refrigerants	Emission factors for substitute refrigerants (EFS _i)
CFC-11	223
CFC-12	686
CFC-13	7,144
CFC-113	220
CFC-114	659
CFC-115	1,139

Equation 6.6

$$(TR + Dest)_R = Q \times 7.5$$

Where:

$(Tr + DEST)_R$ = GHG emissions attributable to the transportation and destruction of ODS used as refrigerants, in metric tonnes CO₂ equivalent;

Q = Total quantity of ODS used as refrigerants recovered and sent for destruction, calculated using equation 6.7, in metric tonnes of ODS;

7.5 = Default emission factor for ODS transportation and destruction, in metric tonnes CO₂ equivalent per metric tonne of ODS;

Equation 6.7

$$Q = \sum_{i=1}^n Q_i$$

Where:

Q = Total quantity of ODS used as refrigerants recovered and sent for destruction, in metric tonnes of ODS;

i = Type of ODS;

n = Number of types of ODS;

Q_i = Total quantity of ODS of type *i* used as refrigerants recovered and sent for destruction, determined in accordance with Division 9, in metric tonnes of ODS of type *i*.”;

(10) in Division 8 of Part I:

(a) by inserting “, indicating separately the information pertaining to ODS contained in foam and that pertaining to ODS used as refrigerants” after “section 70.14” in the part preceding subparagraph 1 of the first paragraph of section 8.1;

(b) by inserting the following subparagraph after subparagraph a of subparagraph 5 of the first paragraph of Division 8.1:

“(a.1) the number of appliances containing refrigerants from which ODS have been extracted;”;

(c) by replacing “the table in Figure 8.1” in the part preceding Figure 8.1 of Division 8.2 by “the tables in figures 8.1 and 8.2”;

(d) by replacing “an ODS destruction project” in the title of Figure 8.1 of Division 8.2 by “a project for the destruction of ODS contained in foam”;

(e) by replacing “ODS extraction process” at the end of the third row of the first column of Figure 8.1 of Division 8.2 by “process for the extraction of ODS contained in foam”;

(f) by inserting “contained in foam” after “Total quantity of ODS of type I” in the seventh row of the first column of Figure 8.1 of Division 8.2;

(g) by adding the following figure after Figure 8.1 of section 8.2:

“Figure 8.2. Parameters for the surveillance of a project for the destruction of ODS used as refrigerants

Parameter	Factor used in equations	Measurement unit	Method	Measurement frequency
Mass of each container filled with ODS used as refrigerants	N/A	Metric tonne	Measured	Each project reporting period
Mass of each empty container for projects to destroy ODS used as refrigerants	N/A	Metric tonne	Measured	Each project reporting period
Quantity of ODS used as refrigerants, in each container	N/A	Metric tonne	Calculated	Each project reporting period

Concentration of each type of ODS used as a refrigerant, in each container	N/A	%	Analyzed in a laboratory	Each project reporting period
Quantity of each type of ODS used as a refrigerant, in each container	N/A	Metric tonne of ODS of type i	Calculated	Each project reporting period
Total quantity of ODS of type i used as refrigerants removed and sent for destruction	Q_i	Metric tonne of ODS of type i	Calculated	Each project reporting period
Total quantity of ODS used as refrigerants removed and sent for destruction	Q	Metric tonne of ODS	Calculated	Each project reporting period
Total quantity of GHG emissions from substitute refrigerants	Sub	Metric tonne CO ₂ equivalent	Calculated	Each project reporting period
Emissions attributable to the transportation and destruction of ODS used as refrigerants	$(Tr + DEST)_R$	Metric tonne CO ₂ equivalent	Calculated	Each project reporting period

”
,

(11) by replacing Division 9 of Part I by the following:

“9. Extraction and analysis of ODS extracted in concentrated form from foam removed from appliances and of ODS used as refrigerants

In the case of ODS contained in foam, the promoter must use the same procedure during project implementation as that used to calculate extraction efficiency using the method in Part II of this protocol.

For each container, the promoter must use the method in this Division to calculate, on a mass basis, the total quantity of ODS of type i sent for destruction under the project, namely the factor $BA_{final,i}$ for projects for the destruction of ODS contained in foam and the factor Q_i for projects for the destruction of ODS used as refrigerants.

9.1. Determination of the quantity of ODS in each container

The quantity of ODS destroyed must be determined at the destruction facility by an authorized person, by weighing each container when it is full of ODS prior to destruction and after it has been emptied and its contents have been destroyed.

The quantity of ODS is equal to the difference between the mass of the container when full and when empty.

Each ODS container must be weighed at the destruction facility:

- (1) using a single scale to generate both full and empty weight tickets;
- (2) ensuring that the scale is calibrated by the manufacturer or by a third person certified for that purpose, at least quarterly or according to the manufacturer's specifications, whichever is more frequent, to an accuracy of $\pm 5\%$;
- (3) weighing the full container not more than 2 days prior to commencing the destruction of the ODS;
- (4) weighing the empty container not more than 2 days after the destruction of the ODS.

9.2. Circulation of mixed ODS

For each sample that does not contain over 90% of the same type of ODS, the promoter must also meet the conditions concerning mixed ODS in this Division.

The circulation of the ODS mixture must be conducted at the destruction facility or prior to delivery of the ODS to such a facility, by a person who is independent of the promoter and of the destruction facility and who is properly trained to carry out this task.

The promoter must include the procedures used to analyze the ODS mixture in the project report.

Prior to sampling, the ODS mixture must be circulated in a container that meets all of the following conditions:

- (1) the container has no solid interior obstructions other than mesh baffles or other interior structures that do not impede circulation;

- (2) the container was fully evacuated prior to filling;
- (3) the container has sampling ports to sample liquid and gas phase ODS;
- (4) the sampling ports are located in the middle third of the container and not at one end or the other;
- (5) the container and associated equipment can circulate the mixture through a closed loop system from the bottom to top.

If the original mixed ODS container does not meet these requirements, the mixed ODS must be transferred into a compliant temporary container.

The mass of the ODS mixture transferred into the temporary container must be calculated and recorded. In addition, transfers of ODS between containers must be carried out at a pressure that meets the applicable standards for the place where the project is located.

Once the mixed ODS are in a container that meets the above criteria, they must be circulated as follows:

- (1) liquid mixtures must be circulated from the liquid port to the vapour port;
- (2) a volume of the mixture equal to 2 times the volume in the container must be circulated before sampling;
- (3) circulation must occur at a rate of at least 114 litres per minute unless the liquid mixture has been circulating continuously for at least 8 hours;
- (4) the start and end times must be recorded.

9.3. Sampling

Sampling must be conducted for each ODS container:

- (1) in the case of pure ODS, 1 sample must be taken at the destruction facility;
- (2) in the case of ODS mixtures that have been circulated at the destruction facility, a minimum of 2 samples must be taken during the last 30 minutes of circulation and the samples must be taken from the bottom liquid port;

(3) in the case of ODS mixtures that have been circulated prior to delivery to the destruction facility, a minimum of 2 samples must be taken in accordance with subparagraph 2, and 1 additional sample must be taken at the destruction facility.

If more than one sample is taken for a single container, the promoter must use the results from the sample with the weighted ODS concentration with the least global warming potential.

The sampling must be conducted in accordance with the following conditions:

(1) the samples must be taken by a person who is independent of the promoter and of the destruction facility and has the necessary training to carry out this task;

(2) the samples must be taken with a clean, fully evacuated sample bottle with a minimum capacity of 0.454 kg;

(3) each sample must be taken in a liquid state;

(4) a minimum sample size of 0.454 kg must be drawn for each sample;

(5) each sample must be individually labeled and tracked according to the container from which it was taken;

(6) the following information must be recorded for each sample:

(a) the time and date of the sample;

(b) the name of the promoter for whom the sampling is conducted;

(c) the name and contact information of the technician who took the sample, and of the technician's employer;

(d) the volume of the container from which the sample was drawn;

(e) the ambient air temperature at the time of sampling;

(f) the chain of traceability of each sample, from the point of sampling to the accredited laboratory.

9.4. Analysis of samples

The quantity and type of ODS must be determined by having a sample from each container analyzed by one of the following organizations:

(1) the Centre d'expertise en analyse environnementale du Québec of the Ministère du Développement durable, de l'Environnement et des Parcs;

(2) a laboratory that is independent of the promoter and of the destruction facility and accredited for analysis of ODS by the Air-Conditioning, Heating and Refrigeration Institute in accordance with the most recent version of AHRI 700 of that organization.

All the ODS samples for the project must be sampled to determine the following:

(1) the type of each ODS;

(2) the quantity, in metric tonnes, and concentration, in metric tonnes of ODS of type *i* per metric tonne of gas, in each type of ODS in the gas, using gas chromatography;

(3) the moisture content of each sample; if the moisture content is above 75% of the saturation point for the ODS, the promoter must dry the ODS mixture, take the sample again and analyze it in accordance with the method in Division 9.2 or deduct the weight of the water, which includes the weight of the layer of free water floating on the ODS and the amount of dissolved water in the ODS;

(4) the high boiling residue from the ODS sample, which must be below 10% of the total mass of the sample.

In the case of ODS mixtures, the analysis must determine the weighted concentrations of the ODS on the basis of their global warming potential for samples taken in accordance with subparagraph 2 of the first paragraph of Division 9.3.

A certificate of the sampling results must be issued by the laboratory that conducted the analysis and a copy of the certificate must be included with the project report.

9.5. Determination of the total quantity of ODS of type i contained in foam extracted and sent for destruction ($BA_{\text{final}, i}$) and the total quantity of ODS of type i used as refrigerants extracted and sent for destruction (Q_i)

Based on the mass of the ODS in each container and the concentration of each sample, the promoter must

(1) calculate the quantity of each type of ODS in each container, by deducting the weight of the water if the moisture content is above 75% of the saturation point and the ODS has not been dried, and deducting the weight of the high boiling residue;

(2) add together the quantities of each type of ODS in each container to obtain the factor $BA_{\text{final}, i}$, namely the total quantity of ODS of type i contained in the foam, or the factor Q_i , namely the total quantity of ODS of type i used as refrigerants extracted and sent for destruction under the project.”;

(12) in Division 10 of Part I:

(a) by striking out the first paragraph;

(b) by replacing “In addition, each” in the second paragraph by “Each”;

(13) in Division 1.2 of Part II:

(a) by striking out “and of the destruction facility” in the part preceding subparagraph *a* of subparagraph 1;

(b) by striking out “insulating” in the part preceding subparagraph *i* of subparagraph *b* of subparagraph 4.

69. Every natural person who, on (*indicate the date of coming into force of this Regulation*), obtained, in accordance with section 10 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1), an identifier to have access to the electronic system must send the Minister, not later than (*indicate the date corresponding to 30 days following the date of coming into force of this Regulation*), the attestation provided for in subparagraph *a.1* of subparagraph 7 of that section, as inserted by subparagraph 2 of section 8 of this Regulation.

70. The provisions of Chapter IV of Title III and the protocols in Appendix D concerning the project plan and its validation, as they read on (*indicate the date preceding the date of coming into force of this Regulation*), continue to apply to any offset credit project for which an application for registration was submitted not later than that date, up to the date on which the project ends.

71. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except for section 20 and subparagraphs 2 to 4 of section 31, which come into force on 1 January 2015.

3434

Draft Regulation

An Act respecting immigration to Québec
(chapter I-0.2)

Selection of foreign nationals — Amendment

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

The draft Regulation provides that certain foreign nationals applying for immigration to Québec that file an application for a selection certificate as a skilled worker in the economic class will have to file their application by Internet despite any legislative provision to the contrary. Such applications will be deemed sent, where applicable, in accordance with sections 5 to 5.02 of the Regulation.

The draft Regulation does not result in administrative or financial charges for enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Marie-Josée Lemay, Director, Direction des politiques et programmes d'immigration, Ministère de l'Immigration, de la Diversité et de l'Inclusion, 360, rue McGill, 3^e étage, Montréal (Québec), H2Y 2E9; telephone: 514 873-5914; fax: 514 864-2796; email: marie-josee.lemay@midi.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Immigration, Diversity and Inclusiveness, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

KATHLEEN WEIL,
Minister of Immigration, Diversity and Inclusiveness

Regulation to amend the Regulation respecting the selection of foreign nationals

An Act respecting immigration to Québec
(chapter I-0.2, s. 3.3, 1st par., subpar. f)

1. The Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) is amended in section 3 by adding the following paragraph:

“A foreign national in the skilled worker subclass referred to in subparagraph *a* of the first paragraph of section 21, other than the foreign national mentioned in section 38.1 or 38.2, must file his or her application with the Minister by Internet.”

2. The following is inserted after section 5.02:

“**5.02.1.** An application filed with the Minister by Internet under the third paragraph of section 3 is deemed filed, where applicable, in accordance with sections 5 to 5.02.”

3. The obligation to file the application for a selection certificate by Internet provided for in the third paragraph of section 3 of the Regulation, as amended by section 1 of this Regulation, does not apply to the applications sent by mail before 1 January 2015 and received by the Minister not later than 31 January 2015.

The stamp of the department is proof of the date on which the application is received by the Minister.

4. This Regulation comes into force on 1 January 2015.

3433

Notices

Notice

An Act respecting bargaining units in the social affairs sector (chapter U-0.1)

List of job titles for each class of personnel listed in Schedules 1 to 4 to the Act

List of job titles for each class of personnel listed in Schedules 1 to 4 to the Act respecting bargaining units in the social affairs sector

CONSIDERING the first paragraph of section 10 of the Act respecting bargaining units in the social affairs sector (chapter U-0.1), which provides that it is the duty of the Commission des relations du travail, on being seized of a petition, to rule on the class of personnel to which a job title is related when the validity of the job title has been recognized by agreement between unions and management at the national level and the job title is not listed in any of Schedules 1 to 4 to the Act;

CONSIDERING the decision of the Commission des relations du travail dated 22 May 2014 which grants the petition of the Minister of Health and Social Services and updates the list of job titles constituting each class of personnel listed in Schedules 1 to 4 to the Act;

CONSIDERING the second paragraph of section 10 of the Act, which provides that the Minister of Health and Social Services publishes the list in the *Gazette officielle du Québec*;

NOTICE IS HEREBY GIVEN THAT Schedules 1 to 4 attached to this Notice constitute the update of the list of job titles for each class of personnel listed in Schedules 1 to 4 to the Act respecting bargaining units in the social affairs sector.

GAÉTAN BARRETTE,
Minister of Health and Social Services

SCHEDULE 1

NURSING AND CARDIO-RESPIRATORY CARE PERSONNEL

Job title	Number
Assistant head respiratory therapist	2248
Assistant head nurse or assistant to the immediate superior	2489
Candidate to the nursing profession	2490
Specialty nurse practitioner candidate	1914
Clinical teacher (inhalation therapy)	2247
Care counsellor nurse	1913
Technical coordinator (inhalation therapy)	2246
Respiratory therapy extern	4002
Nursing extern	4001
Nursing assistant - Assistant team leader	3446
Nurse clinician assistant head nurse, nurse clinician assistant to the immediate superior	1912
Nurse clinician	1911
Nurse clinician (Institut Pinel)	1907
Clinical nurse specialist	1917
Nurse educator	2462

Job title	Number
Nurse	2471
Nurse (Institut Pinel)	2473
Nursing assistant	3455
Nursing assistant team leader	3445
Nursing assistant on refresher period	3529
Nurse team leader	2459
Outpost/northern clinic nurse	2491
Nurse on refresher period	2485
Specialty nurse practitioner	1915
Nurse surgical first assistant	1916
Respiratory therapist	2244
Clinical perfusionist	2287
Child nurse/baby nurse	3461

SCHEDULE 2

PARATECHNICAL, AUXILIARY SERVICES AND TRADES PERSONNEL

Job title	Number
Intervention officer	3545
Intervention officer (Institut Pinel)	6436
Medico-legal intervention officer	3544
Psychiatric intervention officer	3543
Community supervision officer (Institut Pinel)	3458
Service aide	3244
General helper in a northern institution	6415
General helper	6414
Cook's helper	6299
Assistant stationary engineer	6387
Trade apprentice	6375
Rehabilitation assistant	3462
Laboratory or radiology technical assistant	3205
Health care technical assistant	3201
Dental technical assistant	3218
Pharmacy technical assistant	3212
Senior pharmacy technical assistant	3215
Health and social services aide	3588
Butcher	6303
Stretcher bearer	3485

Job title	Number
Launderer	6320
Cafeteria cashier	6312
Pipe insulator	6395
Hairdresser	6340
Vehicle driver	6336
Heavy vehicle driver	6355
Shoemaker	6374
Tailor	6327
Cook	6301
Draftsperson	6409
Cabinet maker	6365
Electrician	6354
Electrical mechanic	6423
Electronics technician	6370
Tinsmith	6369
Guard (Institut Pinel)	6346
Guard	6438
Residence guard	6349
Industrial workshops instructor	3585
Handicrafts or occupational therapy instructor	3598
Workshops instructor (Institut Pinel)	3684
Labourer	6363
Machinist (millwright)	6353
Master electrician	6356
Refrigeration machinery master mechanic	6366
Master plumber	6357
Garage mechanic	6380
Stationary engineer	6383
Refrigeration machinery mechanic	6352
Millwright	6360
Orthosis and/or prosthesis mechanic	3262
Carpenter	6364
Education instructor	3687
Recreation instructor	3699
Cleaner	6407
Maintenance worker	6373
General caretaker	6388

Job title	Number
Baker/pastry cook	6302
Painter	6362
Plasterer	6368
Plumber or pipe-mechanic	6359
Porter	6344
Door attendant	6341
Beneficiary attendant (“A” certification)	3459
Laundry attendant	6398
Message centre attendant	3259
Painting and maintenance attendant	6262
Sterilization attendant	3481
Housekeeping attendant (light duty)	6335
Housekeeping attendant (heavy duty)	6334
Unit and/or pavilion attendant	3685
Therapeutic equipment attendant	3467
Food service attendant	6386
Transport attendant	3204
Physically handicapped beneficiaries transport attendant	6418
Elevator attendant	6347
Autopsy attendant	3203
Beneficiary attendant	3480
Animal attendant	3241
Attendant in a northern institution	3505
Ophthalmology attendant	3208
Orthopedic attendant	3247
Physiotherapy and/or occupational therapy attendant	3223
Rehabilitation or industrial occupation attendant (psychiatric establishment)	3495
Operating room attendant	3449
Senior orthopedic attendant	3229
Presser	6325
Upholsterer	6382
Locksmith	6367
Welder	6361
Establishment guard	6422
Lifeguard	3679
Class “B” technician	3224
Food technician	6317
Neighbourhood or sector worker	3465

SCHEDULE 3**OFFICE PERSONNEL AND ADMINISTRATIVE TECHNICIANS AND PROFESSIONALS**

Job title	Number
Buyer	5324
Executive assistant	5313
University teaching assistant	5320
Administrative officer, Class 1 – clerical sector	5311
Administrative officer, Class 1 – administrative sector	5312
Administrative officer, Class 2 – clerical sector	5314
Administrative officer, Class 2 – administrative sector	5315
Administrative officer, Class 3 – administrative sector	5317
Administrative officer, Class 3 – clerical sector	5316
Administrative officer, Class 4 – administrative sector	5319
Administrative officer, Class 4 – clerical sector	5318
Procurement officer	1104
Training officer	1533
Personnel officer	1101
Finance officer	1105
Information officer	1244
Data processing analyst	1123
Specialized data processing analyst	1124
Research clerk	5187
Library auxiliary	5289
Librarian	1206
Production coordinator	2106
Unit supervising clerk (Institut Pinel)	5323
Institution counsellor	1106
Building consultant	1115
Storekeeper	5141
Offset duplicator operator	5119
Data processing operator, class 1	5108
Data processing operator, class 2	5111
Braille production system operator	5130
Reception attendant	3251
Audiovisual attendant	3245
Storeroom attendant	5117
Bookbinder	5345

Job title	Number
Legal secretary	5321
Medical secretary	5322
Audiovisual specialist	1661
Administrative processes specialist	1109
Contributions technician	2102
Administrative technician	2101
Graphic arts technician	2333
Audiovisual technician	2258
Building service technician	2374
Communications technician	2275
Documentation technician	2356
Industrial electricity technician	2370
Electro-mechanic technician	2371
Electronics technician	2369
Mechanical fabrication technician	2377
Computer technician	2123
Instrumentation and control technician	2379
Specialized computer technician	2124
Translator	1241

SCHEDULE 4

HEALTH AND SOCIAL SERVICES TECHNICIANS AND PROFESSIONALS

Job title	Number
Hearing deficiencies training officer	1534
Behavioral officer	1559
Planning, programming and research officer	1565
Human relations officer	1553
Integration officer	2688
Educational techniques officer	1651
Social aide	2588
Medical records archivist (team leader)	2282
Medical records archivist	2251
Pathology assistant	2203
Assistant head of archives	2242
Assistant head physiotherapist	1236
Assistant head dietetics technician	2240
Assistant head medical electro-physiology technician	2236

Job title	Number
Assistant head medical technologist, assistant head laboratory technician	2234
Assistant head radiology technologist	2219
Audiologist	1254
Audiologist-speech therapist	1204
Lawyer	1114
Bacteriologist	1200
Biochemist	1202
Candidate admissible per equivalence (physiotherapy)	1238
Transfusion safety clinical officer	2290
Quality assurance and emergency medical services training officer	2466
Clinical teacher (physiotherapy)	1234
Transfusion safety technical officer	2291
Head of module	2699
Vocational guidance counsellor (reserved title), counsellor in supportive relations	1701
Work adaptability counsellor	1703
Maladjusted children counsellor	1543
Ethics counsellor	1538
Genetic counsellor	1539
Health promotion counsellor	1121
Technical coordinator (laboratory)	2227
Technical coordinator (radiology)	2213
Medical electro-physiology technical coordinator	2276
Biomedical engineering technical coordinator	2277
Criminologist	1544
Cyto-technologist	2271
Dietician - Nutritionist	1219
Educator	2691
Physical educator / kinesiologist	1228
Occupational therapist	1230
Medical technology extern	4003
Genagogist	1540
Dental hygienist, dental hygiene technician	2261
Occupational hygienist	1702
Medical illustrator	2253
Biomedical engineer	1205
Clinical instructor (laboratory)	2232
Clinical instructor (radiology)	2214

Job title	Number
Pastoral facilitator	1552
Child care worker	1660
Dispensing optician	2363
Community organizer	1551
Ortho-pedagogue	1656
Speech therapist	1255
Orthoptist	2259
Medical photographer	2254
Physiotherapist	1233
Psycho-educator, psycho-social rehabilitation specialist	1652
Psychologist, human behavior therapist (reserved title)	1546
Psycho-technician	2273
Recreologist	1658
Living unit or rehabilitation supervisor	2694
Reviser	1570
Sexologist	1572
Clinical sexologist	1573
Sociologist	1554
Sociotherapist (Institut Pinel)	2697
Clinical specialist in laboratory medicine	1291
Clinical activities specialist	1407
Care evaluation specialist	1521
Orientation and mobility specialist	1557
Specialist in rehabilitation for the visually impaired	1560
Biological and health physics science specialist	1207
Graduate medical laboratory technician	2224
Braille technician	2360
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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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