

Gazette
officielle
DU Québec

Part

2

No. 25

23 June 2015

Laws and Regulations

Volume 147

Summary

Table of Contents
Regulations and other Acts
Draft Regulations
Notices
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2015

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 will be available on the Internet at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

The *Gazette officielle du Québec* published on the website is available to all free of charge.

Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

French edition

In addition to the documents referred to in paragraphs 1 to 7 above, the French version of the *Gazette officielle du Québec* contains the orders in council of the Government.

Rates*

1. Annual subscription:

	Printed version
Partie 1 “Avis juridiques”:	\$489
Partie 2 “Lois et règlements”:	\$669
Part 2 “Laws and Regulations”:	\$669

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.46 per copy.

3. Publication of a notice in Partie 1: \$1.68 per agate line.

4. Publication of a notice in Part 2: \$1.11 per agate line. A minimum rate of \$245 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call:

Gazette officielle du Québec
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

For a subscription to the *Gazette officielle du Québec* in paper form, contact the customer service.

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
Toll free: 1 800 463-2100
Fax: 418 643-6177
Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Regulations and other Acts

500-2015	Professional Code — Certain professional activities in physiotherapy (Amend.)	1079
511-2015	Health of drivers	1080
512-2015	Licences (Amend.)	1085
513-2015	Safety Code for the construction industry (Amend.)	1086
	Certain conditions of employment of senior staff of general and vocational colleges (Amend.)	1089
	Real estate assessment roll (Amend.)	1102
	Report on pay equity (Amend.)	1104
	Securities Act — Regulation 41-101 respecting General Prospectus Requirements — Regulation 52-110 respecting Audit Committees (Amend.)	1125
	Securities Act — Regulation 51-102 respecting Continuous Disclosure Obligations (Amend.)	1104

Draft Regulations

Environment Quality Act — Cap-and-trade system for greenhouse gas emission allowances		1131
Parental insurance, An Act respecting... — Premium rates under the parental insurance plan		1180

Notices

Notice of recognition of a reserved designation		1181
---	--	------

Regulations and other Acts

Gouvernement du Québec

O.C. 500-2015, 10 June 2015

Professional Code
(chapter C-26)

Physiotherapy — Certain professional activities in physiotherapy — Amendment

Regulation to amend the Regulation respecting certain professional activities in physiotherapy

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre professionnel de la physiothérapie du Québec made the Regulation to amend the Regulation respecting certain professional activities in physiotherapy;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting such an order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting certain professional activities in physiotherapy was published in Part 2 of the *Gazette officielle du Québec* of 26 November 2014 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting certain professional activities in physiotherapy, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting certain professional activities in physiotherapy

Professional Code
(chapter C-26, s. 94, par. *h*)

1. The Regulation respecting certain professional activities in physiotherapy (chapter C-26, r. 193) is amended by inserting the following after section 2:

“**2.1.** Among the professional activities that may be engaged in by physical therapists or physical rehabilitation therapists, the activities required for the completion of the compensatory measures that would allow a person to obtain a licence may be engaged in by a person referred to in sections 2 and 3 of the Règlement sur la délivrance d’un permis de l’Ordre professionnel de la physiothérapie du Québec pour donner effet à l’arrangement conclu par l’Ordre en vertu de l’Entente entre le Québec et la France en matière de reconnaissance mutuelle des qualifications professionnelles (chapter C-26, r. 200.1), on the condition that the person does so under the supervision of a teacher or training supervisor who is available to intervene at short notice.”

2. Section 3 is amended by replacing “and 2” by “, 2 and 2.1”.

3. The following is inserted after section 3.1:

“**3.2.** A physical therapist may, within the scope of the training provided for in the Règlement sur des activités de formation des physiothérapeutes pour procéder à des manipulations vertébrales et articulaires (chapter C-26, r. 192.1), perform spinal and joint manipulations in the presence of a training instructor or training supervisor,

physical therapist, who holds a certificate allowing the practice of the activity referred to in subparagraph *i* of paragraph 3 of section 37.1 of the Professional Code (chapter C-26) and who has more than 2 years of experience.”.

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

102183

Gouvernement du Québec

O.C. 511-2015, 10 June 2015

Highway Safety Code
(chapter C-24.2)

Health of drivers

Regulation respecting the health of drivers

WHEREAS, under paragraph 2 of section 619 of the Highway Safety Code (chapter C-24.2), the Government may, by regulation, determine the cases where and establish the criteria according to which conditions may be attached to a licence;

WHEREAS, under paragraph 8 of section 619 of the Code, the Government may, by regulation, establish the health standards which identify the illnesses, deficiencies and conditions affecting a person that are considered as being essentially or relatively inconsistent with the driving of a road vehicle or class or sub-class of road vehicles;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the health of drivers was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendment;

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

THAT the Regulation respecting the health of drivers, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting the health of drivers

Highway Safety Code
(chapter C-24.2, s. 619, pars. 2 and 8)

DIVISION I GENERAL

1. In this Regulation, every reference to a licence class is made pursuant to the Regulation respecting licences (chapter C-24.2, r. 34).

2. A person who, by reason of a medical condition, must receive treatment to be able to drive, but fails to comply with the instructions or refuses treatment despite the physician's recommendations, places himself or herself in a situation essentially inconsistent with driving a road vehicle.

DIVISION II ILLNESSES AND DEFICIENCY OF THE EYE

3. Distance vision is assessed according to the Snellen chart without corrective lenses, or with corrective lenses if they are required to drive. The field of vision is measured using the Goldmann III/4e technique with scotoma screening, the Esterman technique or a technique recognized as equivalent.

Despite the foregoing, visual acuity may not be assessed with the telescopic part of glasses.

4. Visual acuity of less than 6/9 with both eyes open and examined together is essentially inconsistent with driving a road vehicle of Class 1 to Class 4.

5. Visual acuity of less than 6/15 with both eyes open and examined together is essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8.

6. A field of vision of less than 150 continuous degrees along the horizontal meridian and less than 10 continuous degrees above fixation and less than 20 continuous degrees below fixation, with both eyes open and examined together, is essentially inconsistent with driving a road vehicle of Class 1 to Class 4.

7. A field of vision of less than 100 continuous degrees along the vertical meridian and less than 10 continuous degrees above fixation and less than 20 continuous degrees below fixation or less than 30 degrees on each side of the vertical meridian, with both eyes open and examined together, is essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8.

8. The incapacity to distinguish traffic lights is essentially inconsistent with driving a road vehicle.

9. Uncorrected diplopia within the central 40 degrees is essentially inconsistent with driving a road vehicle.

10. Diplopia within the central 40 degrees corrected by occlusion of an eye is essentially inconsistent with driving a road vehicle of Class 1 to Class 4.

Despite the foregoing, diplopia corrected by wearing prismatic glasses is consistent with driving a road vehicle of any of those classes if, while wearing those glasses, the visual standards applicable under the provisions of this Division for the classes held are complied with.

11. Sudden loss of the use of an eye or occlusion of an eye because of diplopia within the central 40 degrees is essentially inconsistent with driving a road vehicle for a period of 3 months following the beginning of monocular vision.

12. An ocular condition, a visual deficiency or a situation affecting vision other than those referred to in sections 4 to 11 causing a reduction in visual function is relatively inconsistent with driving a road vehicle.

DIVISION III

ILLNESSES AND DEFICIENCY OF THE EAR

13. A corrected or uncorrected average loss of hearing greater than 40 decibels in the better ear at frequencies of 500, 1,000 and 2,000 hertz, is essentially inconsistent with driving a road vehicle of Class 2 or Class 4 or a road vehicle that transports a means of containment of dangerous substances within the meaning of the Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43) whose capacity exceeds 450 litres or that requires the display of safety placards in accordance with the provisions of Division IV of that Regulation, unless the affected person is able to perceive a forced whispered voice at not less than 1.5 metres with or without the use of a hearing aid.

DIVISION IV

ILLNESSES AND DEFICIENCIES OF THE CARDIOVASCULAR SYSTEM

14. For the purposes of this Division, the following functional cardiac classification is established:

(1) Class I: no limitation of activity and no symptoms during daily activities;

(2) Class II: slight limitation of activity but comfortable at rest or during mild physical activity;

(3) Class III: marked limitation of activity and comfortable only at rest;

(4) Class IV: the person should be at complete rest, confined to bed or chair and any physical activity brings on discomfort and symptoms may occur even at rest.

15. A cardiac disorder that places a person in Class IV is essentially inconsistent with driving a road vehicle.

16. A cardiac disorder that places a person in Class III or an ejection fraction for the left ventricle of less than 35% is essentially inconsistent with driving a road vehicle of Class 1 to Class 4.

17. The presence of an implantable defibrillator is essentially inconsistent with driving a road vehicle of Class 1 to Class 4, unless the cardiac disorder that justified the installation of the defibrillator no longer exists.

18. A person who had an implantable defibrillator installed following a cardiac rhythm event with decreased state of consciousness is authorized to drive a road vehicle of Class 5, Class 6 or Class 8 provided that no cardiac rhythm disorder affecting the state of consciousness has occurred for at least 6 months and that the person has been under medical supervision during that period. If these requirements are not satisfied, the presence of such defibrillator is essentially inconsistent with driving a road vehicle of any of those classes.

Any disturbance of consciousness resulting from the action of a defibrillator is essentially inconsistent with driving a road vehicle for a period of 6 months following the event.

19. A surgically indicated aortic aneurysm is essentially inconsistent with driving a road vehicle.

20. A cardiac or vascular condition medically recognized as causing angina, rhythm disorder, syncope, embolisms or ischemia is relatively inconsistent with driving a road vehicle.

DIVISION V

ILLNESSES OF THE MUSCULOSKELETAL SYSTEM AND MOTOR DEFICIENCY

21. Anatomical or functional loss of a limb or a limb joint or limb immobilization is essentially inconsistent with driving a road vehicle unless the person shows, to the satisfaction of the Société de l'assurance automobile du Québec, that the person can safely drive a road vehicle corresponding to the class of licence concerned or to the class the person wishes to obtain.

22. A disease or deficiency of the musculoskeletal system other than those mentioned in section 21, which may impair safe driving, is relatively inconsistent with driving a road vehicle.

DIVISION VI PSYCHIATRIC DISORDERS

23. Psychiatric disorders that result in marked impairment of judgment or behaviour, pronounced aggressiveness, pronounced difficulty in perception or a pronounced slowing down or acceleration of psychomotor activity, in particular, are essentially inconsistent with driving a road vehicle.

Despite the foregoing, an affected person is authorized to drive after the disappearance of the symptoms described in the first paragraph, provided that the person medically demonstrates that his or her emotional and psychic state is consistent with the safe driving of a road vehicle.

24. A recurrent major psychiatric disorder is essentially inconsistent with driving a road vehicle of Class 1 to Class 4, unless the person has been asymptomatic for at least 12 months and is under medical supervision.

A major psychiatric disorder is considered recurrent when 2 episodes or more occur within 1 year, or when 3 episodes or more occur within 3 years.

25. A recurrent major psychiatric disorder is essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8, unless the person has been asymptomatic for at least 6 months and is under medical supervision.

Recurrence is established in accordance with the second paragraph of section 24.

26. Mild or moderate psychiatric disorders are relatively inconsistent with driving a road vehicle.

DIVISION VII DISORDERS RELATED TO THE CONSUMPTION OF ALCOHOL OR OTHER SUBSTANCES

27. The consumption of any drug, medication or substance medically recognized as causing psychomotor disorders or impaired alertness that may constitute a safety hazard is relatively inconsistent with driving a road vehicle.

28. A minor disorder related to the consumption of alcohol or drugs, established according to the criteria of the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM), is relatively inconsistent with

driving a road vehicle, unless the person is in sustained remission or otherwise demonstrates by providing a health assessment required by the Société pursuant to section 73 of the Highway Safety Code (chapter C-24.2) that his or her rapport with alcohol or drugs does not compromise the safe driving of a road vehicle.

29. A moderate or severe disorder related to the consumption of alcohol or drugs, established according to the criteria of the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM), is essentially inconsistent with driving a road vehicle, unless the person is in sustained remission or otherwise demonstrates by providing a health assessment required by the Société pursuant to section 73 of the Highway Safety Code, including a supervision plan, that his or her rapport with alcohol or drugs does not compromise the safe driving of a road vehicle.

DIVISION VIII ILLNESSES AND IMPAIRMENTS OF THE NERVOUS SYSTEM

30. Neurological disorders resulting in serious disturbances of cognitive functions, alertness, consciousness, motor or sensory functions, equilibrium or coordination are essentially inconsistent with driving a road vehicle.

31. Neurological disorders resulting in slight disturbances of cognitive functions, alertness, consciousness, motor or sensory functions, equilibrium or coordination are relatively inconsistent with driving a road vehicle.

32. Epilepsy, if less than 5 years have elapsed since the last seizure, is essentially inconsistent with driving a road vehicle of Class 1 to Class 4, unless the affected person

(1) has had partial simple seizures, somatosensory seizures or motor seizures involving one anatomical area having no impact on driving; the seizures are always of the same type and do not perturb the person's state of consciousness, and a period of not less than 3 years has elapsed without any other type of seizure;

(2) has had one or more seizures resulting from an interruption or change in the treatment for epilepsy prescribed by a physician while epilepsy was well controlled, and the person had no seizure during the 5 preceding years if a period of not less than 6 months has elapsed since the last seizure resulting from the interruption or change in the treatment and treatment has resumed;

(3) has had one or more seizures in a brief period of time due to exceptional circumstances or an intercurrent disease whose cause has been clearly established, which are unlikely to recur in a person who is usually well

controlled and closely follows the treatment, provided that the person had no seizure during the 5 preceding years and a period of not less than 6 months has elapsed since the last seizure; or

(4) has had seizures occurring while sleeping or shortly after waking up and a period of not less than 5 years has elapsed without any other type of seizure.

33. Epilepsy, if less than 6 months have elapsed since the last seizure, is essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8, unless the affected person

(1) has had focal seizures, excluding partial complex and partial simple seizures with adverse symptoms, limited to one anatomical area, without perturbing the person's state of consciousness and where a period of not less than 12 months has elapsed without any other type of seizure,

(2) has had one or more seizures resulting from an interruption or change in the treatment for epilepsy prescribed by a physician while epilepsy was well controlled, where a period of not less than 3 months has elapsed since the last seizure and treatment has resumed;

(3) has had one or more seizures in a brief period of time, due to exceptional circumstances or an intercurrent disease whose cause has been clearly established, which are unlikely to recur in a person who is usually well controlled and closely follows the treatment, and where a period of not less than 3 months has elapsed since the last seizure; or

(4) has had seizures occurring while sleeping or shortly after waking up and a period of not less than 12 months has elapsed without any other type of seizure.

34. Convulsive seizures or loss of consciousness provoked by toxic substances or alcohol are essentially inconsistent with driving a road vehicle of Class 1 to Class 4 if a period of less than 12 months has elapsed since the last seizure or loss of consciousness, during which period the person abstained from the substance that caused the seizures or the loss of consciousness.

35. Convulsive seizures or loss of consciousness provoked by toxic substances or alcohol are essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8 if a period of less than 6 months has elapsed since the last seizure or loss of consciousness, during which period the person abstained from the substance that caused the seizures or the loss of consciousness.

36. A single convulsive seizure without evident cause after a neurological and cardiac investigation, including an electroencephalogram showing no epileptic activity, is essentially inconsistent with driving a road vehicle of Class 1 to Class 4 if a period of less than 12 months has elapsed without any seizure or loss of consciousness.

37. A single convulsive seizure without evident cause after a neurological and cardiac investigation, including an electroencephalogram showing no epileptic activity, is essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8 if a period of less than 3 months has elapsed without any seizure or loss of consciousness.

38. One or more episodes of non-convulsive loss of consciousness or one or more episodes of syncope the cause of which remains unknown after medical investigation or for which there is no efficient treatment are essentially inconsistent with driving a road vehicle of Class 1 to Class 4 if a period of less than 12 months has elapsed without any loss of consciousness or syncope.

39. Episodes of non-convulsive loss of consciousness or syncope the cause of which remains unknown after medical investigation or for which there is no efficient treatment are essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8 if a period of less than 3 months has elapsed without any loss of consciousness or syncope.

DIVISION IX COGNITIVE IMPAIRMENTS

40. Severe dementia is essentially inconsistent with driving a road vehicle.

41. Mild or moderate dementia is essentially inconsistent with driving a road vehicle of Class 1 to Class 4.

42. Mild or moderate dementia is relatively inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8.

43. A cognitive deficit without a diagnosis of dementia is relatively inconsistent with driving a road vehicle.

DIVISION X ILLNESSES AND DEFICIENCIES AFFECTING METABOLISM

44. Diabetes is essentially inconsistent with driving a road vehicle, unless the person affected meets the following conditions:

(1) the person has had no hypoglycemic episode while awake resulting in altered consciousness and requiring the intervention of a third person for 3 months;

(2) the person shows a good understanding of the disease;

(3) the person is under regular medical supervision for diabetes.

45. Diabetes treated with hypoglycemic drugs is essentially inconsistent with driving a road vehicle of Class 1 to Class 4, unless the person affected meets the following conditions:

(1) the person has had no hypoglycemic episode while awake resulting in altered consciousness and requiring the intervention of a third person for 6 months;

(2) the person shows a good understanding of the disease;

(3) the person is under regular medical supervision for diabetes.

46. Diabetes treated with insulin is essentially inconsistent with driving a road vehicle of Class 1 to Class 4, unless the person affected meets the following conditions:

(1) the person has had no hypoglycemic episode while awake resulting in altered consciousness and requiring the intervention of a third person for 6 months;

(2) the person shows a good understanding of the disease;

(3) the person's glycosylated hemoglobin is less than twice the normal limit;

(4) self-monitoring of glycemia is conducted properly;

(5) the person's condition is subject to an annual medical follow-up.

DIVISION XI

ILLNESSES AND DEFICIENCIES OF THE RESPIRATORY SYSTEM

47. For the purposes of this Division, the following functional respiratory classification is established:

(1) Class I: presence or absence of dyspnea. If dyspnea is present, it is attributable to non-respiratory causes;

(2) Class II: presence of dyspnea while walking briskly on flat ground or while climbing a slope;

(3) Class III: presence of dyspnea while walking on flat ground as compared to a person of the same age or while climbing stairs;

(4) Class IV: presence of dyspnea after a 100-metre walk on flat ground at the person's own rhythm;

(5) Class V: presence of dyspnea while dressing, undressing or speaking.

48. A respiratory illness that warrants the attribution of Class V is essentially inconsistent with driving a road vehicle of Class 1 to Class 4.

49. A respiratory illness that warrants the attribution of Class III or IV is relatively inconsistent with driving a road vehicle of Class 1 to Class 4.

50. A respiratory illness that warrants the attribution of Class V is relatively inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8.

51. A sleep disorder other than narcolepsy is essentially inconsistent with driving a road vehicle of Class 1 to Class 4 in the following cases:

(1) the assessment of sleep apnea shows an apnea-hypopnea index greater than 30 and apnea is not adequately treated;

(2) the sleep disorder is accompanied by important daytime drowsiness that is not adequately treated;

(3) the sleep disorder is not treated adequately and the person has already had an accident after falling asleep while driving;

(4) the manifestations related to the sleep disorder do not, in the opinion of a physician, allow the driving of a road vehicle in those classes.

52. A sleep disorder other than narcolepsy is essentially inconsistent with driving a road vehicle of Class 5, Class 6 or Class 8 in the following cases:

(1) the sleep disorder is not treated adequately and the person has already had an accident after falling asleep while driving in the last 3 years;

(2) the manifestations related to the sleep disorder do not, in the opinion of a physician, allow the driving of a road vehicle in those classes.

53. Narcolepsy is essentially inconsistent with driving a road vehicle in the presence of episodes of significant disabling cataplexy or important daytime drowsiness that is not adequately treated unless a period of at least 12 months has elapsed since the last episode.

DIVISION XII

IMPAIRMENT OF GENERAL CONDITION AND MULTIPLE IMPAIRMENTS

54. Severe vertigo is relatively inconsistent with driving a road vehicle.

55. Morbid obesity resulting in functional limitations is relatively inconsistent with driving a road vehicle.

56. The presence of one or more medical conditions resulting in a deterioration of functional abilities is relatively inconsistent with driving a road vehicle.

DIVISION XIII

LICENCES TO WHICH CONDITIONS ARE ATTACHED

57. A licence may have conditions attached to it in the following cases:

(1) its holder suffers from a medical condition covered by this Regulation;

(2) reports and information held by the Société concerning the licence holder indicate that road safety depends on that licence having a condition attached to it.

58. A licence may have a condition attached to it on the basis of any of the following criteria:

(1) the purpose of the condition is to facilitate the licence holder's ability to drive a road vehicle by requiring the installation of special equipment or controls adapted to the holder's functional capability;

(2) the purpose of the condition is to restrict the licence holder's driving of a road vehicle to a certain period, duration or territory, taking into account the effects of the holder's functional capability on his or her driving;

(3) the purpose of the condition is to restrict the classes, subclasses or types of road vehicle that the licence holder may drive, taking into account the effects of the holder's functional capability on his or her driving and general public safety;

(4) the purpose of the condition is to improve the licence holder's functional capability by observing the prohibitions and restrictions applicable to the driving of a road vehicle set forth in this Regulation;

(5) the purpose of the condition is to provide for another person giving immediate assistance in the driving of a road vehicle to the licence holder, taking into account the licence holder's functional capability;

(6) the purpose of the condition is to prescribe periodic examinations and health assessments of the licence holder;

(7) the purpose of the condition is to allow the person to drive a road vehicle if the vehicle is equipped with a device, approved by the Société, that is designed to measure the rate of alcohol in the driver's body and to prevent the vehicle from being started.

59. This Regulation replaces the Regulation respecting access to driving a road vehicle in connection with the health of drivers (chapter C-24.2, r. 8).

60. This Regulation comes into force on 18 October 2015.

102185

Gouvernement du Québec

O.C. 512-2015, 10 June 2015

Highway Safety Code
(chapter C-24.2)

Licences —Amendment

Regulation to amend the Regulation respecting licences

WHEREAS, under paragraph 6 of section 619 of the Highway Safety Code (chapter C-24.2), the Government may, by regulation, prescribe, according to the nature, class or category of a licence, the documents and information which must be produced with an application for the issue or renewal of such a licence or the payment of amounts under section 93.1 of the Code as well as any other condition or formality for obtaining or renewing that licence;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting licences was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting licences

Highway Safety Code
(chapter C-24.2, s. 619, par. 6)

1. The Regulation respecting licences (chapter C-24.2, r. 34) is amended by replacing section 7 by the following:

“7. The declaration of illness or functional impairment that a person must provide to obtain or renew a licence or when paying the amounts prescribed in section 93.1 of the Highway Safety Code (chapter C-24.2) must refer to the health problems described in the Regulation respecting the health of drivers, made by Order in Council 511-2015 dated 10 June 2015.”

2. This Regulation comes into force on 18 October 2015.

102186

Gouvernement du Québec

O.C. 513-2015, 10 June 2015

An Act respecting occupational health and safety
(chapter S-2.1)

Safety Code for the construction industry —Amendment

Regulation to amend the Safety Code for the construction industry

WHEREAS, under subparagraphs 7, 9, 14, 19, 30 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS, under the third paragraph of section 223 of the Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Safety Code for the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 12 November 2014 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation without amendment at its sitting of 16 April 2015;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Safety Code for the construction industry, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety
(chapter S-2.1, s. 63, s. 223, 1st par., subpars. 7, 9, 14, 19, 30, 42, and 2nd and 3rd pars.)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 1.1

(1) by replacing subparagraph *j* of paragraph 8 by the following:

“(j) a site where work is carried out above or near water;”;

(2) by inserting the following after paragraph 34:

“(34.0.1) “work above or near water” means work carried out above or less than 2 m from a body of water or watercourse that is either more than 1.2 m deep and allows the use of a boat, or with a water flow of more than 0.51 m/s sufficient to carry a person;”.

2. Section 2.4.4 is amended by inserting “, transportation and rescue on water” after “temporary heating”.

3. Section 2.10.13 is replaced by the following:

“2.10.13. Personal floatation device and life jacket:

(1) Any worker working above or near water must wear an individual floatation device or a life jacket during water transportation aboard an open boat or on the deck of a boat or in the case of a measure provided for in the rescue plan referred to in subparagraph 4 of the first paragraph of section 11.1. The foregoing also applies to a rescue attendant performing a rescue operation on water;

(2) a personal floatation device or a life jacket must

(a) be of the right size;

(b) be designed so as to keep head and face above water;

(c) enable to float without limb effort;

(d) be bright in colour and equipped with reflecting strips visible when in water;

(e) have a minimum floatability of 150 N (33 lbs) that is assured by buoyant materials or by an automatic inflation system activated by immersion;

(f) be approved by Transport Canada or by a body recognized by Transport Canada, as evidenced by the tag or approval stamp affixed to it.”.

4. Section 3.9.13 is amended by replacing “above water” in the second paragraph of subparagraph *h* of paragraph 1 by “above a body of water or watercourse”.

5. The following Division is added after section 10.7.4:

**“DIVISION XI
WORK ABOVE OR NEAR WATER**

11.1. On a site where work will be carried out above or near water, the principal contractor must, before the work begins,

(1) prepare a description of the body of water or watercourse indicating, in particular,

(a) the type of body of water or watercourse and its characteristics during the time of the work;

(b) the means used to know the water temperature and weather conditions;

(2) prepare a description of the work indicating, in particular,

(a) the work sites;

(b) the nature of the work;

(c) the number of workers on the work sites;

(d) the work schedules;

(e) the dates on which the work begins and ends;

(f) the location of the work, lunch and rest areas;

(g) the platforms, barges and other boats, specifying their dimensions, capacity and respective use;

(3) prepare a water transportation plan adapted to the specific conditions of the work and the characteristics of the body of water or watercourse indicating, in particular,

(a) the name of each person in charge of water transportation operations;

(b) the location of the boarding and landing areas;

(c) the boats used to transport workers, specifying the name of each driver, the routes and the direction of the boats;

(d) the safety rules to be complied with during water transportation;

(4) prepare a rescue plan adapted to the specific conditions of the work and the characteristics of the body of water or watercourse indicating, in particular,

(a) the name of each person in charge of rescue operations;

(b) the name of each person in charge of the maintenance or inspection of rescue equipment;

(c) the rescue procedures in case of a worker falling into water, wreck, fire or other accident, and the instructions regarding those matters;

(d) the name of each rescue attendant and each first-aiders;

(e) the emergency call code used to start rescue operations;

(f) the location of rescue equipment;

(g) the location of first-aid stations;

(h) if applicable, the type and number of boats intended for rescue.

The descriptions of the work and body of water or watercourse, as well as transportation and rescue plans, must be posted at work sites. They must also be integrated into the prevention program, specifying the means used to inform workers of their content, in particular with regard to safety rules and instructions intended for workers.

11.2. The principal contractor or the person designated by the principal contractor to prepare the descriptions and plans prescribed by section 11.1 and each person in charge of transportation or rescue operations must hold a certificate from the Association paritaire pour la santé et la sécurité du travail du secteur de la construction or the Lifesaving Society issued following training of at least 7 hours pertaining in particular to the following:

(a) the hazards associated with working above or near water and the prevention measures to counter those hazards;

(b) the hazards associated with cold water immersion and the prevention measures to counter those hazards;

(c) the identification of the various pieces of safety equipment required to work above or near water and their use;

(d) the identification of the various pieces of rescue equipment required to recover a person in the water and their use;

(e) the requirements of the federal and provincial legislation regarding work above or near water and the use of a boat on a body of water or watercourse;

(f) the preparation and application of transportation and rescue plans.

11.3. The equipment required by a rescue plan referred to in subparagraph 4 of the first paragraph of section 11.1, as well as any accessories, must be

(a) adapted to the intended use, to the specific conditions of the work and the characteristics of the body of water or watercourse;

(b) inspected and kept in good working order;

(c) present and visible on the premises during working hours;

(d) accessible so that a quick intervention is possible.

11.4. Where a rescue plan includes the use of a boat, the boat must, in addition to the requirements provided for in section 11.3,

(1) in particular, be

(a) adapted and equipped for the research and recovery of persons;

(b) equipped with a propulsion system adapted to the boat;

(c) equipped with the following rescue equipment:

i. 2 rope bags, each containing 1 single-length buoyant heaving line that remains flexible, with a minimum diameter of 9.5 mm and a minimum length of 15 m;

ii. a life buoy with an outside diameter of 762 mm, approved by Transport Canada or by a body recognized by Transport Canada, as evidenced by the tag or approval stamp affixed to it;

iii. a boat hook;

(2) be used by a team of at least 2 rescue attendants trained in the approach and recovery of a person in conditions and according to the characteristics of the body of water or watercourse where their assistance is needed, and who meet either of the following conditions:

(a) hold a Pleasure Craft Operator Card issued by Transport Canada and a certificate from the Lifesaving Society attesting that training was received in the approach and recovery of persons; or

(b) hold a certificate of competency issued by Transport Canada, other than a Pleasure Craft Operator Card, and a certificate attesting that training was received in Marine Emergency Duties (MED) issued by Transport Canada.

11.5. During work above or near water, life buoys with an outside diameter of 762 mm must be placed and spread out over the entire length of the site where work is performed, at a maximum linear distance of 60 m between life buoys. The life buoys must be approved by Transport Canada or by a body recognized by Transport Canada, as evidenced by the tag or approval stamp affixed to each of them.

11.6. A sound alarm system intended to start rescue operations must be present on the work sites.”.

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

102187

M.O. 2015

Order of the Minister of Education, Higher Education and Research

General and Vocational Colleges Act
(chapter C-29)

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

THE MINISTER OF EDUCATION, HIGHER EDUCATION
AND RESEARCH,

WHEREAS in and by section 18.1 of the General and Vocational Colleges Act (chapter C-29);

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

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

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

WHEREAS the Regulations Act (chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

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

FRANÇOIS BLAIS,
*The Minister of Education,
Higher Education and Research*

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges¹

General and Vocational Colleges Act
(chapter C-29, s. 18.1)

1. Section 1 of the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges is amended as follows:

1° by replacing the definition of "senior staff" with the following:

""senior staff member"": means a director, a coordinator or a manager hired by a college and covered by this Regulation and a senior executive who, in accordance with the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges, is designated as supernumerary senior staff as defined in this Regulation;"

2° by adding, in alphabetical order, the following definition:

""supernumerary senior staff"": a senior staff member whose appointment is not renewed or cancelled or whose position is abolished and is not assigned to another senior staff position or to a position in another category of personnel as provided for in section 200;"

3° by replacing the definition of "appointment" with the following:

""appointment"": means the assignment by the college of a person to occupy a senior staff position;"

4° by deleting the definition of "non-renewal of engagement";

5° by adding, in alphabetical order, the following definition:

"salary": remuneration to which a senior staff member is entitled under Division I and Division IV of Chapter IV, excluding any premium, allowance, indemnity, additional remuneration, performance bonus, lump sum or salary increase paid in lieu of fringe benefits".

2. Section 2 of the Regulation is amended by deleting the second paragraph.

3. Section 5 of the Regulation is amended by adding, at the end, the following paragraph:

"The committee shall establish its own operating rules."

4. Section 7 of the Regulation is amended as follows:

1° by deleting "(timetable, vacation, overtime) which shall be those prescribed by this Regulation";

2° by replacing, in the second paragraph, "section 25 of Division III of Chapter IV" with "section 24".

¹ The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges made by the Minister's Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202574 dated 21 June 2005 (2005, G.O. 2, 2449) was amended by the Regulation made by the Minister's Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203752 (2006, G.O. 2, 1688), the Regulation made by the Minister's Order dated 16 June 2009 approved by the Conseil du trésor, C.T. 207978 (2009, G.O. 2, 2108), the Regulation made by the Minister's Order dated 6 June 2011 (2011, G.O. 2, 1400), the Regulation made by the Minister's Order dated 11 July 2012 (2012, G.O. 2, 2585) and the Regulation made by the Minister's Order dated 10 August 2012 (2012, G.O. 2, 2756).

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

"Chapter VIII, in addition to the preceding chapters, applies to the person who is not already employed by the college and who is assigned temporarily to a senior staff position for a planned period of more than six months, but less than one year."

6. Section 9 of the Regulation is amended by deleting "Chapter VII: Group Insurance Plans".

7. The Regulation is amended by adding, after section 9, the following:

"9.1 A person who is not already employed by a college and who is temporarily assigned to a senior staff position for a planned period of at least one year shall receive group insurance plan benefits. Should the planned period of employment be less than one year, he shall receive a lump sum of 6% to compensate for the lack of insurance coverage.

In the case of the person referred to in section 47.1, the increase of 6% prescribed to compensate for the lack of coverage is equal to the amount of 6% mentioned in the preceding paragraph."

8. Section 12 of the Regulation is amended by replacing the second paragraph including the table with the following paragraph:

"He shall determine the senior staff member's salary scale in accordance with the salary scales found in Schedule II."

9. Section 15 of the Regulation is amended by adding, at the end, the following sentence: "It is comprised of the salary, premiums and other lump-sum payments prescribed in this Regulation."

10. Section 16 of the Regulation is repealed.

11. Section 19 of the Regulation is amended by replacing, in the second paragraph of the French text, "Toutefois, le traitement doit" with "Le traitement doit toutefois".

12. Section 19.1 of the Regulation is amended by replacing "section 16" with "section 1".

13. Section 20 of the Regulation is amended by replacing, in the second paragraph of the French text, "à recevoir" with "de recevoir".

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

"He shall also receive a lump-sum payment equal to 5.12% to compensate for the lack of fringe benefits. However, this lump-sum payment and that prescribed in Section 9.1, allowing to compensate for the lack of fringe benefits, must not have the effect of granting a lump-sum payment greater than 11.12%. In addition, if the college grants the senior staff member the statutory holidays and personal leaves prescribed in the management policy, the senior staff member shall not be entitled to the lump-sum payment."

15. Section 39 of the Regulation is amended by replacing "on the date preceding his engagement, was employed by a college" with "in the year following his resignation, is engaged by another college as a senior staff member".

16. Section 44 of the Regulation is amended by adding after "senior staff" "under the management policy applicable to its management personnel".

17. The Regulation is amended by adding, after section 44, the following:

"44.1 The number of vacation days established under the management policy is reduced in the case of one or more absences due to illness of at least six months in the reference year. The same applies to absences without pay of more than 20 days, subject to the chapter on parental rights.

In these situations, the number of vacation days granted to the senior staff member is calculated according to the following formula:

Number of vacation days determined under the management policy	X	Number of days considered to be days with pay in the reference year
260 working days		

18. Section 46 of the Regulation is amended as follows:

1° by replacing, in the introductory sentence preceding subparagraph 1 of the definition of "salary", "section 16" with "section 1";

2° by replacing, in subparagraph 1 of the definition of "salary", "the rules respecting salary review, where applicable" with "Division IV of Chapter IV and sections 204 and 208 of this Regulation".

19. Section 60 of the Regulation is amended by adding, at the end of the third paragraph, the following sentence: "The disability period related to an organ donation without compensation is also recognized as a total disability period."

20. Section 66 of the Regulation is amended as follows:

1° by replacing, in the first paragraph, "an amount equal to the difference between the income replacement indemnity prescribed by the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) and his net salary" with "prescribed by the Act respecting industrial accidents and occupational diseases (chapter A-3.001), an amount equal to the difference between the income replacement indemnity and his net salary";

2° by adding in the third paragraph after "the employment insurance plan", the Québec Parental Insurance Plan, "

21. Section 73 of the Regulation is replaced with the following:

"73. The cost of the compulsory plans shall be shared by the government and all the participants of the plans according to the terms and conditions of the insuring agreement signed on 2 October 2001 by the Government of Québec and the associations representing the participants of the group insurance plans for management staff in the public and parapublic sectors and its subsequent amendments until the agreement expires."

22. The Regulation is amended by adding, before section 157, the following title:

**"DIVISION I
"GENERAL PROVISIONS".**

23. Section 157 of the Regulation is amended by deleting "who is not designated as supernumerary senior staff".

24. The Regulation is amended by adding, after "section 158, the following title:

**"DIVISION II
"DURATION OF PLAN AND LEAVE".**

25. Section 159 of the Regulation is amended by replacing, in the second paragraph, "in sections 172, 175 and 176" with "in sections 169, 174 and 176".

26. Section 161 of the Regulation is replaced with the following:

"161. At the end of the period of leave or at the end of the leave prescribed in this Regulation that follows the period of leave, a senior staff member shall be reinstated in his full-time position, subject to the provisions of the Regulation dealing with stability of employment prescribed in Chapter XIV. A senior staff member must remain in the employ of the college for a duration at least equivalent to the duration of his period of leave."

27. The Regulation is amended by adding, after section 161, the following title:

**"DIVISION III
"TERMS AND CONDITIONS FOR OBTAINING A LEAVE".**

28. Section 162 of the Regulation is replaced with the following:

"162. A senior staff member wishing to avail himself of the plan must apply to the college in writing.

The application shall indicate the proposed duration of the plan and of the period of leave as well as the proposed dates of the beginning and end of the period of leave and of the plan.

Consent in writing must be obtained from the college for a leave with deferred or anticipated salary. In the case of refusal, the college shall provide the senior staff member who applied for the leave with the reasons."

29. Section 163 of the Regulation is replaced with the following:

"163. A college shall not accept an application for participation in the plan from a senior staff member who is disabled or on leave without pay."

30. The Regulation is amended by adding, after section 163, the following title:

**"DIVISION IV
"REMUNERATION AND OTHER BENEFITS".**

31. Section 168 of the Regulation is replaced with the following:

"168. For the purposes of computing a pension benefit under a pension plan, the senior staff member shall be attributed a year of service for each year of participation in the plan and an average salary based on the salary he would have received had he not participated in the plan.

The contribution of the senior staff member to a pension plan during the years of participation in the plan shall be determined by the applicable pension legislation."

32. The Regulation is amended by adding, after section 168, the following title:

**"DIVISION V
"DISABILITY".**

33. Sections 169 and 170 of the Regulation are replaced with the following:

"169. For the purposes of the short-term salary insurance plan, the following provisions apply:

(1) a senior staff member who becomes totally disabled during the leave with deferred or anticipated salary cannot, during the leave, benefit from the short-term salary insurance plan.

Where a senior staff member continues to be totally disabled at the end of the leave, he shall benefit from the short-term salary insurance plan as of the date foreseen for the return to work based on the percentage of salary of the plan for the remainder of the plan. Disability shall then be considered as beginning on the date foreseen for the senior staff member's return to work;

(2) a senior staff member who becomes totally disabled during the plan, but after having taken his leave with deferred or anticipated salary, shall benefit from the short-term salary insurance plan based on the percentage of salary of the plan;

(3) a senior staff member who becomes totally disabled prior to the leave with deferred or anticipated salary and whose disability ended prior to the leave shall benefit from the short-term salary insurance plan based on the percentage of salary of the plan;

(4) a senior staff member who becomes totally disabled prior to the leave with deferred or anticipated salary and whose disability continues until the scheduled start date of the leave with deferred or anticipated salary may choose one of the following options:

a) continue to participate in the plan and postpone the period of leave with deferred or anticipated salary to a time when he is no longer disabled.

If the total disability continues during the last year of the plan, it may be interrupted from the scheduled beginning of the leave with deferred or anticipated salary to the end of the total disability. During that period, a senior staff member shall be entitled to short-term salary insurance benefits and the leave with deferred salary may begin on the date on which the total disability ceases;

b) terminate the plan and receive the unpaid salary, without interest, for the elapsed period of the leave.

"170. Where the total disability continues after 104 weeks, the plan shall terminate and the following provisions apply:

(1) if a senior staff member has already benefited from the leave with deferred or anticipated salary, an overpayment of salary shall not be claimable;

(2) if a senior staff member has not yet benefited from the leave with deferred or anticipated salary, he shall receive the unpaid salary, without interest, for the elapsed period of the plan.

A senior staff member shall then benefit from the compulsory basic long-term salary insurance plan."

34. The Regulation is amended by adding, after section 170, the following title:

"DIVISION VI

"TERMINATION OF PARTICIPATION IN AGREEMENT".

35. The Regulation is amended by replacing sections 172 to 176 with the following:

"172. If, while the plan is in progress, the senior staff member becomes employed by another employer in the public or parapublic sector offering a comparable plan, he may complete the plan by agreement with his new employer. Failing agreement, the plan shall terminate and the provisions of section 171 apply.

"173. If the senior staff member dies while the plan is in progress, the plan shall terminate on the date of the death and the procedures prescribed in subparagraphs 1, 2 and 3 of section 171 apply. However, an overpayment of salary shall not be claimable, and any unpaid salary shall be reimbursed.

"DIVISION VII

"LEAVE WITHOUT PAY

"174. During the life of the plan, the total absences without pay of the senior staff member for any reason, authorized or not, may not exceed 12 months. If the total absences without pay for any reason, authorized or not, exceed 12 months, the plan shall terminate on the date on which such total reaches 12 months and the procedures prescribed in subparagraphs 1, 2, 3 and 4 of section 171 apply by making the necessary changes.

Where the length of total absences without pay of a senior staff member for any reason, authorized or not, is equal to or less than 12 months, the duration of the plan shall be extended for a duration equal to the total absences.

"DIVISION VIII

"SUPERNUMERARY SENIOR STAFF

"175. Where a senior staff member is designated as supernumerary senior staff while the plan is in progress, it shall remain in force until the senior staff member is reassigned. If, when the senior staff member is reassigned, the plan is not terminated, he may complete the plan by agreement with the college to which he is reassigned. Failing an agreement, the plan shall terminate and the provisions of subparagraphs 1, 2 and 3 of section 171 apply, without loss of rights with respect to the pension plans.

"DIVISION IX

"PARENTAL RIGHTS

"176. If a maternity leave (21 weeks) begins before or after the period of leave, participation in the plan shall be suspended for a maximum period of 21 weeks and the plan shall then be extended accordingly.

However, if the maternity leave begins before the period of leave, the senior staff member may terminate the plan. She shall receive the unpaid salary, without interest, and the maternity leave benefit.

"DIVISION X

"MISCELLANEOUS PROVISIONS".

36. Section 177 of the Regulation is amended by deleting ", from the first year of assessment following the termination of the plan".

37. Section 192 of the Regulation is amended by deleting the second sentence.

38. The Regulation is amended by replacing, before section 198, the title "GENERAL PROVISIONS" with the following:

**"DIVISION I
"GENERAL PROVISIONS".**

39. Section 199 of the Regulation is amended as follows:

1° by replacing, in the first paragraph, "In this part," with "In this division,";

2° by replacing subparagraph 3 with the following subparagraphs:

"(3) the application of the provisions of the management policy applicable to the administrative organization prescribed in section 262 resulting in a surplus of senior staff;

(4) an agreement between the college and the senior staff member concerned".

40. Sections 200 to 214 and the titles of Divisions I and II of Chapter XIV of the Regulation are replaced with the following:

"200. If the college decides not to renew or to cancel the appointment of a senior staff member, in circumstances other than a dismissal, to abolish a position held by a senior staff member or to carry out an administrative reorganization, the senior staff member shall retain his employment relationship and the college shall apply one of the following measures:

- (1) it shall assign him to another senior staff position;
- (2) it shall assign him to a position in another category of personnel;
- (3) it shall designate him as supernumerary senior staff.

A senior staff member covered by subparagraph 1 is entitled to the application of section 208, while the senior staff member covered by subparagraph 2 is entitled to the application of sections 207 and 208, with the necessary changes.

"201. Before declaring a surplus of personnel, a college must respect the consultation procedures prescribed by its management policy.

"202. A college wishing to fill a regular full-time senior staff position shall inform the Placement Office of the college sector of the eligibility criteria. The Placement Office shall then inform all the colleges, and the colleges must post the information to the attention of all senior staff.

**"DIVISION II
"SUPERNUMERARY SENIOR STAFF**

"203. The salary of a senior staff member on the date on which he is designated as supernumerary senior staff shall be maintained for the period during which he is so designated.

"204. A senior executive designated as supernumerary senior staff shall be integrated as senior staff and shall receive the classification corresponding to the position assigned. He shall be entitled to a lump-sum payment equal to the difference between his new salary and the salary he was receiving.

"205. A senior staff member designated as supernumerary senior staff shall perform tasks compatible with his skills.

"206. A supernumerary senior staff member shall be required to accept in his college or in a college in his zone any available position offered to him if it is compatible with his professional training; after one year as a supernumerary senior staff member, the same rule applies to a college outside the zone. Refusal to accept such a position shall be considered as a resignation.

"207. A supernumerary senior staff member who accepts an offer of a position from his college subject to the provisions of a collective agreement is entitled to resume his status of supernumerary senior staff if he again becomes supernumerary without having acquired employment security within the meaning of that collective agreement.

"208. A supernumerary senior staff member who accepts a position in a college as a senior staff member or in another category of personnel and whose salary in the new position is lower than the salary he was receiving is entitled to a lump-sum payment equal to the difference between the salary he is receiving and the salary he was receiving. The lump-sum payment shall vary and shall cease when the difference no longer exists.

"209. Travel and accommodation expenses incurred by a supernumerary senior staff member who reports for a selection interview in an agency of the public or parapublic sector shall be reimbursed by his college.

"210. A supernumerary senior staff member accepting a job in an agency of the public or parapublic sector located more than 50 km from his place of work or domicile shall be entitled to reimbursement of his moving costs in accordance with the same provisions as those in effect for the professional personnel of the college.

"211. A supernumerary senior staff member may, at any time, avail himself of any of the termination of employment measures prescribed by Division III.

At Champlain Regional College, notwithstanding the first paragraph, the campus director or the deputy academic dean designated as supernumerary senior staff may avail himself, by making the necessary changes, of severance pay or the leave with pay prescribed in Chapter V of the Regulation determining certain conditions of employment of senior executives of general and vocational colleges if he satisfies the provisions of section 46 of that Regulation.

"212. A senior staff member may substitute himself for a supernumerary senior staff member if the college accepts the substitution."

41. Section 216 of the Regulation is amended by adding, at the end, the following sentence: "It cannot be less than two months and no more than six months."

42. Section 217 of the Regulation is replaced with the following:

"217. The severance amount for the first two months shall be paid on the beneficiary's departure. Subsequently and until the severance amount is paid, the senior staff member shall receive monthly the equivalent of one month of salary as severance pay. However, payment shall cease when the senior staff member obtains a position.

A senior staff member who has already received severance pay in the public, parapublic and peripublic sectors may receive only the difference between the amount of severance pay already received and the new severance pay calculated on the basis of the last annual salary."

43. Section 224 of the Regulation is amended by adding, at the end, "with the necessary changes".

44. Section 225 of the Regulation is amended by adding after "the necessary changes," "section 230".

45. The Regulation is amended by adding, after section 225, the following:

"225.1 The time limits prescribed in this chapter may be amended by written agreement between the college and the Association."

46. Section 226 of the Regulation is amended by adding after "Regulation" "or management policy of the management personnel of the college within the framework of section 225,".

47. Section 228 of the Regulation is amended by replacing "15 days" with "30 days".

48. Section 230 of the Regulation is amended by replacing, in the second paragraph, "the discontinuation of the senior staff member's employment relationship" with "the discontinuation of the employment relationship, demotion or disciplinary measure of a senior staff member".

49. Section 232 of the Regulation is amended by replacing, in the first paragraph, "the solution or solutions sought" with "any solution sought".

50. Section 233 of the Regulation is replaced with the following:

"233. The Appeals Committee shall be composed of a chairman designated jointly by the college and the Association based on a list of chairmen approved by the Exchange and Consultation Committee (CEC) prescribed in section 5. Failing agreement on the choice of a chairman, the first chairman shall designate the chairman.

At the request of either party, the Appeals Committee shall be composed of a representative designated by the Association, a representative designated by the college and a chairman designated in the manner prescribed in this section."

51. Section 234 of the Regulation is amended by replacing "15 days" with "20 days".

52. Section 236 of the Regulation is amended as follows:

1° by replacing in the French text "faite par le college du règlement" with "du règlement faite par le college";

2° by replacing "an executory decision" with "a final and executory decision".

53. Section 238 of the Regulation is replaced with the following:

"238. The decision of the Appeals Committee is final and executory and binds the parties when related to the following provisions:

- (1) Chapter I;
- (2) Chapter II, except section 5;
- (3) Chapter III, except sections 11 and 12;

- (4) Chapter IV;
- (5) Chapter V;
- (6) Chapter VI;
- (7) Chapter VII;
- (8) Chapter VIII;
- (9) Chapter IX;
- (10) Chapters X, XI and XII;
- (11) Chapter XIV, except sections 199, 200, 202 and 212;
- (12) Chapter XV."

54. Section 239 of the Regulation is amended by replacing "on any complaint respecting the discontinuation of the senior staff member's employment relationship" with " in a final and executory manner on any complaint respecting the discontinuation of the employment relationship, demotion or disciplinary measure of a senior staff member".

55. Section 240 of the Regulation is amended as follows:

1° by replacing, in subparagraph 3 of the first paragraph, "sections 211 and 212" with "sections 207 and 208";

2° by adding, at the end, the following paragraph and subparagraphs:

"In a case of a suspension or reprimand, the Appeals Committee may:

(1) confirm, amend or rescind the decision of the college and, where applicable, replace it with the decision it deems fair and reasonable, taking into account all the circumstances;

(2) order the reimbursement of salary and fringe benefits, where applicable."

56. Section 241 of the Regulation is amended by replacing, in the first paragraph, "The" with "In the case of a discontinuation of the employment relationship, the".

57. Section 242 of the Regulation is amended by replacing "reasons;" with "reasons. In the event of the application of the second paragraph of section 233, the decision or recommendation of the Appeals Committee shall be unanimous or by a majority and must also include reasons;".

58. Section 243 of the Regulation is amended by replacing, in the first paragraph, "within 45 days of deliberations" with "within 90 days of the hearing".

59. Section 244 of the Regulation is amended by replacing "does not wish to accept the decision delivered in accordance with section 240," with "refuses to execute the decision delivered in accordance with section 240 in the case of a discontinuation of the employment relationship,".

60. Section 245 of the Regulation is amended by replacing "a decision" with "the decision of the Appeals Committee".

61. Section 246 of the Regulation is amended by adding in the last paragraph after "members" ", where applicable,".

62. Section 247 of the Regulation is repealed.

63. Section 252 of the Regulation is amended as follows:

1° by replacing "the solution or solutions sought" with "any solution sought";

2° by deleting the second paragraph.

64. Section 254 of the Regulation is amended by replacing "15 days" with "20 days".

65. Section 256 of the Regulation is amended by adding, at the end, the following paragraph:

"However, in the case of a complaint related to the discontinuation of the employment relationship, demotion or disciplinary measures, the Appeals Committee shall refer to sections 239 to 248 of this Regulation."

66. Section 257 of the Regulation is amended by replacing "The recommendation of the Appeals Committee shall be unanimous or by majority and must" with "The recommendation of the chairman of the Appeals Committee must include reasons. In the event of the application of the second paragraph of section 233, the recommendation of the Appeals Committee shall be unanimous or by a majority and must also".

67. Section 258 of the Regulation is amended by replacing "45 days of deliberations" with "90 days of the hearing".

68. Section 259 of the Regulation is amended by adding in the last paragraph after "members" ", where applicable,".

69. Section 260 of the Regulation is repealed.

70. Section 262 of the Regulation is amended as follows:

1° by inserting after the second dash of subparagraph 3 of the first paragraph "- disciplinary measures";

2° by replacing, in the seventh dash of subparagraph 3 of the first paragraph, "sections 19 and 29" with "section 19".

71. The Regulation is amended by adding, after section 262, the following chapter:

**"CHAPTER XVI.1
"SKILLS TRAINING"**

"262.1 The object of skills training is to allow a senior staff member to:

1° acquire or improve skills and knowledge required to accomplish a duty described in this Regulation;

2° acquire new skills or develop new aptitudes related to the evolution of the senior staff member's career.

"262.2 The college and the senior staff are responsible for the skills training of senior staff. To this end, the college shall draw up a local skills training policy for its senior staff.

"262.3 Colleges must facilitate the participation of senior staff in the various training activities according to the local training policy.

"262.4 A senior staff member shall participate in skills training activities, with salary, the duration of which must not entail the replacement of the incumbent."

72. Section 265 of the Regulation is repealed.

73. Schedule I of the Regulation is amended by replacing "Administrative assistant" with "Administrative services supervisor".

74. Schedule II of the Regulation is amended by replacing the salary scales as of 1 April 2010 with the following salary scales:

CLASSES	Rates 2010-04-01		Rates 2011-04-01		Rates 2012-04-01		Rates 2013-04-01		Rates 2014-04-01	
	(\$)		(\$)		(\$)		(\$)		(\$)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
10	80 632	107 511	81 237	108 317	82 456	109 942	83 899	111 866	85 577	114 103
9	76 172	101 564	76 743	102 326	77 894	103 861	79 257	105 679	80 842	107 793
8	71 958	95 944	72 498	96 664	73 585	98 114	74 873	98 831	76 370	101 828
7	67 017	89 356	67 520	90 026	68 533	91 376	69 732	92 975	71 127	94 835
6	62 416	83 221	62 884	83 845	63 827	85 103	64 944	86 592	66 243	88 324
5	58 129	77 504	58 585	78 085	59 443	79 256	60 483	80 643	61 693	82 256
4	54 137	72 183	54 543	72 724	55 361	73 815	56 330	75 107	57 457	76 609
3	48 313	64 417	48 675	64 900	49 405	65 874	50 270	67 027	51 275	68 368
2	43 118	57 489	43 441	57 920	44 093	58 789	44 865	59 818	45 762	61 014
1	38 478	51 303	38 767	51 688	39 349	52 463	40 038	53 381	40 839	54 449

SALARY SCALES RESULTING FROM PAY EQUITY

PREDOMINANTLY FEMALE JOB CATEGORIES INCLUDING PAY EQUITY ADJUSTMENTS

Salary level 2

	Classifi.-Cl/Years	2010-04-01	2011-04-01	2012-04-01	2013-04-01	2014-04-01
Minimum	CO-2-0	51 913	52 302	53 087	54 016	55 096
Maximum	CO-2-0	60 362	60 815	61 727	62 807	64 063

Salary level 3

	Classifi.-Cl/Years	2010-04-01	2011-04-01	2012-04-01	2013-04-01	2014-04-01
Minimum	R-4-2	47 466	47 822	48 539	49 388	50 376
Maximum	R-4-2	65 013	65 501	66 484	67 647	69 000

	Classifi.-Cl/Years	2010-04-01	2011-04-01	2012-04-01	2013-04-01	2014-04-01
Minimum	R-4-3	48 910	49 277	50 016	50 891	51 909
Maximum	R-4-3	65 013	65 501	66 484	67 647	69 000

**LIST OF EMPLOYMENT GROUPS HAVING RECEIVED
PAY EQUITY ADJUSTMENTS**

2001 Classification			Current Classification			
Employment Group	Class	Title	Employment Group	Class	Title	Salary Level
75	CO-2-0	Administration Officer	35	2	Administration Officer	2
76	R-4-2	Superintendent of Community Services	31	3	Superintendent of Community Services	3
76	R-4-3	Superintendent of Community Services	31	3	Superintendent of Community Services	3
77	R-4-3	Superintendent of Supply Services	32	3	Superintendent of Supply Services	3

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

102188

M.O., 2015

Order of the Minister of Municipal Affairs and Land Occupancy dated 8 June 2015

An Act respecting municipal taxation
(chapter F-2.1)

Regulation to amend the Regulation respecting the real estate assessment roll

CONSIDERING subparagraph 1 of the first paragraph of section 263 of the Act respecting municipal taxation (chapter F-2.1), which provides that the Minister of Municipal Affairs and Land Occupancy may, by regulation, prescribe the form and content of the property assessment roll and the roll of rental values; prescribe the process by which the rolls are to be prepared and kept up to date; prescribe the information to be collected and established for the purpose of preparing the rolls and keeping them up to date, the form in which it must be sent to a person who is entitled to obtain it under the law and the information that is to accompany the rolls on their deposit; prescribe rules to favour continuity between successive rolls; require the assessor to transmit to the Minister, free of charge, the information included in the summary of the roll in the cases and according to the rules determined by the Minister; refer to a manual containing matters contemplated by the Act, as it exists at the time that the assessor must apply it, provided that the Minister gives notice in the *Gazette officielle du Québec* of each updating of the manual made after the coming into force of the regulations under the subparagraph;

CONSIDERING subparagraph 2 of the first paragraph of section 263, which provides that the Minister may prescribe the form or content of certain other documents;

CONSIDERING section 263.1 of the Act, which provides that a regulation made under section 263 may prescribe rules which vary according to the fiscal year concerned from among those for which a roll applies;

CONSIDERING that the Minister of Municipal Affairs made, by Minister's Order dated 1 September 1994 (1994, *G.O. 2*, 4104), the Regulation respecting the real estate assessment roll, amended by Minister's Order dated 14 June 2000 (2000, *G.O. 2*, 3423) and by Minister's Order dated 20 July 2010 (2010, *G.O. 2*, 2415);

CONSIDERING that it is expedient to further amend the Regulation;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the real estate assessment roll was published in the *Gazette officielle du Québec* of 25 March 2015 with a notice that it could be made on the expiry of 45 days following that publication and that any person could send written comments before the expiry of the 45-day period;

CONSIDERING that no comments were received;

CONSIDERING that it is expedient to make the Regulation without amendment;

THE MINISTER OF MUNICIPAL AFFAIRS AND LAND OCCUPANCY ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the real estate assessment roll, attached to this Order, is hereby made.

Québec, 8 June 2015

PIERRE MOREAU,
*Minister of Municipal Affairs
and Land Occupancy*

Regulation to amend the Regulation respecting the real estate assessment roll

An Act respecting municipal taxation
(chapter F-2.1, s. 263)

1. The Regulation respecting the real estate assessment roll (chapter F-2.1, r. 13), is amended in section 4 by inserting the following after the second paragraph:

“Despite the foregoing, for the purposes of any roll coming into force not later than 1 January 2018, when gathering, recording and establishing information in respect of a non-residential building which, under the Regulation to amend the Regulation respecting the real estate assessment roll made by the Minister’s Order dated 20 July 2010, constitutes descriptive information, an assessor is not required to take into account the following amendments:

(1) the amendments made by the Regulation to amend the real estate assessment roll, made by the Minister’s Order dated 20 July 2010;

(2) the amendments consequential to any updating of the Manual after 18 August 2010.”.

2. Section 6 is amended by adding the following paragraphs:

“The amendments made to the first three paragraphs by section 2 of the Regulation to amend the Regulation respecting the real estate assessment roll by the Minister’s Order dated 20 July 2010 and the updates of Part 2B of the Manual made after 18 August 2010 may not apply to a municipality whose cadastral renewal carried out in accordance with the Act to promote the reform of the cadastre in Québec (chapter R-3.1) is not at least 80% completed on the first of January prior to the coming into force of the municipality’s roll.

The municipalities whose cadastre is not at least 80% renewed on the first of January prior to the coming into force of their roll are listed in Schedule 2B.1 of the Manual.”.

3. Section 8 is amended by inserting the following after the first paragraph:

“Despite the foregoing, for the purposes of any roll coming into force not later than 1 January 2018, an assessor must not, when assessing a non-residential building using the methods in parts 3C, 3D and 3E of the Manual and when, in respect of that building, the assessor has gathered, recorded and established, in accordance with the third paragraph of section 4, information which, under

the Regulation to amend the Regulation respecting the real estate assessment roll made by the Minister’s Order dated 20 July 2010, constitutes descriptive information, take into account the following information:

(1) the amendments made by the Regulation to amend the real estate assessment roll, made by the Minister’s Order dated 20 July 2010;

(2) the amendments consequential to any updating of the Manual after 18 August 2010.”.

4. Section 12.2 is amended

(1) by replacing “third” in the first paragraph by “fourth”;

(2) by adding the following paragraph:

“Despite the foregoing, for the purposes of any roll coming into force not later than 1 January 2018, an assessor must not, when gathering and recording information on a non-residential building which, under the Regulation to amend the Regulation respecting the real estate assessment roll made by the Minister’s Order dated 20 July 2010, constitutes descriptive information and when, in respect of that building, the assessor has gathered, recorded and established, in accordance with the third paragraph of section 4, the same information, take into account the following amendments:

(1) the amendments made by the Regulation to amend the real estate assessment roll, made by the Minister’s Order dated 20 July 2010;

(2) the amendments consequential to any updating of the Manual after 18 August 2010.”.

5. Section 21 is amended by adding the following paragraph:

“Despite the foregoing, the information referred to in the first paragraph is not required to be transmitted in accordance with the amendments consequential to any updating of the Manual after 18 August 2010 when the information meets one of the following conditions:

(1) it is the information of a roll coming into force not later than 1 January 2018 and it is the information which, under the Regulation to amend the Regulation respecting the real estate assessment roll made by the Minister’s Order dated 20 July 2010, constitutes descriptive information on a non-residential building gathered, recorded and established by the assessor in accordance with the third paragraph of section 4;

(2) it is the information of a municipality that prevailed itself of the exception in the fourth paragraph of section 6.”.

6. Section 22 is revoked.

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

102180

M.O., 2015

Order number AM 2015-001 of the Minister of Labour, Employment and Social Solidarity dated 11 June 2015

Pay Equity Act
(chapter E-12.001)

Regulation to amend the Regulation respecting the report on pay equity

THE MINISTER OF LABOUR, EMPLOYMENT AND SOCIAL SOLIDARITY,

CONSIDERING section 4 of the Pay Equity Act (chapter E-12.001), which provides that an employer must submit a report on the implementation of the Act in the employer's enterprise, in the cases and subject to the conditions prescribed by regulation of the Minister;

CONSIDERING that the Minister made, by Order, the Regulation respecting the report on pay equity (chapter E-12.001, r. 1);

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING that, in accordance with section 4, the Commission de l'équité salariale and the partners advisory committee were consulted before the making of such a regulation;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft of the Regulation to amend the Regulation respecting the report on pay equity was published in Part 2 of the *Gazette officielle du Québec* of 25 February 2015 with a notice that it could be made by Minister's Order on the expiry of 45 days following that publication;

CONSIDERING the expiry of the 45-day period;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the report on pay equity, attached to this Order, is hereby made.

Québec, 11 June 2015

SAM HAMAD,
*Minister of Labour, Employment
and Social Solidarity*

Regulation to amend the Regulation respecting the report on pay equity

Pay Equity Act
(chapter E-12.001, s. 4)

1. The Regulation respecting the report on pay equity (chapter E12.001, r. 1) is amended in section 1 by replacing “6” in subparagraphs 1 and 5 of the first paragraph by “11”.

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

102190

M.O., 2015-07

Order number V-1.1-2015-07 of the Minister of Finance, June 11, 2015

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations

WHEREAS subparagraphs 1, 3, 8, 19, and 20 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the Regulation 51-102 respecting Continuous Disclosure Obligations approved by ministerial order no. 2005-03 dated May 19, 2005 (2005, *G.O.* 2, 1507);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations was published in the *Bulletin de l'Autorité des marchés financiers*, vol. 11, no. 20 of May 22, 2014;

WHEREAS the *Autorité des marchés financiers* made, on May 20, 2015, by the decision no. 2015-PDG-0080, Regulation 51-102 respecting Continuous Disclosure Obligations;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations appended hereto.

June 11, 2015

CARLOS LEITÃO,
Minister of Finance

REGULATION TO AMEND REGULATION 51-102 RESPECTING CONTINUOUS DISCLOSURE OBLIGATIONS

Securities Act

(chapter V-1.1, s. 331.1, par. (1), (3), (8), (19) and (20))

1. Section 5.3 of Regulation 51-102 respecting Continuous Disclosure Obligations (chapter V-1.1, r. 24) is amended by inserting, in subparagraph (b) of paragraph (2) and after “interim MD&A”, “for an issuer that is not providing disclosure in accordance with section 2.2.1 of Form 51-102F1”.

2. Section 5.4 of the Regulation is amended by replacing, in paragraph (1), “MD&A” with “annual MD&A and, if the issuer is not providing disclosure in accordance with section 2.2.1 of Form 51-102F1, its interim MD&A,”.

3. Section 5.7 of the Regulation is amended by inserting, in subparagraph (b) of paragraph (2) and after “interim MD&A”, “for an issuer that is not providing disclosure in accordance with section 2.2.1 of Form 51-102F1”.

4. Section 8.3 of the Regulation is amended by replacing, in subparagraph (b) of paragraphs (1) and (3), “40%” with “100%”.

5. Section 8.4 of the Regulation is amended by inserting, in the introductory phrase of paragraph (5) and after the words “a reporting”, the words “issuer other than a venture”.

6. Section 9.3.1 of the Regulation is amended:

(1) in paragraph (1):

(a) by replacing the word “sends” with the words “is required to send”;

(b) by deleting, in subparagraph (b), “, applying reasonable effort.”;

(2) by replacing, in paragraph (2), “, in accordance with, and subject to any exemptions set out in, Form 51-102F6, which came into force on December 31, 2008” with “and in accordance with Form 51-102F6.”;

(3) by inserting, after paragraph (2), the following:

“(2.1) Despite subsection (2), a venture issuer may provide the disclosure required by subsection (1) for the periods set out in and in accordance with Form 51-102F6V.

“(2.2) The disclosure required under subsection (1) must be filed

(a) not later than 140 days after the end of the issuer’s most recently completed financial year, in the case of an issuer other than a venture issuer, or

(b) not later than 180 days after the end of the issuer’s most recently completed financial year, in the case of a venture issuer.”;

(4) by replacing, in paragraph (3), “, which came into force on December 31, 2008” with “or, for a venture issuer relying on subsection (2.1), in Form 51-102F6V.”;

(5) by deleting paragraph (4);

(6) by inserting, after paragraph (4), the following:

“(5) Subsection (2.2) applies to an issuer in respect of a financial year beginning on or after July 1, 2015.”.

7. Section 11.6 of the Regulation is amended:

(1) in paragraph (1):

(a) by replacing the words “does not send to its securityholders” with the words “is not required to send to its securityholders an information circular and does not send”;

(b) by deleting, in subparagraph (b), “, applying reasonable effort.”;

(2) by deleting, in paragraph (2), “, which came into force on December 31, 2008”;

(3) by inserting, after paragraph (2), the following:

“(2.1) Despite subsection (2), a reporting issuer that is a venture issuer may provide the disclosure required under subsection (1) for the periods set out in and in accordance with Form 51-102F6V.”;

(4) by replacing, in paragraph (4), “, which came into force on December 31, 2008” with “or, for a venture issuer relying on subsection (2.1), in Form 51-102F6V”;

(5) by deleting paragraph (6).

8. Form 51-102F1 of the Regulation is amended:

(1) by replacing paragraph (g) of part 1 with the following:

“(g) **Venture Issuers**

If your company is a venture issuer, you have the option of meeting the requirement to provide interim MD&A under section 2.2 by instead providing quarterly highlights disclosure. Refer to Policy Statement to Regulation 51-102 respecting Continuous Disclosure Obligations (chapter V-1.1, r. 24) for guidance on quarterly highlights.

If your company is a venture issuer without significant revenue from operations, in your MD&A including any quarterly highlights, focus your discussion and analysis of financial performance on expenditures and progress towards achieving your business objectives and milestones.”;

(2) by inserting, after section 2.2 of part 2, the following:

“2.2.1 Quarterly Highlights

If your company is a venture issuer, you have the option of meeting the requirement to provide interim MD&A under section 2.2 by instead providing a short discussion of all material information about your company’s operations, liquidity and capital resources. Include in your discussion:

- an analysis of your company’s financial condition, financial performance and cash flows and any significant factors that have caused period to period variations in those measures;
- known trends, risks or demands;
- major operating milestones;
- commitments, expected or unexpected events, or uncertainties that have materially affected your company’s operations, liquidity and capital resources in the interim period or are reasonably likely to have a material effect going forward;
- any significant changes from disclosure previously made about how the company was going to use proceeds from any financing and an explanation of variances;
- any significant transactions between related parties that occurred in the interim period.

INSTRUCTIONS

(i) *If the first MD&A you file in this Form (your first MD&A) is an interim MD&A, you cannot use quarterly highlights. Rather, you must provide all the disclosure called for in Item 1 in your first MD&A. Base the disclosure, except the disclosure for section 1.3, on your interim financial report. Since you do not have to update the disclosure required in section 1.3 in your interim MD&A, your first MD&A will provide disclosure under section 1.3 based on your annual financial statements.*

(ii) *Provide a short, focused discussion that gives a balanced and accurate picture of the company’s business activities during the interim period. The purpose of the quarterly highlights reporting is to provide a brief narrative update about the business activities, financial condition, financial performance and cash flow of the company. While summaries are to be clear and concise, they are subject to the normal prohibitions against false and misleading statements.*

(iii) *Quarterly highlights prepared in accordance with section 2.2.1 are not required for your company's fourth quarter as relevant fourth quarter content will be contained in your company's annual MD&A prepared in accordance with Item 1 (see section 1.10).*

(iv) *You must title your quarterly highlights "Interim MD&A – Quarterly Highlights".*

(v) *If there was a change to the company's accounting policies during the interim period, include a description of the material effects resulting from the change.*

“2.2.2 Quarterly Highlights - Transition

Section 2.2.1 applies to an issuer in respect of a financial year beginning on or after July 1, 2015.”.

9. Form 51-102F2 of the Regulation is amended:

(1) by replacing section 5.4 with the following:

“5.4 Companies with Mineral Projects

If your company had a mineral project, provide the following information, by summary if applicable, for each project material to your company:

(1) **Current Technical Report** – The title, author(s), and date of the most recent technical report on the property filed in accordance with Regulation 43-101 respecting Standards of Disclosure for Mineral Projects.

(2) **Project Description, Location, and Access**

(a) The location of the project and means of access.

(b) The nature and extent of your company's title to or interest in the project, including surface rights, obligations that must be met to retain the project, and the expiration date of claims, licences and other property tenure rights.

(c) The terms of any royalties, overrides, back-in rights, payments or other agreements and encumbrances to which the project is subject.

(d) To the extent known, any significant factors or risks that might affect access or title, or the right or ability to perform work on, the property, including permitting and environmental liabilities to which the project is subject.

(3) **History**

(a) To the extent known, the prior exploration and development of the property, including the type, amount, and results of any exploration work undertaken by previous owners, any significant historical estimates, and any previous production on the property.

(4) **Geological Setting, Mineralization, and Deposit Types**

- (a) The regional, local, and property geology.
- (b) The significant mineralized zones encountered on the property, the surrounding rock types and relevant geological controls, and the length, width, depth and continuity of the mineralization together with a description of the type, character and distribution of the mineralization.
- (c) The mineral deposit type or geological model or concepts being applied.

(5) **Exploration** – The nature and extent of all relevant exploration work other than drilling, conducted by or on behalf of your company, including a summary and interpretation of the relevant results.

(6) **Drilling** – The type and extent of drilling and a summary and interpretation of all relevant results.

(7) **Sampling, Analysis, and Data Verification** – The sampling and assaying including, without limitation,

- (a) sample preparation methods and quality control measures employed before dispatch of samples to an analytical or testing laboratory,
- (b) the security measures taken to ensure the validity and integrity of samples taken,
- (c) assaying and analytical procedures used and the relationship, if any, of the laboratory to your company, and
- (d) quality control measures and data verification procedures, and their results.

(8) **Mineral Processing and Metallurgical Testing** – If mineral processing or metallurgical testing analyses have been carried out, describe the nature and extent of the testing and analytical procedures, and provide a summary of the relevant results and, to the extent known, provide a description of any processing factors or deleterious elements that could have a significant effect on potential economic extraction.

(9) **Mineral Resource and Mineral Reserve Estimates** – The mineral resources and mineral reserves, if any, including, without limitation,

- (a) the effective date of the estimates,
- (b) the quantity and grade or quality of each category of mineral resources and mineral reserves,
- (c) the key assumptions, parameters, and methods used to estimate the mineral resources and mineral reserves, and

(d) the extent to which the estimate of mineral resources and mineral reserves may be materially affected by metallurgical, environmental, permitting, legal, title, taxation, socio-economic, marketing, political, and other relevant issues.

(10) **Mining Operations** – For advanced properties, the current or proposed mining methods, including a summary of the relevant information used to establish the amenability or potential amenability of the mineral resources or mineral reserves to the proposed mining methods.

(11) **Processing and Recovery Operations** – For advanced properties, a summary of current or proposed processing methods and reasonably available information on test or operating results relating to the recoverability of the valuable component or commodity.

(12) **Infrastructure, Permitting, and Compliance Activities** – For advanced properties,

(a) the infrastructure and logistic requirements for the project, and

(b) the reasonably available information on environmental, permitting, and social or community factors related to the project.

(13) **Capital and Operating Costs** – For advanced properties,

(a) a summary of capital and operating cost estimates, with the major components set out in tabular form, and

(b) an economic analysis with forecasts of annual cash flow, net present value, internal rate of return, and payback period, unless exempted under Instruction (1) to Item 22 of Form 43-101F1.

(14) **Exploration, Development, and Production** – A description of your company's current and contemplated exploration, development or production activities.

INSTRUCTIONS

(i) *Disclosure regarding mineral exploration, development or production activities on material projects must comply with Regulation 43-101 respecting Standards of Disclosure for Mineral Projects, including the limitations set out in it. You must use the appropriate terminology to describe mineral reserves and mineral resources. You must base your disclosure on information prepared by, under the supervision of, or approved by, a qualified person.*

(ii) *You are permitted to satisfy the disclosure requirements in section 5.4 by reproducing the summary from the technical report on the material property and incorporating the detailed disclosure in the technical report into the AIF by reference.”;*

(2) by inserting, in the French version of section 7.1 and after the words “en cas de”, the words “dissolution ou de”.

10. Form 51-102F5 of the Regulation is amended:

(1) by inserting, in paragraph (c) of part 1 and after “Form 51-102F6”, “or Form 51-102F6V”;

(2) by inserting, in section 8 of part 2 and after “Form 51-102F6”, “or, in the case of a venture issuer, a completed Form 51-102F6 or a completed Form 51-102F6V”.

11. Form 51-102F6 of the Regulation is amended:

(1) by deleting, in paragraph (10) of section 1.3, “, applying reasonable effort,”;

(2) by deleting, in commentary 1 of section 2.1, “, applying reasonable effort,”;

(3) by deleting, in commentary 2 of paragraph (10) of section 3.1, the word “still”;

(4) by replacing, in paragraph (1) of section 8.1, the words “required by” with the words “they are required to disclose in the United States under”.

12. The Regulation is amended by adding, after Form 51-102F6, the following:

“FORM 51-102F6V

STATEMENT OF EXECUTIVE COMPENSATION – VENTURE ISSUERS

Item 1 General Provisions

1.1. Objective

All direct and indirect compensation provided to certain executive officers and directors for, or in connection with, services they have provided to the company or a subsidiary of the company must be disclosed in this form.

The objective of this disclosure is to communicate the compensation the company paid, made payable, awarded, granted, gave or otherwise provided to each named executive officer and director for the financial year, and the decision-making process relating to compensation. This disclosure will provide insight into executive compensation as a key aspect of the overall stewardship and governance of the company and will help investors understand how decisions about executive compensation are made.

A company’s executive compensation disclosure under this form must satisfy this objective and subsections 9.3.1(1) or 11.6(1) of the Regulation.

While the objective of this disclosure is the same as the objective in section 1.1 of Form 51-102F6, this form is to be used by venture issuers only. Reporting issuers that are not venture issuers must complete Form 51-102F6.

1.2. Definitions

If a term is used in this form but is not defined in this section, refer to subsection 1.1(1) of the Regulation or to Regulation 14-101 respecting Definitions (chapter V-1.1, r. 3).

In this form,

“company” includes other types of business organizations such as partnerships, trusts and other unincorporated business entities;

“compensation securities” includes stock options, convertible securities, exchangeable securities and similar instruments including stock appreciation rights, deferred share units and restricted stock units granted or issued by the company or one of its subsidiaries for services provided or to be provided, directly or indirectly, to the company or any of its subsidiaries;

“external management company” includes a subsidiary, affiliate or associate of the external management company;

“named executive officer” or “NEO” means each of the following individuals:

(a) each individual who, in respect of the company, during any part of the most recently completed financial year, served as chief executive officer, including an individual performing functions similar to a chief executive officer;

(b) each individual who, in respect of the company, during any part of the most recently completed financial year, served as chief financial officer, including an individual performing functions similar to a chief financial officer;

(c) in respect of the company and its subsidiaries, the most highly compensated executive officer other than the individuals identified in paragraphs (a) and (b) at the end of the most recently completed financial year whose total compensation was more than \$150,000, as determined in accordance with subsection 1.3(5), for that financial year;

(d) each individual who would be a named executive officer under paragraph (c) but for the fact that the individual was not an executive officer of the company, and was not acting in a similar capacity, at the end of that financial year;

“plan” includes any plan, contract, authorization, or arrangement, whether or not set out in any formal document, where cash, compensation securities or any other property may be received, whether for one or more persons;

“underlying securities” means any securities issuable on conversion, exchange or exercise of compensation securities.

1.3. Preparing the form

(1) All compensation to be included

(a) When completing this form, the company must disclose all compensation paid, payable, awarded, granted, given, or otherwise provided, directly or indirectly, by the company, or a subsidiary of the company, to each named executive officer and director, in any capacity, including, for greater certainty, all plan and non-plan compensation, direct and indirect pay, remuneration, economic or financial award, reward, benefit, gift or perquisite paid, payable, awarded, granted, given, or otherwise provided to the named executive officer or director for services provided and for services to be provided, directly or indirectly, to the company or a subsidiary of the company.

(b) If an item of compensation is not specifically mentioned or described in this form, disclose it in the column “Value of all other compensation” of the table in section 2.1.

Commentary

1. *Unless otherwise specified, information required to be disclosed under this form may be prepared in accordance with the accounting principles the company uses to prepare its financial statements, as permitted by Regulation 52-107 respecting Acceptable Accounting Principles and Auditing Standards.*

2. *The definition of “director” under securities legislation includes an individual who acts in a capacity similar to that of a director.*

(2) Departures from format

(a) Although the required disclosure must be made in accordance with this form, the disclosure may

(i) omit a table, column of a table, or other prescribed information, if it does not apply, and

(ii) add a table, column, or other information if

(A) necessary to satisfy the objective in section 1.1, and

(B) to a reasonable person, the table, column, or other information does not detract from the prescribed information in the table in section 2.1.

(b) Despite paragraph (a), a company must not add a column to the table in section 2.1.

(3) Information for full financial year

(a) If a named executive officer acted in that capacity for the company during part of a financial year for which disclosure is required in the table in section 2.1, provide details of all of the compensation that the named executive officer received from the company for that financial year. This includes compensation the named executive officer earned in any other position with the company during the financial year.

(b) Do not annualize compensation in a table for any part of a year when a named executive officer was not in the service of the company. Annualized compensation may be disclosed in a footnote.

(4) Director and named executive officer compensation

(a) Disclose any compensation awarded to, earned by, paid to, or payable to each director and named executive officer, in any capacity with respect to the company. Compensation to directors and named executive officers must include all compensation from the company and its subsidiaries.

(b) Disclose any compensation awarded to, earned by, paid to, or payable to, a named executive officer, or director, in any capacity with respect to the company, by another person.

(5) Determining if an individual is a named executive officer

For the purpose of calculating total compensation awarded to, earned by, paid to, or payable to an executive officer under paragraph (c) of the definition of named executive officer,

(a) use the total compensation that would be reported for that executive officer in the table in section 2.1, as if the executive officer were a named executive officer for the company's most recently completed financial year, and

(b) exclude any compensation disclosed in the column "Value of all other compensation" of the table in section 2.1.

Commentary

The \$150,000 threshold in paragraph (c) of the definition of named executive officer only applies when determining who is a named executive officer in a company's most recently completed financial year. If an individual is a named executive officer in the most recently completed financial year, disclosure of compensation in the prior years must be provided even if total compensation in a prior year is less than \$150,000.

(6) Compensation to associates

Disclose any awards, earnings, payments, or payables to an associate of a named executive officer, or of a director, as a result of compensation awarded to, earned by, paid to, or payable to the named executive officer or the director, in any capacity with respect to the company.

(7) Currencies

(a) Companies must report amounts required by this form in Canadian dollars or in the same currency that the company uses for its financial statements. A company must use the same currency in all of the tables of this form.

(b) If compensation awarded to, earned by, paid to, or payable to a named executive officer or director was in a currency other than the currency reported in the prescribed tables of this form, state the currency in which compensation was awarded, earned, paid, or payable, disclose the currency exchange rate and describe the methodology used to translate the compensation into Canadian dollars or the currency that the company uses in its financial statements.

(8) New reporting issuers

(a) A company is not required to provide information for a completed financial year if the company was not a reporting issuer at any time during the most recently completed financial year, unless the company became a reporting issuer as a result of a restructuring transaction.

(b) If the company was not a reporting issuer at any time during the most recently completed financial year and the company is completing this form because it is preparing a prospectus, discuss all significant elements of the compensation to be awarded to, earned by, paid to, or payable to named executive officers and directors of the company once it becomes a reporting issuer, to the extent this compensation has been determined.

(9) Plain language

Information required to be disclosed under this form must be clear, concise, and presented in such a way that it provides a person, applying reasonable effort, an understanding of

(a) how decisions about named executive officer and director compensation are made, and

(b) how specific named executive officer and director compensation relates to the overall stewardship and governance of the company.

Commentary

Refer to the plain language principles listed in section 1.5 of Policy Statement to Regulation 51-102 respecting Continuous Disclosure Obligations for further guidance.

Item 2 Director and named executive officer compensation

2.1. Director and named executive officer compensation, excluding compensation securities

(1) Using the following table, disclose all compensation referred to in subsection 1.3(1) of this form for each of the two most recently completed financial years, other than compensation disclosed under section 2.3.

Commentary

For venture issuers, compensation includes payments, grants, awards, gifts and benefits including, but not limited to,

- *salaries,*
- *consulting fees,*
- *management fees,*
- *retainer fees,*
- *bonuses,*
- *committee and meeting fees,*
- *special assignment fees,*
- *pensions and employer paid RRSP contributions,*
- *perquisites such as*
 - *car, car lease, car allowance or car loan,*
 - *personal insurance,*
 - *parking,*
 - *accommodation, including use of vacation accommodation,*
 - *financial assistance,*
 - *club memberships,*
 - *use of corporate motor vehicle or aircraft,*
 - *reimbursement for tax on perquisites or other benefits, and*
 - *investment-related advice and expenses.*

Table of compensation excluding compensation securities							
Name and position	Year	Salary, consulting fee, retainer or commission (\$)	Bonus (\$)	Committee or meeting fees (\$)	Value of perquisites (\$)	Value of all other compensation (\$)	Total compensation (\$)

(2) In the table required under subsection (1), disclose compensation of each named executive officer first, followed by compensation of any director who is not a named executive officer.

(3) If the individual is a named executive officer and a director, state both positions in the column entitled “Name and position”. In a footnote to the table, identify how much compensation the NEO received for each position.

(4) In the column entitled “Value of perquisites”, include perquisites provided to an NEO or director that are not generally available to all employees and that, in aggregate, are greater than

(a) \$15,000, if the NEO or director’s total salary for the financial year is \$150,000 or less,

(b) 10% of the NEO or director's salary for the financial year, if the NEO or director's total salary for the financial year is greater than \$150,000 but less than \$500,000, or

(c) \$50,000, if the NEO or director's total salary for the financial year is \$500,000 or greater.

Value these items on the basis of the aggregate incremental cost to the company and its subsidiaries. Describe in a footnote the methodology used for computing the aggregate incremental cost to the company.

Provide a note to the table to disclose the nature of each perquisite provided that equals or exceeds 25% of the total value of perquisites provided to that named executive officer or director, and how the value of the perquisite was calculated, if it is not provided in cash.

Commentary

For the purposes of the column entitled "Value of perquisites", an item is generally a perquisite if it is not integrally and directly related to the performance of the director or named executive officer's duties. If something is necessary for a person to do his or her job, it is integrally and directly related to the job and is not a perquisite, even if it also provides some amount of personal benefit.

(5) If non-cash compensation, other than compensation required to be disclosed in section 2.3, was provided or is payable, disclose the fair market value of the compensation at the time it was earned or, if it is not possible to calculate the fair market value, disclose that fact in a note to the table and the reasons why.

(6) In the column entitled "Value of all other compensation", include all of the following:

(a) any incremental payments, payables and benefits to a named executive officer or director that were triggered by, or resulted from, a scenario listed in subsection 2.5(2) that occurred before the end of the applicable financial year,

(b) all compensation relating to defined benefit or defined contribution plans including service costs and other compensatory items such as plan changes and earnings that are different from the estimated earnings for defined benefit plans and above market earnings for defined contribution plans.

Commentary

The disclosure of defined benefit or defined contribution plans relates to all plans that provide for the payment of pension plan benefits. Use the same amounts indicated in column (e) of the defined benefit plan table required by section 2.7 for the applicable financial year and the amounts included in column (c) of the defined contribution plan table required by section 2.7 for the applicable financial year.

(7) Despite subsection (1), it is not necessary to disclose Canada Pension Plan, similar government plans and group life, health, hospitalization, medical reimbursement and relocation plans that do not discriminate in scope, terms or operation that are generally available to all salaried employees.

(8) If a director or named executive officer has served in that capacity for only part of a year, indicate the number of months he or she has served; do not annualize the compensation.

(9) Provide notes to the table to disclose each of the following for the most recently completed financial year only:

(a) compensation paid or payable by any person other than the company in respect of services provided to the company or its subsidiaries, including the identity of that other person;

(b) compensation paid or payable indirectly to the director or named executive officer and, in such case, the amount of compensation, to whom it is paid or payable and the relationship between the director or named executive officer and such other person;

(c) for the column entitled “Value of all other compensation”, the nature of each form of other compensation paid or payable that equals or exceeds 25% of the total value of other compensation paid or payable to that director or named executive officer, and how the value of such other compensation was calculated, if it is not paid or payable in cash.

2.2. External management companies

(1) If one or more individuals acting as named executive officers of the company are not employees of the company, disclose the names of those individuals.

(2) If an external management company employs or retains one or more individuals acting as named executive officers or directors of the company and the company has entered into an understanding, arrangement or agreement with the external management company to provide executive management services to the company, directly or indirectly, disclose any compensation that

(a) the company paid directly to an individual employed, or retained by the external management company, who is acting as a named executive officer or director of the company;

(b) the external management company paid to the individual that is attributable to the services they provided to the company, directly or indirectly.

(3) If an external management company provides the company's executive management services and also provides executive management services to another company, disclose the entire compensation the external management company paid to the individual acting as a named executive officer or director, or acting in a similar capacity, in connection with services the external management company provided to the company, or the parent or a subsidiary of the company. If the management company allocates the compensation paid to a named executive officer or director, disclose the basis or methodology used to allocate this compensation.

Commentary

A named executive officer may be employed by an external management company and provide services to the company under an understanding, arrangement or agreement. In this case, references in this form to the chief executive officer or chief financial officer are references to the individuals who performed similar functions to that of the chief executive officer or chief financial officer. They are typically the same individuals who signed and filed annual and interim certificates to comply with Regulation 52-109 respecting Certification of Disclosure in Issuers' Annual and Interim Filings.

2.3. Stock options and other compensation securities

(1) Using the following table, disclose all compensation securities granted or issued to each director and named executive officer by the company or one of its subsidiaries in the most recently completed financial year for services provided or to be provided, directly or indirectly, to the company or any of its subsidiaries.

Compensation Securities							
Name and position	Type of compensation security	Number of compensation securities, number of underlying securities, and percentage of class	Date of issue or grant	Issue, conversion or exercise price (\$)	Closing price of security or underlying security on date of grant (\$)	Closing price of security or underlying security at year end (\$)	Expiry date

(2) Position the tables prescribed in subsections (1) and (4) directly after the table prescribed in section 2.1.

(3) Provide notes to the table to disclose each of the following:

(a) the total amount of compensation securities, and underlying securities, held by each named executive officer or director on the last day of the most recently completed financial year end;

(b) any compensation security that has been re-priced, cancelled and replaced, had its term extended, or otherwise been materially modified, in the most recently completed financial year, including the original and modified terms, the effective date, the reason for the modification, and the name of the holder;

(c) any vesting provisions of the compensation securities;

(d) any restrictions or conditions for converting, exercising or exchanging the compensation securities.

(4) Using the following table, disclose each exercise by a director or named executive officer of compensation securities during the most recently completed financial year.

Exercise of Compensation Securities by Directors and NEOs							
Name and position	Type of compensation security	Number of underlying securities exercised	Exercise price per security (\$)	Date of exercise	Closing price per security on date of exercise (\$)	Difference between exercise price and closing price on date of exercise (\$)	Total value on exercise date (\$)

(5) For the tables prescribed in subsections (1) and (4), if the individual is a named executive officer and a director, state both positions in the columns entitled “Name and position”.

Commentary

For the purposes of the column entitled “Total value on exercise date” multiply the number in the column entitled “Number of underlying securities exercised” by the number in the column entitled “Difference between exercise price and closing price on date of exercise”.

2.4. Stock option plans and other incentive plans

(1) Describe the material terms of each stock option plan, stock option agreement made outside of a stock option plan, plan providing for the grant of stock appreciation rights, deferred share units or restricted stock units and any other incentive plan or portion of a plan under which awards are granted.

Commentary

Examples of material terms are vesting provisions, maximum term of options granted, whether or not a stock option plan is a rolling plan, the maximum number or percentage of options that can be granted, method of settlement.

(2) Indicate for each such plan or agreement whether it has previously been approved by shareholders and, if applicable, when it is next required to be approved.

(3) Disclosure is not required of plans, such as shareholder rights plans, that involve issuance of securities to all securityholders.

2.5. Employment, consulting and management agreements

(1) Disclose the material terms of each agreement or arrangement under which compensation was provided during the most recently completed financial year or is payable in respect of services provided to the company or any of its subsidiaries that were

(a) performed by a director or named executive officer, or

(b) performed by any other party but are services typically provided by a director or a named executive officer.

(2) For each agreement or arrangement referred to in subsection (1), disclose each of the following:

(a) the provisions, if any, with respect to change of control, severance, termination or constructive dismissal;

(b) the estimated incremental payments that are triggered by, or result from, change of control, severance, termination or constructive dismissal;

(c) any relationship between the other party to the agreement and a director or named executive officer of the company or any of its subsidiaries.

2.6. Oversight and description of director and named executive officer compensation

(1) Disclose who determines director compensation and how and when it is determined.

(2) Disclose who determines named executive officer compensation and how and when it is determined.

(3) For each named executive officer, disclose each of the following:

(a) a description of all significant elements of compensation awarded to, earned by, paid or payable to the named executive officer for the most recently completed financial year, including at a minimum each element of compensation that accounts for 10% or more of the named executive officer's total compensation;

(b) whether total compensation or any significant element of total compensation is tied to one or more performance criteria or goals, including for example, milestones, agreements or transactions and, if so,

(i) describe the performance criteria and goals, and

(ii) indicate the weight or approximate weight assigned to each performance criterion or goal;

(c) any significant events that have occurred during the most recently completed financial year that have significantly affected compensation including whether any performance criterion or goal was waived or changed and, if so, why;

(d) how the company determines the amount to be paid for each significant element of compensation referred to in paragraph (a), including whether the process is based on objective, identifiable measures or a subjective decision;

(e) whether a peer group is used to determine compensation and, if so, describe the peer group and why it is considered appropriate;

(f) any significant changes to the company's compensation policies that were made during or after the most recently completed financial year that could or will have an effect on director or named executive officer compensation.

(4) Despite subsection (3), if a reasonable person would consider that disclosure of a previously undisclosed specific performance criterion or goal would seriously prejudice the company's interests, the company is not required to disclose the criterion or goal provided that the company does each of the following:

(a) discloses the percentage of the named executive officer's total compensation that relates to the undisclosed criterion or goal;

(b) discloses the anticipated difficulty in achieving the performance criterion or goal;

(c) states that it is relying on this exemption from the disclosure requirement;

(d) explains why disclosing the performance criterion or goal would seriously prejudice its interests.

(5) For the purposes of subsection (4), a company's interests are considered not to be seriously prejudiced solely by disclosing a performance goal or criterion if that criterion or goal is based on broad corporate-level financial performance metrics such as earnings per share, revenue growth, or earnings before interest, taxes, depreciation and amortization (EBITDA).

2.7. Pension disclosure

If the company provides a pension to a director or named executive officer, provide for each such individual the additional disclosure required by Item 5 of Form 51-102F6.

2.8. Companies reporting in the United States

(1) Except as provided in subsection (2), SEC issuers may satisfy the requirements of this form by providing the information that they disclose in the United States pursuant to item 402 "Executive compensation" of Regulation S-K under the 1934 Act.

(2) Subsection (1) does not apply to a company that, as a foreign private issuer, satisfies Item 402 of Regulation S-K by providing the information required by Items 6.B "Compensation" and 6.E.2 "Share Ownership" of Form 20-F under the 1934 Act."

13. This Regulation comes into force on June 30, 2015.

M.O., 2015-08

Order number V-1.1-2015-08 of the Minister of Finance, 11 June 2015

Securities Act
(chapter V-1.1)

CONCERNING Regulation to amend Regulation 41-101 respecting General Prospectus Requirements and Regulation to amend Regulation 52-110 respecting Audit Committees

WHEREAS subparagraphs 1, 19.2 and 34 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the Regulation 41-101 respecting General Prospectus Requirements has been approved by ministerial order no. 2008-05 dated March 4, 2008 (2008, *G.O.* 2, 810);

WHEREAS the Regulation 52-110 respecting Audit Committees has been approved by ministerial order no. 2005-10 dated June 7, 2005 (2005, *G.O.* 2, 1997);

WHEREAS there is cause to amend those regulations;

WHEREAS the draft Regulation to amend Regulation 41-101 respecting General Prospectus Requirements and the draft Regulation to amend Regulation 52-110 respecting Audit Committees were published in the *Bulletin de l'Autorité des marchés financiers*, vol. 11, no. 20 of May 22, 2014;

WHEREAS the *Autorité des marchés financiers* made, on May 20, 2015, by the decision no. 2015-PDG-0080, Regulation to amend Regulation 41-101 respecting General Prospectus Requirements and Regulation to amend Regulation 52-110 respecting Audit Committees;

WHEREAS there is cause to approve those regulations without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation to amend Regulation 41-101 respecting General Prospectus Requirements and Regulation to amend Regulation 52-110 respecting Audit Committees appended hereto.

11 June 2015

CARLOS LEITÃO,
Minister of Finance

REGULATION TO AMEND REGULATION 41-101 RESPECTING GENERAL PROSPECTUS REQUIREMENTS

Securities Act

(chapter V-1.1, s. 331.1, par. (1) and (34))

1. Form 41-101F1 of Regulation 41-101 respecting General Prospectus Requirements (chapter V-1.1, r. 14) is amended:

(1) by replacing, in paragraph (4) of section 1.9, the words “other than the Alternative Investment Market of the London Stock Exchange or the PLUS markets operated by PLUS Markets Group plc” with “(other than the Alternative Investment Market of the London Stock Exchange or the PLUS markets operated by PLUS Markets Group plc)”;

(2) by inserting, in paragraphs (2) and (3) of section 5.1 and after “within the 3 most recently completed financial years or”, “, if the issuer is a venture issuer or an IPO venture issuer, the 2 most recently completed financial years, or”;

(3) in section 5.2:

(a) by replacing the heading with the following:

“History”;

(b) by inserting, in paragraph (1) and after “over the last 3 completed financial years”, “or, if the issuer is a venture issuer or an IPO venture issuer, the last 2 completed financial years,”;

(4) by inserting, after paragraph (3) of section 8.2, the following:

“GUIDANCE

Under section 2.2.1 of Form 51-102F1, for financial years beginning on or after July 1, 2015, venture issuers, or IPO venture issuers, have the option of meeting the requirement to provide interim MD&A under section 2.2 of Form 51-102F1 by providing quarterly highlights disclosure.”;

(5) by inserting, in subparagraph (b) of paragraph (3) of section 8.6 and before the words “the most recent year-to-date”, “if the issuer is not providing disclosure in accordance with section 2.2.1 of Form 51-102F1,”;

(6) by inserting, in subparagraph (b) of paragraph (2) of section 8.8 and before the words “the most recent year-to-date”, “if the issuer is not providing disclosure in accordance with section 2.2.1 of Form 51-102F1,”;

(7) by inserting, in section 17.1 and after “in accordance with Form 51-102F6”, “or, if the issuer is a venture issuer or an IPO venture issuer, in accordance with Form 51-102F6 or Form 51-102F6V”;

(8) by replacing, in section 20.11, the words “other than the Alternative Investment Market of the London Stock Exchange or the PLUS markets operated by PLUS Markets Group plc” with “(other than the Alternative Investment Market of the London Stock Exchange or the PLUS markets operated by PLUS Markets Group plc)”;

(9) by replacing subparagraph (a) of paragraph (1) of section 32.4 with the following:

“(a) the statement of comprehensive income, the statement of changes in equity, and the statement of cash flows for the third most recently completed financial year, if the issuer is

(i) an IPO venture issuer, or

(ii) a reporting issuer in at least one jurisdiction immediately before filing the prospectus.”.

2. This Regulation comes into force on June 30, 2015.

REGULATION TO AMEND REGULATION 52-110 RESPECTING AUDIT COMMITTEES

Securities Act
(chapter V-1.1, s. 331.1, par. (19.2))

1. Regulation 52-110 respecting Audit Committees (chapter V-1.1, r. 28) is amended by inserting, after section 6.1, the following:

“6.1.1. Composition of Audit Committee

(1) An audit committee of a venture issuer must be composed of a minimum of 3 members.

(2) Every member of an audit committee of a venture issuer must be a director of the issuer.

(3) Subject to subsections (4), (5) and (6), a majority of the members of an audit committee of a venture issuer must not be executive officers, employees or control persons of the venture issuer or of an affiliate of the venture issuer.

(4) If a circumstance arises that affects the business or operations of the venture issuer, and a reasonable person would conclude that the circumstance can be best addressed by a member of the audit committee becoming an executive officer or employee of the venture issuer, subsection (3) does not apply to the audit committee in respect of the member until the later of:

- (a) the next annual meeting of the venture issuer;
- (b) the date that is six months after the date on which the circumstance arose.

(5) If an audit committee member becomes a control person of the venture issuer or of an affiliate of the venture issuer for reasons outside the member's reasonable control, subsection (3) does not apply to the audit committee in respect of that member until the later of:

- (a) the next annual meeting of the venture issuer;
- (b) the date that is six months after the event which caused the member to become a control person.

(6) If a vacancy on the audit committee arises as a result of the death, incapacity or resignation of an audit committee member and the board of directors is required to fill the vacancy, subsection (3) does not apply to the audit committee, in respect of the member appointed to fill the vacancy, until the later of:

- (a) the next annual meeting of the venture issuer;
- (b) the date that is 6 months from the day the vacancy was created.

(7) This section applies to a venture issuer in respect of a financial year beginning on or after January 1, 2016.”.

2. Form 52-110F2 of the Regulation is amended by replacing item 5 with the following:

“5. Reliance on Certain Exemptions

If, at any time since the commencement of the issuer’s most recently completed financial year, the issuer has relied on

- (a) the exemption in section 2.4,
- (b) the exemption in subsection 6.1.1(4),
- (c) the exemption in subsection 6.1.1(5),
- (d) the exemption in subsection 6.1.1(6), or
- (e) an exemption from this Instrument, in whole or in part, granted under

Part 8,

state that fact.”.

3. This Regulation comes into force on June 30, 2015.

Draft Regulations

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 adjusts the emissions threshold of fuel distributors so that those who distribute 200 litres or more of fuel are subject to the Regulation. The distributors covered by that adjustment and who were not subject to the Regulation before will be required to cover their emissions as of 1 January 2016.

The draft Regulation makes it possible for clearing houses to register for the cap-and-trade system for greenhouse gas emission allowances, and specifies the rules applicable to them.

For the purposes of the coverage of greenhouse gas emissions and of the allocation without charge of emission units, amendments are made to determine an increased value of reported greenhouse gas emissions or an adjusted value of reported reference units where, for one of the years of the compliance period to which the coverage or allocation applies, the verification report of the emissions report by an emitter cannot confirm the data.

The draft Regulation also brings various amendments, in particular to information to be provided to the Minister in various situations or to the accepted modes of payment for the sale of emission units.

Amendments are proposed to the offset credit protocol for the CH₄ destruction of landfill sites so that it may also be liquefied and used as liquefied natural gas.

The draft Regulation also adds 2 offset credit protocols for the destruction of CH₄ emissions from coal mines.

Study of the matter shows that the draft Regulation improves the operation of the carbon market by simplifying the registration of emitters and participants, by opening the door to clearing houses, by adding offset credit protocols and by lowering the qualifying threshold of fuel distributors to 200 litres. Those advantages come with administrative costs for the emitters who will become subject to the Regulation.

Further information may be obtained by contacting Diane Gagnon, Coordinator, Direction du marché du carbone, Direction générale du bureau des changements climatiques, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques; telephone: 418 521-3868, extension 4605; fax: 418 646-4920; email: diane.gagnon@mddelcc.gouv.qc.ca

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, Direction générale du 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*, and 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 subparagraph 2 of the second paragraph by the following:
 - "(2) distributes 200 litres or more of fuel within the meaning of protocol QC.30 of Schedule A.2 to the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere.";
 - (2) by inserting ", including the emitter itself, as the case may be," after "section 2" in subparagraph 4 of the third paragraph.
2. Section 3 is amended
 - (1) by inserting "and, where applicable, a notice of correction" after "report" in paragraph 7;
 - (2) by replacing "determined in" in paragraph 13 by "or, by assimilation, the quantity of fuel determined in the first and second paragraphs of".
3. Section 4 is amended by replacing "10 or section 12" in the fourth paragraph by "10, 12 or 18.2".
4. Section 6 is amended
 - (1) by adding "and offset credits withdrawn from the environmental integrity account to replace illegitimate offset credits in accordance with the fourth paragraph of section 70.21" at the end of paragraph 6;
 - (2) by adding the following after paragraph 6:
 - "(7) a cancellation account in which cancelled emission allowances are recorded when created by error."
5. Section 7 is amended
 - (1) by replacing "for each of the 5 years" in subparagraph 4 of the first paragraph by "except for the emitter referred to in subparagraph 1 of the second paragraph of section 2, for each of the 3 years";

- (2) by replacing "the names of their directors and officers" in subparagraph 6 of the first paragraph by "a diagram representing the relations between those entities, including the control percentage between each entity";
- (3) by replacing subparagraph 3 of the second paragraph by the following:
 - "(3) not later than 1 September following the submission of the first emissions report reporting emissions equal to or exceeding the threshold, in the case of an emitter referred to in subparagraph 1 of this paragraph whose verified emissions for an establishment are equal to or exceed the emissions threshold during a year following the year mentioned in that subparagraph;
 - (4) not later than 1 September 2015, in the case of an emitter pursuing fuel distribution activities whose verified emissions for 2014 for those activities are equal to or exceed 25,000 metric tonnes CO₂ equivalent;
 - (5) on or after 1 January 2016 but not later than 1 September 2016, in the case of an emitter pursuing fuel distribution activities who can prove that the verified emissions for 2015 for those activities will be equal to or exceed 25,000 metric tonnes CO₂ equivalent;
 - (6) on or after 1 January of the year concerned, but not later than 1 September following the submission of the first emissions report reporting emissions equal to or exceeding the threshold, in the case of an emitter pursuing fuel distribution activities who can demonstrate that the verified emissions for 2016 or a subsequent year will be equal to or exceed the emissions threshold."

6. Section 8 is amended

- (1) by replacing "register" in the second paragraph by "be registered";
- (2) by adding the following:

"Despite the second paragraph, in the case of a natural person employed by an emitter or a participant who registered as a participant before 22 October 2014, the person's registration will be authorized until 22 October 2016, after that it will be terminated. Until that date, the person may not participate in an auction sale of emission units."

7. Section 8.1 is amended
 - (1) by replacing "pursuant to this Regulation or as an issuer or participant" by "or clearing house pursuant to this Regulation or as an issuer, participant or clearing house";
 - (2) by inserting "or clearing house" after "as a participant".
8. Section 9 is amended by adding ", represented by a diagram and including the control percentage between each entity" at the end of subparagraph 2 of the first paragraph.
9. The following is inserted after section 18:

**"CHAPTER II.1
REGISTRATION OF CLEARING HOUSES**

- 18.1.** A clearing house for derivatives having an establishment in Canada, recognized by a regulatory authority responsible for supervising financial markets in Canada, may register for the system in order to clear transactions involving emission allowances. For that purpose, it must provide the Minister with the following information and documents:
- (1) its name and contact information, and the date and place of its constitution;
 - (2) a list of its directors and officers and their work contact information;
 - (3) a list of its subsidiaries or parent legal persons with a diagram representing the relations between those entities, including the control percentage between each entity;
 - (4) a document issued by the regulatory authority supervising the clearing house confirming that fact and giving the date on which supervision started and the rules to be followed by the clearing house;
 - (5) a declaration signed by the chief officer or a resolution of the board of directors of the clearing house including an undertaking to comply with the conditions of this Regulation and attesting that the information and documents provided are valid and that consent has been given to their communication when necessary for the purposes of this Regulation or the corresponding regulations of a partner entity.

- 18.2.** When registering for the system, the clearing house must also designate account representatives in accordance with section 11 that applies, with the necessary modifications.

It may also designate account viewing agents in accordance with section 12 that applies, with the necessary modifications.

Section 8.1 and subparagraphs 1, 2 and 2.1 of the first paragraph of section 9 also apply to the clearing house and sections 10 and 13 apply to its account representatives and account viewing agents, with the necessary modifications.

- 18.3.** When an application for registration meets the requirements of sections 18.1 and 18.2, the Minister opens a clearing house account for the clearing house in the electronic system.

- 18.4.** Any change to the information and documents provided under section 18.1 must be communicated to the Minister within 30 days and, if provided under section 18.2, immediately.

In addition, the clearing house must notify the Minister immediately if its activities are suspended by the regulatory authority that supervises it, or if supervision ceases. No transaction may be carried out in the account of the clearing house until the suspension has been lifted by the regulatory authority or until new supervision is established by the regulatory authority. If emission allowances are recorded in its account when supervision is suspended or ceases, they are returned to the emitter or participant who paid them into the account.

- 18.5.** A clearing house may request the closure of its clearing house account in accordance with section 14.2, with the necessary modifications.

Section 16 also applies to an inactive clearing house account, with the necessary modifications."

- 10.** The second paragraph of section 19 is amended

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

"(2.1) beginning on 1 January 2016, in the case of an emitter for whom emissions attributable to fuel distribution activities in 2014 are equal to or exceed 25,000 metric tonnes CO₂ equivalent;

(2.2) beginning on 1 January 2016, in the case of an emitter for whom emissions attributable to fuel distribution activities in 2015 are equal to or exceed 25,000 metric tonnes CO₂ equivalent;

(2.3) beginning on 1 January 2016, in the case of an emitter who distributed 200 litres or more of fuel in 2015 but whose correspondent verified emissions are lower than 25,000 metric tonnes CO₂ equivalent;"

(2) by replacing "or 2 are equal to or exceed the emissions threshold during a year following those mentioned in those subparagraphs" in subparagraph 3 by "are equal to or exceed the emissions threshold during a year following the year mentioned in that subparagraph";

(3) by adding the following after subparagraph 3:

"(3.1) beginning on 1 January of the year concerned, in the case where fuel distribution activities of an emitter are equal to or exceed the emissions threshold for 2016 or a subsequent year;"

11. The following is inserted after section 19:

"19.1. Where, on 1 August following the end of a compliance period, the verification report on the emissions report for 1 or more years of that compliance period does not allow to confirm in whole or in part the quantities of GHG emissions reported in accordance with the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15) and the relative importance threshold referred to in subparagraph 1 of the first paragraph of section 6.7 of that Regulation is reached, the emitter is required for those years to cover the increased quantity of GHG emissions as follows:

Total increased quantity of GHG emissions = total GHG emissions reported x (1+ RUGHG)

Where

RUGHG = Relative uncertainty of GHG emissions reported, calculated in accordance with paragraph 7.5 of section 6.9 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere.

Even if the emitter submits a verification report confirming compliance of the emissions report with the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere after the date provided for in the first paragraph, the emission allowances corresponding to the difference between the total increased quantity of GHG emissions and the total quantity of GHG emissions verified once again may not be recovered."

12. Section 21 is amended by inserting "and, where applicable, as the emissions increased in accordance with the first paragraph of section 19.1" in the first paragraph after "verified emissions".
13. The second paragraph of section 23 is amended
- (1) by striking out "identified by vintage";
 - (2) by striking out everything that comes after "later date".
14. Section 24 is amended by replacing the first paragraph by the following:
- "24.** An emission allowance may be traded only between emitters, participants and clearing houses registered with the Minister or a partner entity.
- An emitter or a participant may only hold emission allowances for their own use and not on behalf of another person having an interest in or control the emission allowances."
15. The following is inserted after section 26:
- "26.1.** Every emitter or participant who wishes to transfer emission allowances to a clearing house must, in accordance with the second paragraph, send the Minister a transaction request for the clearing house containing the following information:
- (1) the general account number of the seller;
 - (2) the account number of the clearing house;
 - (3) the quantity, type and, where applicable, vintage of the emission allowances to be traded;
 - (4) the settlement price of each type and, where applicable, each vintage of emission allowances;
 - (5) the type of emission allowances trading agreement and the transaction date scheduled;
 - (6) where applicable, the codes of the exchange and of the contract.

The transaction request must be sent in accordance with the procedure established in section 26, with the necessary modifications, subject to the acceptance provided for in the third paragraph of that section which does not apply to that type of transaction.

26.2. A clearing house that wishes to use emission allowances to compensate for a transaction must, in accordance with the procedure established in section 26.3, send the Minister an application for compensation containing the following information:

- (1) the account number of the clearing house;
- (2) the general account number of the emitter or participant who is compensated;
- (3) the quantity, type and, where applicable, vintage of the emission allowances used for compensation;
- (4) the settlement price of each type and, where applicable, each vintage of emission allowances;
- (5) the type of emission allowances trading agreement allowances and the transaction date scheduled;
- (6) where applicable, the codes of the exchange and of the contract.

26.3. An application for compensation must be proposed by one of the clearing house's account representatives.

The application for compensation is then submitted to all the other account representatives at the clearing house for confirmation by one of them.

Once the application is confirmed, a notice to that effect is sent to all the account representatives and the emission allowances are transferred to the general account of the emitter or participant who is compensated.

The account representatives involved in an application for compensation of emission allowances must provide the Minister, on request and as soon as possible, with any additional information concerning the compensation

26.4. Emission allowances transferred to a clearing house account that are not used within 5 days to pay for a transaction by an emitter or participant are returned to the seller."

- 16.** Section 34 is amended by replacing "emitter or participant" by "parties concerned".
- 17.** Section 35 is amended by replacing "and participants" by ", participants and clearing houses".

18. Section 41 is amended

- (1) by inserting "; upon a failure to comply, the emission units are taken from the emitter's general account" after "with that section" in the fourth paragraph;
- (2) by inserting "or to have enough emission units in the emitter's general account" after "fourth paragraph" in the fifth paragraph.

19. The following is inserted after section 41.1:

"41.2. Where, on 1 August following the end of a compliance period, the verification report on the emissions report for 1 or more years of that compliance period does not allow to confirm in whole or in part the quantity of reference units reported in accordance with the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15) and the relative importance threshold referred to in subparagraph 2 of the first paragraph of section 6.7 of that Regulation is reached, the total allowance free of charge for those years is based on the adjusted value of the reported quantity of reference units, calculated as follows:

Total adjusted quantity of reference units = Total reported reference units x (1- RURU)

Where

RURU = Relative uncertainty of reported reference units, calculated in accordance with paragraph 7.5 of section 6.9 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere.

Even if the emitter submits a verification report confirming compliance of the quantity of reported reference units with the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere after the date provided for in the first paragraph, no emission unit will be allocated for a difference between the total adjusted quantity of reference units and the total quantity of reference units verified once again."

20. Section 46 is amended by replacing the part preceding subparagraph 1 of the fourth paragraph by the following:

"In all cases, an emitter or a participant must, at least 40 days before the date of each auction, send the Minister an update of the following information:".

- 21.** Section 48 is amended
- (1) by replacing subparagraph 1 of the second paragraph by the following:
- "(1) bank transfer;"
- (2) by replacing the third paragraph by the following:
- "Letters of credit and letters of guarantee provided in accordance with subparagraphs 1.1 and 2 of the second paragraph are deposited with the Minister of Finance, pursuant to the Deposit Act (chapter D-5)."
- 22.** Section 59 is amended by replacing the part preceding subparagraph 1 of the third paragraph by the following:
- "In all cases, an issuer must, at least 40 days before the date of each sale by mutual agreement, send the Minister an update of the following information:"
- 23.** Section 70.21 is amended by replacing "retirement account" in the third and fourth paragraphs by "invalidation account".
- 24.** Section 71 is amended by replacing "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" in paragraph 1 by "8, 9, 11 or 12, the second paragraph of section 13, section 14.1, the second paragraph of section 18, section 18.1, 18.2 or 18.4, the second paragraph of section 19, the sixth paragraph of section 26, the fourth paragraph of section 26.3".
- 25.** Section 73 is amended by replacing "section 20, the first paragraph of section 21, the first or second paragraph of section 23.1, the first paragraph of section 24" in paragraph 1 by "section 19.1 or 20, the first paragraph of section 21, the first or second paragraph of section 23.1 or section 24".
- 26.** Section 74 is amended by replacing "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" in the part preceding subparagraph 1 of the first paragraph by "8, 9, 11 or 12, the second paragraph of section 13, section 14.1, the second paragraph of section 18, section 18.1, 18.2 or 18.4, the second paragraph of section 19, the sixth paragraph of section 26, the fourth paragraph of section 26.3".
- 27.** Section 75.1 is amended by inserting "or second" in the part preceding paragraph 1 after "17, the first".
- 28.** Section 75.4 is amended by inserting "19.1 or" after "19, section".

29. Appendix A is amended

(1) by replacing the third line of the table by the following:

"

Natural gas distribution	Distribution, through a system of mains, of natural or synthetic gas to consumers, also including the trade of the sale of natural gas by marketers and brokers, that arrange the sale of natural gas over distribution systems operated by others	2212 488990 (natural gas regasification or liquefaction)
--------------------------	--	---

",

(2) by replacing the sixth line of the table by the following:

"

Pipeline transportation	Transportation of crude oil, refined products and natural gas, gas fields, processing plants and local distribution systems	486 488990 (natural gas regasification or liquefaction)
-------------------------	---	--

",

30. Appendix C is amended

(1) in Table B of Part I

(a) by replacing the fifteenth and sixteenth lines corresponding to the sector entitled "Other²" and to the types of activities respectively entitled "Soya and canola oil production (year 2013)" and "Oilseed processing (year 2014 and following)" by the following line:

"

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

",

(b) by replacing the forty-second line corresponding to the sector entitled "Metallurgy" and to the type of activity entitled "Metal powder manufacturing" by the following:

Metallurgy	Metal powder manufacturing	Metric tonne of saleable iron powder and steel powder
------------	----------------------------	---

",

- (2) by replacing "of fuels subject to the payment of the annual duty to the Green Fund pursuant to section 85.36 of the Act respecting the Régie de l'énergie (chapter R-6.01), excluding refinery fuel gas, and total GHG combustion emissions attributable to the use of fuel" in the definitions of factors "GFR" and "GFR_s" provided for, as the case may be, in equations 2-4, 2-5, 3-4, 3-5 and 4-6 of Part II by "of natural gas, gasoline, diesel, heating oil, propane, petroleum coke and coal, excluding refinery fuel gas, and total GHG combustion emissions";
- (3) by replacing "of fuels subject to the payment of the annual duty to the Green Fund pursuant to section 85.36 of the Act respecting the Régie de l'énergie" in the definitions of factors "GHG GFR_i" and "GHG GFR_{si k}" respectively provided for in equations 2-5 and 3-5 of Part II by "of natural gas, gasoline, diesel, heating oil, propane, petroleum coke and coal";
- (4) in equation 4-7 of Part II
- (a) by replacing "of fuels subject to the payment of the annual duty to the Green Fund pursuant to section 85.36 of the Act respecting the Régie de l'énergie (chapter R-6.01) in the definition of factor "GFR" by "of natural gas, gasoline, diesel, heating oil, propane, petroleum coke and coal";
- (b) by replacing "of fuels subject to the payment of the annual duty to the Green Fund pursuant to section 85.36 of the Act respecting the Régie de l'énergie" in the definition of factor GHG GFR_i by "of natural gas, gasoline, diesel, heating oil, propane, petroleum coke and coal";
- (5) by replacing equation 6-11 in subdivision 6.7 of Part II by the following:

"Equation 6-11 Calculation of the total GHG emission units allocated free of charge to an enterprise that acquires, for consumption of the enterprise or for sale in Québec, power generated in another Canadian province or territory or in a US state where a system covering electricity production in particular has been established by an entity that is not a partner entity

$$A_i = \frac{P_i^{Non-WCI}}{P_i^{WCI}} \times E_i^{Non-WCI}$$

Where:

A_i = Number of emission units allocated free of charge for year *i*;

$P_i^{\text{Non-WCI}}$ = Weighted average sale price of emission allowances of year i at an auction held during year i by other Canadian provinces or territories or by US states where a system covering electricity production in particular has been established by an entity that is not a partner entity, in US dollars;

P_i^{WCI} = Weighted average sale price of emission allowances of year i at an auction held during year i by Québec or other Canadian provinces or territories or by US states where a system covering electricity production in particular has been established by a partner entity, in US dollars;

$E_i^{\text{Non-WCI}}$ = Annual GHG emissions for year i relating to the production of electricity acquired from another Canadian province or territory or from a US state where producers are subject to a system established by an entity that is not a partner entity, in metric tonnes CO₂ equivalent;

i = Each year of the 2013-2020 period for which the emitter is required to cover its emissions.

For the purposes of this equation, where the sale price of the emission allowances that is used for calculation is only available in Canadian dollars, the price must be converted in US dollars at the official conversion rate of the Bank of Canada at noon on the date of the auction."

31. Appendix D is amended:

(1) in protocol 1

(a) by replacing the heading of subdivision 3 of Part I by the following:

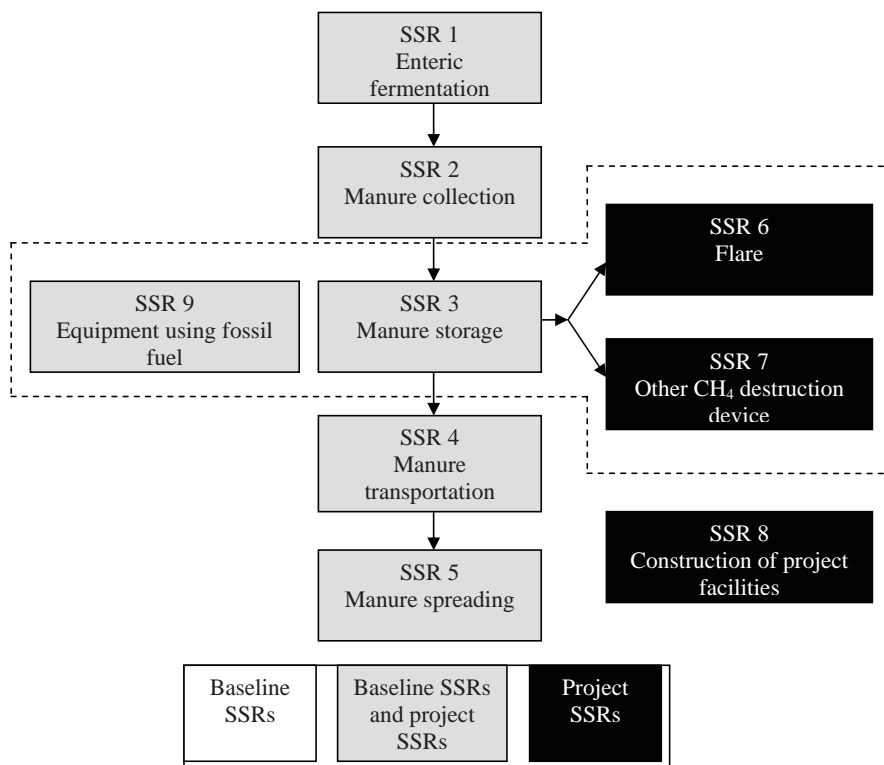
"3. Reduction project SSRs";

(b) by replacing "des processus" in the part of the French text preceding Figure 3.1 in subdivision 3 of Part I by "du processus";

(c) by inserting the following paragraph before the heading of Figure 3.1 in subdivision 3 of Part I:

"All the SSRs within the dotted line must be counted for the purposes of this protocol.";

(d) by replacing Figure 3.1 in subdivision 3 of Part I by the following:

"Figure 3.1. Flowchart for the reduction project process

";

- (e) by striking out ", in kilograms of CO₂ equivalent per kilogram of CH₄" in the definition of factor "21" in equations 4 and 5 of subdivision 4.1 of Part I;
- (f) by striking out ", in grams CO₂ equivalent per gram of CH₄" and ", in grams CO₂ equivalent per gram of N₂O" in the definitions of factors "21" and "310" in equation 9 of subdivision 4.2 of Part I, respectively;
- (g) by replacing "conservateur" wherever it appears in the French text of the Table in Part VI by "prudent";

- (2) in protocol 2
- (a) by inserting "**TREATMENT OR**" before "**DESTRUCTION**" in the heading of the protocol;
 - (b) by inserting " treating or" in the first paragraph before "destroying" and "treat or" before "destroy" in the part preceding subparagraph 1 of the first paragraph of subdivision 1 of Part I;
 - (c) by replacing the third and fourth paragraphs of subdivision 1 of Part I by the following:

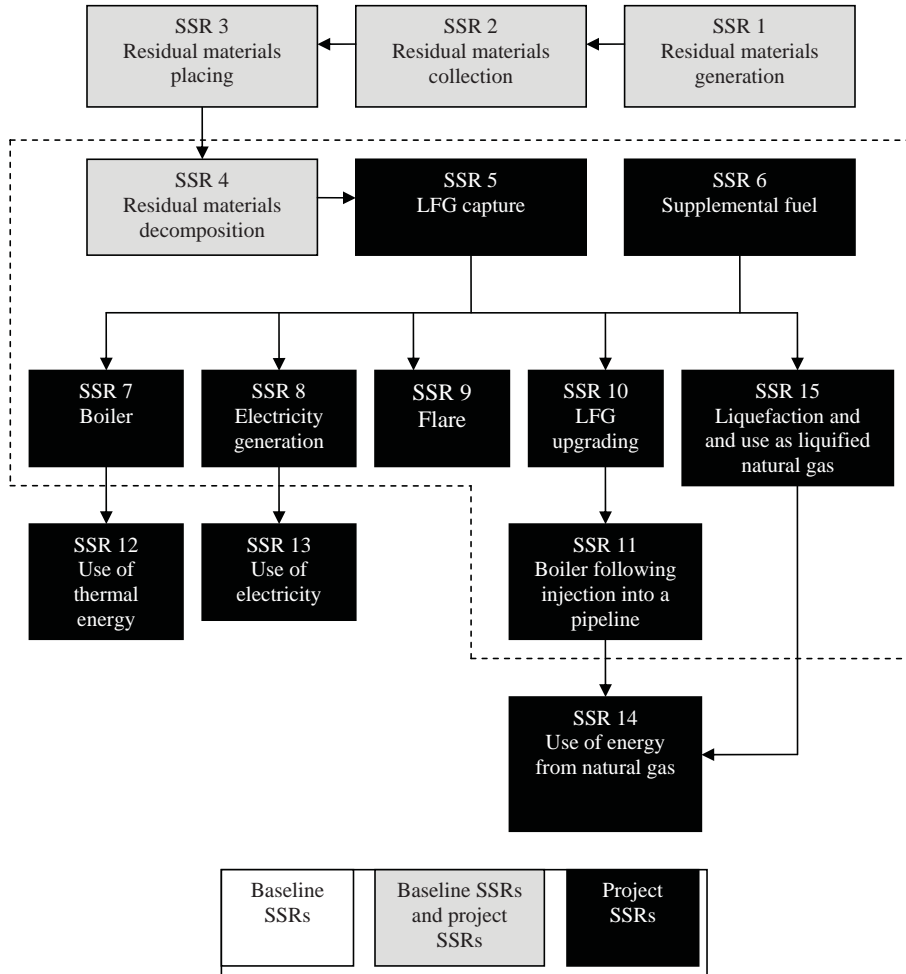
"Eligible treatment or destruction devices are enclosed flares, open flares, combustion engines, boilers, turbines and CH₄ liquefaction units.

The project must capture and treat or destroy CH₄ that, before the project, was emitted to the atmosphere. The CH₄ may be treated or destroyed on the landfill site or transported and treated or destroyed off-site.";
 - (d) by replacing "must receive" in subparagraph 2 of subdivision 1.2 of Part I by "should have received" and by replacing "have" by "should have had";
 - (e) by replacing subparagraph 3 of subdivision 1.2 of Part I by the following:

"(3) if the site was in operation in 2009 or a subsequent year, the site should have received less than 50,000 metric tonnes of residual materials annually and should have had a maximum capacity of less than 1,500,000 cubic metres.";
 - (f) by replacing the heading of subdivision 5 of Part I by the following:

5. Reduction project SSRs";
 - (g) by replacing Figure 5.1 of subdivision 5 of Part I by the following:

"Figure 5.1. Flowchart for the reduction project process



(h) by replacing the lines SSR 14 in Figure 5.2 of subdivision 5 of Part I by the following:

14	Avoided emissions from use of natural gas energy to replace energy from a fossil fuel	CO ₂	P	Excluded
15	Liquefaction of LFG and use as liquified natural gas.	CO ₂	P	Excluded
		CH ₄		Included
		N ₂ O		Included

- (i) by inserting "treatment or" in the definition of factors "LFG_{i,t}" and "i" before "destruction" in equation 2 of subdivision 6 of Part I;
- (j) in equation 3 of subdivision 6.1 of Part I
- i. by replacing the definition of factor "CH₄Dest_{PR}" by the following:
- "CH₄Dest_{PR}" = Total quantity of CH₄ treated or destroyed by all LFG treatment and destruction devices during the project reporting period, calculated using equation 4, in metric tonnes of CH₄;"
- ii. by striking out ", in metric tonnes CO₂ equivalent per metric tonne of CH₄" in the definition of factor "21";
- (k) in equation 4 of subdivision 6.1 of Part I
- i. by replacing the definition of factor "CH₄Dest_{PR}" by the following:
- "CH₄Dest_{PR}" = Total quantity of CH₄ treated or destroyed by all LFG treatment or destruction devices during the project reporting period, in metric tonnes of CH₄;"
- ii. by inserting "treatment or" before "destruction" in the definitions of factors "n" and "i";
- iii. by replacing the definition of factor "CH₄Dest_i" by the following:
- "CH₄Dest_i" = Net quantity of CH₄ treated or destroyed by treatment or destruction device *i* during the project reporting period, calculated using equation 5, in cubic metres of CH₄ at standard conditions;"
- (l) in equation 5 of subdivision 6.1 of Part I
- i. by replacing the definition of factor "CH₄Dest_i" by the following:
- "CH₄Dest_i" = Net quantity of CH₄ treated or destroyed by treatment or destruction device *i* during the project reporting period, in cubic metres of CH₄ at standard conditions;"
- ii. by inserting "treatment or" before "destruction" in the definitions of factors "Q_i", "DE_i" and "I";

- (m) by inserting "treatment or" before "destruction" in the definitions of factors " Q_i " and " $LFG_{i,t}$ " in equation 6 of subdivision 6.1 of Part I;
- (n) by replacing "destruction" in the definition of " FF_{CO_2} " in equations 7 and 8 of subdivision 6.2 of Part I by "use";
- (o) by inserting "fossil" in the definition of factor " $EF_{CF,j}$ " in equation 8 of subdivision 6.2 of Part I before "fuel";
- (p) by inserting "treatment or" before "destruction" in the definition of factor " EL_{PR} " in equation 9 of subdivision 6.2 of Part I;
- (q) in equation 10 of subdivision 6.2 of Part I
 - i. by inserting "treatment or" before "destruction" in the definition of factors " n ", " i ", " NG_i " and " DE_i ";
 - ii. by striking out ", in kilograms CO₂ equivalent per kilogram of CH₄" in the definition of factor "21";
- (r) by inserting "treatment or" before "destruction" wherever it appears in subparagraph 3 of the second paragraph, in the part preceding subparagraph 1 of the third paragraph, in subparagraphs 1 and 2 of the third paragraph and in the sixth paragraph of subdivision 7.2 of Part I;
- (s) by replacing the seventh, eighth and ninth paragraphs of subdivision 7.2 of Part I by the following:

"The operating status of flares is established by thermocouple readings above 260 °C.

For all other treatment or destruction devices, the promoter must show in the project plan that a monitoring device has been installed to verify the operation of the treatment or destruction device. The promoter must also show in each project report that the monitoring device has operated correctly.

GHG emission reductions will not be taken into account for the issue of offset credits during which the treatment or destruction device or the monitoring device for the operation of the treatment or destruction device is not operating.";

- (t) by replacing the sixth paragraph of subdivision 7.3 of Part I by the following:

"When a verification of the calibration accuracy of a device shows a shift outside the +/-5% accuracy threshold, the device must be calibrated by the manufacturer or by a third person certified for that purpose by the manufacturer. In addition, for the entire period from the last calibration that confirmed accuracy within the $\pm 5\%$ threshold until such time as the piece of equipment is correctly calibrated, all the data from the piece of equipment must be corrected according to the following procedure:

- (1) when the calibration indicates an under-reporting of flow rates or CH₄ content, the promoter must use the measured values without correction;
 - (2) when the calibration indicates an over-reporting of flow rates or CH₄ content, the promoter must apply to the measured values the greatest calibration drift recorded at the time of calibration.";
- (u) by replacing "pourra" in the ninth paragraph of subdivision 7.3 of Part I of the French text by "peut";

- (v) in Table 1 of Part II

- i. by adding "**Treatment or**" before "**Destruction**" in the heading of the first column;
- ii. by adding the following line:

CH ₄ liquefaction unit	0.95
-----------------------------------	------

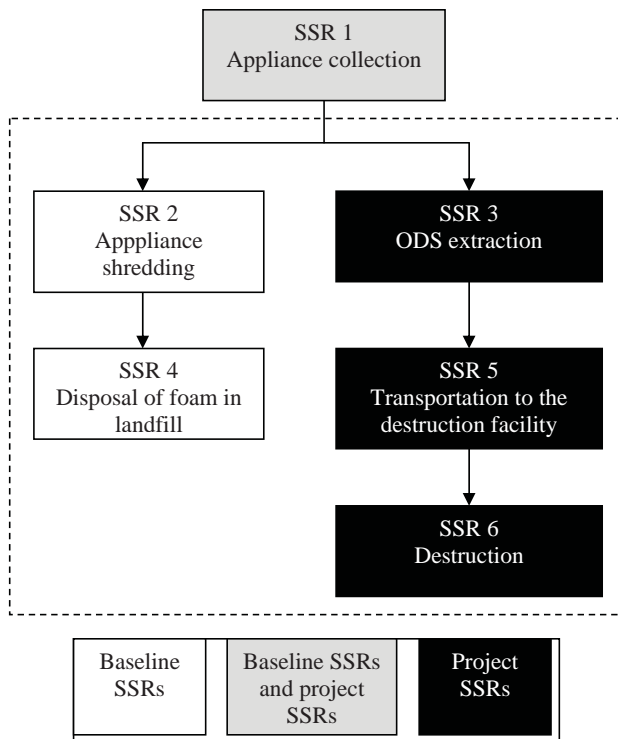
";

- (w) by inserting "treatment or" before "destruction" in subparagraph 3 of the first paragraph of Part III;
- (x) by replacing "conservateur" wherever it occurs in the French text of the table in Part III by "prudent";
- (3) in protocol 3
- (a) by inserting the following paragraph before the heading of Figure 6.1 in subdivision 6 of Part I:

"All the SSRs within the dotted line must be counted for the purposes of this protocol.";

- (b) by replacing Figure 6.1 of subdivision 6 of Part I by the following:

"Figure 6.1. Flowchart for the reduction project process for the ODS contained in the foam



- (c) by striking out the first paragraph of subdivision 10 of Part I;
- (d) by adding the following paragraph at the end of subdivision 10 of Part I:

"Each stage in a project carried out in the United States must be conducted in accordance with the requirements of the most recent version of the protocol entitled "Compliance Offset Protocol Ozone Depleting Substances Projects: Destruction of U.S. Ozone Depleting Substances Banks" and published by the California Air Resources Board and the California Environmental Protection Agency.";

- (4) by adding the following after protocol 3:

"PROTOCOL 4

ACTIVE COAL MINES – DESTRUCTION OF CH₄ FROM A DRAINAGE SYSTEM

Part I

1. Projects covered

This offset credit protocol covers any project designed to reduce GHG emissions by capturing and destroying CH₄ from a CH₄ drainage system at an active underground or surface coal mine, except a mountaintop removal mine.

The project must enable the capture and destruction of CH₄ that, before the project, was emitted to the atmosphere. The CH₄ must be captured within the mine boundaries based on the current mine map and no more than 50 m below the mined seam and, in the case of an underground mine, up to 150 m above that seam. The project must not use CO₂, steam or any other fluid or gas to enhance CH₄ drainage.

The CH₄ must be destroyed on the site of the mine where it was captured using a flare or any other destruction device. Emission reductions following pipeline injection of CH₄ are considered as common practice in the operation of an underground mine and are eligible only for a surface mine.

For the purposes of this protocol,

- (1) "room and pillar" means a method of underground mining in which approximately half of the coal is left in place as "pillars" to support the roof of the active mining area while "rooms" of coal are extracted;
- (2) "coal" means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite under ASTM D388, entitled Standard Classification of Coals by Rank;
- (3) "mine gas" means the untreated gas extracted from within a mine through a CH₄ drainage system that often contains various levels of other components such as nitrogen, oxygen, CO₂ and hydrogen sulfide;

- (4) "mine CH₄" means the CH₄ portion of the mine gas contained in coal seams and surrounding strata that is released as a result of mining operations;
- (5) "drainage system" means a system installed in a mine to drain CH₄ from coal seams.

2. First project report

In addition to the information required under the second paragraph of section 70.5 of this Regulation, the first project report must include the following information:

- (1) in the case of an underground mine, the mining method employed, such as room and pillar or longwall;
- (2) annual coal production, in metric tonnes;
- (3) the year of initial mine operation;
- (4) the scheduled year of mine closure, if known;
- (5) a diagram of the mine site that includes
 - (a) the location of existing and planned wells and boreholes, specifying whether they were used for pre-mining or post-mining drainage, and whether they are part of the project;
 - (b) the location of the equipment that will be used to treat or destroy the mine CH₄.

3. Location

The project must be implemented in Canada.

4. Reduction project SSRs

The reduction project process flowchart in Figure 4.1 and the table in Figure 4.2 show all the SSRs that must be taken into account by the promoter when calculating the GHG emission reductions attributable to the project.

All the SSRs within the dotted line must be counted for the purposes of this protocol.

Figure 4.1. Flowchart for the reduction project process

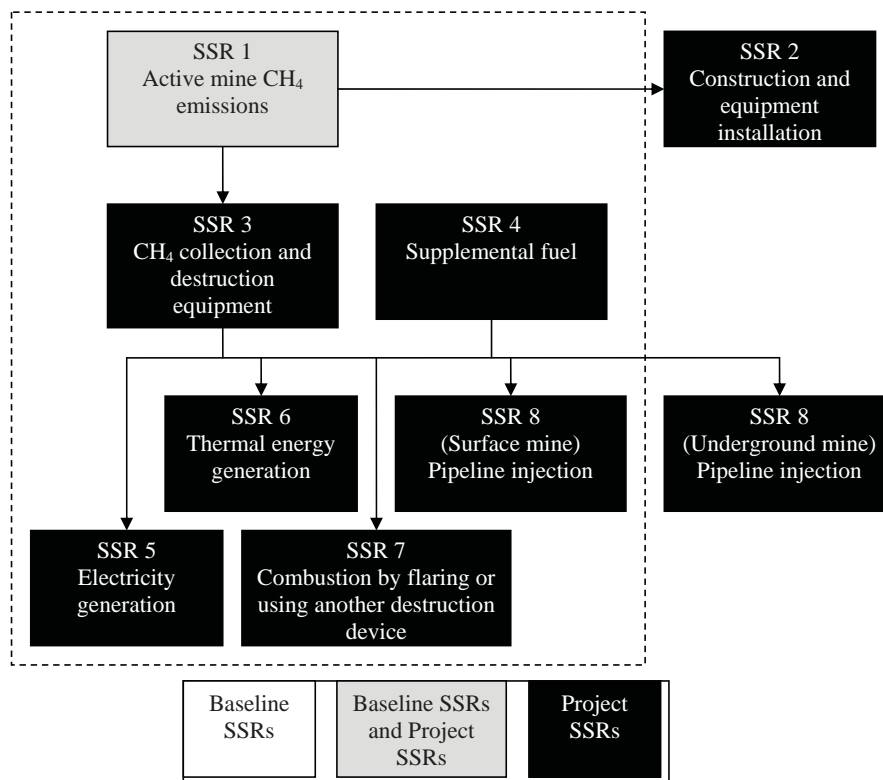


Figure 4.2. Reduction project SSRs

SSR #	Description	GHG	Relevant to Baseline (B) or Project (P)	Included/Excluded
1	CH ₄ emissions from mining activities	CH ₄	B, P	Included
2	Emissions from construction and/or installation of new equipment	CO ₂	P	Excluded
		CH ₄		Excluded
		N ₂ O		Excluded

3	Emissions resulting from fossil fuels consumed to operate the CH ₄ drainage system	CO ₂	P	Included
		CH ₄		Excluded
		N ₂ O		Excluded
4	Emissions from the use of supplemental fossil fuels	CO ₂	P	Included
		CH ₄		Excluded
		N ₂ O		Excluded
5	Emissions from CH ₄ destruction for electricity generation	CO ₂	P	Included
		N ₂ O		Excluded
	Emissions of uncombusted CH ₄	CH ₄	P	Included
6	Emissions from CH ₄ destruction for heat generation	CO ₂	P	Included
		N ₂ O		Excluded
	Emissions of uncombusted CH ₄	CH ₄	P	Included
7	Emissions from CH ₄ destruction using a flare or other device	CO ₂	P	Included
		N ₂ O		Excluded
	Emissions of uncombusted CH ₄	CH ₄	P	Included
8 (Underground mine)	Pipeline injection	CO ₂	P	Excluded
		N ₂ O		Excluded
		CH ₄		Excluded

8 (Surface mine)	Emissions resulting from the combustion of CH ₄ injected into a pipeline	CO ₂	P	Included
		N ₂ O		Excluded
	Emissions of uncombusted CH ₄ injected into a pipeline	CH ₄	P	Included

5. Calculation method for the GHG emission reductions attributable to the project

The promoter must calculate the quantity of GHG emission reductions attributable to the project using equation 1:

Equation 1

$$ER = BE - PE$$

Where:

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

BE = Emissions under the baseline scenario during the project reporting period, calculated using equation 3, in metric tonnes CO₂ equivalent;

PE = Project emissions during the project reporting period, calculated using equation 5, in metric tonnes CO₂ equivalent.

When the flow meter does not correct for the temperature and pressure of the mine gas at standard conditions, the promoter must measure mine pressure and temperature separately and correct the flow values using equation 2. The promoter must use the corrected flow values in all the equations of this protocol.

Equation 2

$$MG_{i,t} = MG_{uncorrected} \times \frac{293.15}{T} \times \frac{P}{101.325}$$

Where:

MG_{i,t} = Volume of mine gas sent to destruction device *i* in time interval *t*, in cubic metres at standard conditions;

i = Destruction device;

t = Time interval shown in the table in Figure 6.1 for which CH₄ flow and content measurements are aggregated;

$MG_{\text{uncorrected}}$ = Uncorrected volume of mine gas sent to destruction device i in time interval t , in cubic metres;

293.15 = Reference temperature, in Kelvin;

T = Measured temperature of mine gas for the given time period, in Kelvin ($^{\circ}\text{C} + 273.15$);

P = Pressure of the mine gas for the given time period, in kilopascals;

101.325 = Standard pressure, in kilopascals.

5.1. Calculation method for GHG emissions in the baseline scenario

In the baseline scenario, CH₄ sent to a destruction device during the project reporting period, except CH₄ captured by a pre-mining surface well used to extract CH₄, must be taken into account.

In the case of a surface well used to extract CH₄ before a mining operation, CH₄ emissions from past periods are considered only during a project reporting period when the well is mined through, in other words when one of the following situations occurs:

- (1) the well is physically bisected by mining activities;
- (2) the well produces elevated amounts of atmospheric gases so that the concentration of nitrogen in the mine gas increases by 5 compared to baseline concentrations according to a gas analysis using a gas chromatograph completed by an ISO 17025 accredited laboratory. To ensure that the elevated nitrogen concentrations are not solely the result of a leak in the well, the oxygen concentration must not have increased by the same proportion as the nitrogen concentration;
- (3) in the case of an underground mine, the working face passes less than 150 m below the well;
- (4) in the case of an underground mine, the room and pillar method is used and the block of coal that will be left unmined as a pillar is less than 150 m directly below the well.

The promoter must calculate GHG emissions in the baseline scenario using equation 3:

Equation 3

$$BE = \sum_{i=1}^n [Q_i] \times 0.667 \times 0.001 \times 21$$

Where:

BE = Baseline scenario emissions during the project reporting period, in metric tonnes CO₂ equivalent;

n = Number of destruction devices;

i = Destruction device;

Q_i = Total quantity of CH₄ sent to destruction device *i* during the project reporting period, calculated using equation 4, in cubic metres of CH₄ at standard conditions;

0.667 = Density of CH₄, in kilograms of CH₄ per cubic metre of CH₄ at standard conditions;

0.001 = Conversion factor, kilograms to metric tonnes;

21 = Global Warming Potential factor of CH₄;

Equation 4

$$Q_i = \sum_{t=1}^n [MG_{i,t} \times C_{CH_4,t}]$$

Where:

Q_i = Total quantity of CH₄ sent to destruction device *i* during the project reporting period, in cubic metres of CH₄ at standard conditions;

n = Number of time intervals during the project reporting period;

t = Time interval shown in the table in Figure 6.1 for which CH₄ flow and content measurements for the mine gas are aggregated;

MG_{i,t} = Volume of mine gas sent to destruction device *i* in time interval *t*, in cubic metres at standard conditions, except mine gas from a surface well that is not yet mined through. Despite the foregoing, if the surface well is mined through during the project reporting period, the mine gas sent to a destruction device during the current reporting period and in previous years must be included;

$C_{CH_4,t}$ = Average CH_4 content in the mine gas sent to a destruction device during time interval t , in cubic metres of CH_4 per cubic metre of mine gas.

5.2. Calculation method for GHG project emissions

The promoter must calculate the GHG project emissions using equations 5 to 8. The CO_2 emissions attributable to the destruction of CH_4 from a pre-mining surface well used to extract CH_4 during a current project reporting period, calculated using equation 7, must be included even if the well has not yet been mined through.

Equation 5

$$PE = FF_{CO_2} + DM_{CO_2} + UM_{CH_4}$$

Where:

PE = Project emissions during the project reporting period, in metric tonnes CO_2 equivalent;

FF_{CO_2} = Total CO_2 emissions attributable to the consumption of fossil fuel to capture and destroy mine CH_4 during the project reporting period, calculated using equation 6, in metric tonnes CO_2 equivalent;

DM_{CO_2} = Total CO_2 attributable to the destruction of CH_4 during the project reporting period, calculated using equation 7, in metric tonnes CO_2 equivalent;

UM_{CH_4} = CH_4 emissions attributable to uncombusted CH_4 during a project reporting period, calculated using equation 8, in metric tonnes CO_2 equivalent;

Equation 6

$$FF_{CO_2} = \frac{\sum_{j=1}^n (FF_{PR,j} \times EF_{CF,j})}{1,000}$$

Where:

FF_{CO_2} = Total CO_2 attributable to the consumption of fossil fuel to capture and destroy mine CH_4 during the project reporting period, in metric tonnes CO_2 equivalent;

n = Number of types of fossil fuel;

j = Type of fossil fuel;

$FF_{PR,j}$ = Total quantity of fossil fuel j consumed, expressed

- in kilograms, in the case of fuels whose quantity is expressed as a mass;
- in cubic metres at standard conditions, in the case of fuels whose quantity is expressed as a volume of gas;
- in litres, in the case of fuels whose quantity is expressed as a volume of liquid;

$EF_{CF,j}$ = CO_2 emission factor for fossil fuel j specified in tables 1-3 to 1-8 of QC.1.7 in Schedule A.2 to the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), expressed

- in kilograms of CO_2 per kilogram, in the case of fuels whose quantity is expressed as a mass;
- in kilograms of CO_2 per cubic metre at standard conditions, in the case of fuels whose quantity is expressed as a volume of gas;
- in kilograms of CO_2 per litre, in the case of fuels whose quantity is expressed as a volume of liquid;

1,000 = Conversion factor, metric tonnes to kilograms;

Equation 7

$$DM_{CO_2} = \sum_{i=1}^n [Q_i \times DE_i] \times 1.556 \times 0.001$$

Where:

DM_{CO_2} = Total CO_2 attributable to the destruction of CH_4 during a project reporting period, in metric tonnes CO_2 equivalent;

n = Number of destruction devices;

i = Destruction device;

Q_i = Total quantity of CH_4 sent to destruction device i during the project reporting period, calculated using equation 4, in cubic metres of CH_4 at standard conditions;

DE_i = Default CH_4 destruction efficiency of destruction device i , determined in accordance with Part II;

1.556 = CO_2 emission factor attributable to the combustion of CH_4 , in kilograms of CO_2 per cubic metre of CH_4 combusted;

0.001 = Conversion factor, kilograms to metric tonnes;

Equation 8

$$UM_{CH_4} = \sum_{i=1}^n [Q_i \times (1 - DE_i)] \times 0.667 \times 0.001 \times 21$$

Where:

UM_{CH_4} = CH_4 emissions attributable to uncombusted CH_4 during the project reporting period, in metric tonnes CO_2 equivalent;

n = Number of destruction devices;

i = Destruction device;

Q_i = Total quantity of CH_4 sent to destruction device i during the project reporting period, calculated using equation 4, in cubic metres of CH_4 at standard conditions;

DE_i = Default CH_4 destruction efficiency of destruction device i , determined in accordance with Part II;

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

0.001 = Conversion factor, kilograms to metric tonnes;

21 = Global Warming Potential factor of CH_4 .

6. Project surveillance

6.1. Data collection

The promoter is responsible for collecting the information required for project monitoring.

The promoter must show that the data collected are actual and that rigorous supervision and record-keeping procedures are applied at the project site.

6.2. Surveillance plan

The promoter must establish a surveillance plan to measure and monitor project parameters in accordance with Figure 6.1:

Figure 6.1. Project surveillance plan

Parameter	Factor used in equations	Unit of measurement	Method	Frequency of measurement
Operating status of destruction device	N/A	Degree Celsius or other, depending on the device installed	Measured for each destruction device	Hourly
Uncorrected volume of mine gas sent to destruction device i , in time interval t	$MG_{\text{uncorrected}}$	Cubic metre	Measured	Only when flow data are not adjusted at standard conditions
Volume of mine gas sent to destruction device i , in time interval t	$MG_{i,t}$	Cubic metre at standard conditions	Measured and calculated	Continuous and recorded at least every 15 minutes to calculate a daily average, and adjusted for temperature and pressure
Average CH_4 content in the mine gas sent to destruction device during time interval t	$C_{CH_4,t}$	Cubic metre of CH_4 per cubic metre of gas at standard conditions	Measured continuously	Continuous and recorded at least every 15 minutes to calculate a daily average
Total quantity of fossil fuels consumed by the capture and destruction system during the project reporting period, by type of fuel j	$FF_{PR,j}$	Kilogram (solid) Cubic metre at standard conditions (gas) Litre (liquid)	Calculated using fossil fuel purchasing register	At each reporting period

Measured temperature of mine gas	T	°C	Measured	Hourly
Pressure of mine gas	P	kPa	Measured	Hourly

The surveillance plan must

- (1) specify the methods used to collect and record the data required for all the relevant parameters in the table in Figure 6.1;
- (2) specify
 - (a) the frequency of data acquisition;
 - (b) the frequency of instrument cleaning, inspection and calibration activities, and of the verification of instrument calibration accuracy; and
 - (c) the role of the person responsible for each monitoring activity, as well as the quality assurance and quality control measures taken to ensure that data acquisition and instrument calibration are carried out consistently and with precision; and
- (3) contain a detailed diagram of the mine gas capture and destruction system, including the placement of all measurement instruments and equipment that affect included SSRs.

The promoter is responsible for carrying out and monitoring project performance. The promoter must use the mine gas destruction device and the measurement instruments in accordance with the manufacturer's specifications. The promoter must, in particular, use measurement instruments to measure directly

- (1) the flow of mine gas sent to each destruction device, continuously, recorded every 15 minutes and totaled as a daily average, adjusted for temperature and pressure;
- (2) the CH₄ content of the mine gas sent to each destruction device, continuously, recorded every 15 minutes and totaled as a daily average.

When temperature and pressure must be measured to correct flow values at standard conditions, the parameters must be measured at least hourly.

The operating status of the mine gas destruction device must be monitored and recorded at least hourly.

For every destruction device, the promoter must show, in the first project report, that a monitoring device has been installed to verify the operation of each destruction device. The promoter must also show, in each subsequent project report, that the monitoring device has operated correctly.

GHG emission reductions will not be taken into account for the issue of offset credits for periods during which the destruction device or the monitoring device for the operation of the destruction device is not operating.

6.3. Measurement instruments

The promoter must ensure that all mine gas flow meters and CH₄ analyzers are

- (1) cleaned and inspected as specified in the project's surveillance plan and at the minimum cleaning and inspection frequency specified by the manufacturer, with all cleaning and inspection activities documented by personnel;
- (2) not more than 2 months before or after the project reporting period end date, either
 - (a) checked for calibration accuracy by a qualified and independent person, using a portable instrument, such as a pitot tube, or in accordance with the manufacturer's specifications, and ensure that the percentage drift is recorded; or
 - (b) calibrated by the manufacturer or by a third person certified for that purpose by the manufacturer; and
- (3) calibrated by the manufacturer or by a third person certified for that purpose by the manufacturer or every 5 years, whichever is more frequent.

A calibration certificate or a verification report on calibration accuracy must be produced and included in the project report. The verification provided for in section 70.16 of this Regulation must include confirmation that the person is qualified to verify calibration accuracy.

Flow meter calibrations must be documented to show that the meter was calibrated to a range of flow rates corresponding to the flow rates expected for the drainage system.

CH₄ analyzer calibrations must be documented to show that the calibration was carried out to a range of temperature and pressure conditions corresponding to the range of conditions measured for the drainage system.

The verification of flow meter and analyzer calibration accuracy must show that the instruments provide a reading of volumetric flow or CH₄ content that is within a +/-5% accuracy threshold.

When a verification of the calibration accuracy of a device shows a shift outside the +/-5% accuracy threshold, the device must be calibrated by the manufacturer or by a third person certified for that purpose by the manufacturer. In addition, for the entire period from the last calibration that confirmed accuracy within the $\pm 5\%$ threshold until such time as the piece of equipment is correctly calibrated, the promoter must use the more conservative of

- (1) the measured values without correction;
- (2) the adjusted values based on the greatest calibration drift recorded at the time of calibration.

The last calibration confirming accuracy within the $\pm 5\%$ threshold must not have taken place more than 2 months before the end date for the project reporting period.

No offset credit may be issued for a project reporting period when the calibration or verification of the calibration accuracy of the required instruments has not been correctly carried out and documented.

6.4. Data management

Information on data procedures and data monitoring must be managed in a way that guarantees the integrity, exhaustiveness, accuracy and validity of the data.

The promoter must keep the following documents and information:

- (1) the information required under the surveillance plan;
- (2) information on each flow meter, CH₄ analyzer and destruction device used, including type, their model number, serial number and manufacturer's maintenance and calibration procedures;
- (3) the calibration date, time and results for CH₄ analyzers and flow meters, and the corrective measures applied if a piece of equipment fails to meet the requirements of this Regulation;

- (4) the maintenance records for capture, destruction and monitoring systems;
- (5) operating records showing annual coal production.

6.5. Missing data – replacement methods

In situations where data on flow rates or CH₄ content are missing, the promoter must apply the data replacement methods set out in Part III.

Part II

Destruction efficiencies for destruction devices

The promoter must use the destruction efficiency shown in Table 1 for the project destruction device.

Table 1. Default destruction efficiencies for destruction devices

Destruction device	Efficiency
Open flare	0.96
Enclosed flare	0.995
Internal combustion engine	0.936
Boiler	0.98
Microturbine or large gas turbine	0.995
Upgrade and injection into a pipeline (surface mine)	0.96

Part III

Missing data – replacement methods

The replacement methods below may be used only

- (1) for missing mine gas flow rate or CH₄ content parameters;
- (2) for missing data that are discrete, non-chronic and due to unforeseen circumstances;
- (3) when the proper functioning of the destruction device can be shown by thermocouple readings at the flare or at the other devices of the same nature;
- (4) to replace data on mine gas flow rates when it is shown that CH₄ content was consistent with normal operations for the time when the data are missing; and

- (5) to replace data on CH₄ content when it is shown that the mine gas flow rate was consistent with normal operations for the time when the data are missing.

No offset credit may be issued for periods when the replacement methods cannot be used.

Missing data period	Replacement method
Less than 6 hours	Use the average of the 4 hours immediately before and following the missing data period
6 to less than 24 hours	Use the 90% upper or lower confidence limit of the 24 hours prior to and after the missing data period, whichever results in greater conservativeness
1 to 7 days	Use the 95% upper or lower confidence limit of the 72 hours prior to and after the missing data period, whichever results in greater conservativeness
More than 7 days	No data may be replaced and no reduction may be credited

PROTOCOL 5

ACTIVE UNDERGROUND COAL MINES – DESTRUCTION OF CH₄ FROM VENTILATION AIR

Part I

1. Projects covered

This offset credit protocol covers any project designed to reduce GHG emissions by capturing and destroying CH₄ from the ventilation system of an active underground coal mine.

The project must enable the capture and destruction of CH₄ that, before the project, was emitted to the atmosphere. The CH₄ must be captured within the mine boundaries based on the current mine map and must be destroyed on the site of the mine where it was captured using a destruction device.

For the purposes of this protocol,

- (1) "ventilation air" means air from a mine ventilation system;
- (2) "coal" means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite under ASTM D388, entitled Standard Classification of Coals by Rank;

- (3) "ventilation air CH₄" means the CH₄ contained in ventilation air.

2. First project report

In addition to the information required under the second paragraph of section 70.5 of this Regulation, the first project report must include the following information:

- (1) the mining method employed, such as room and pillar or longwall;
- (2) annual coal production;
- (3) the year of initial mine operation;
- (4) the scheduled year of mine closure, if known;
- (5) a diagram of the mine site that includes
 - (a) the location of existing and planned ventilation shafts, specifying whether they are part of the project;
 - (b) the location of the equipment that will be used to treat or destroy ventilation air CH₄.

3. Location

The project must be implemented in Canada.

4. Reduction project SSRs

The reduction project process flowchart in Figure 4.1 and the table in Figure 4.2 show all the SSRs that must be taken into account by the promoter when calculating the GHG emission reductions attributable to the project.

All the SSRs within the dotted line must be counted for the purposes of this protocol.

Figure 4.1. Flowchart for the reduction project process

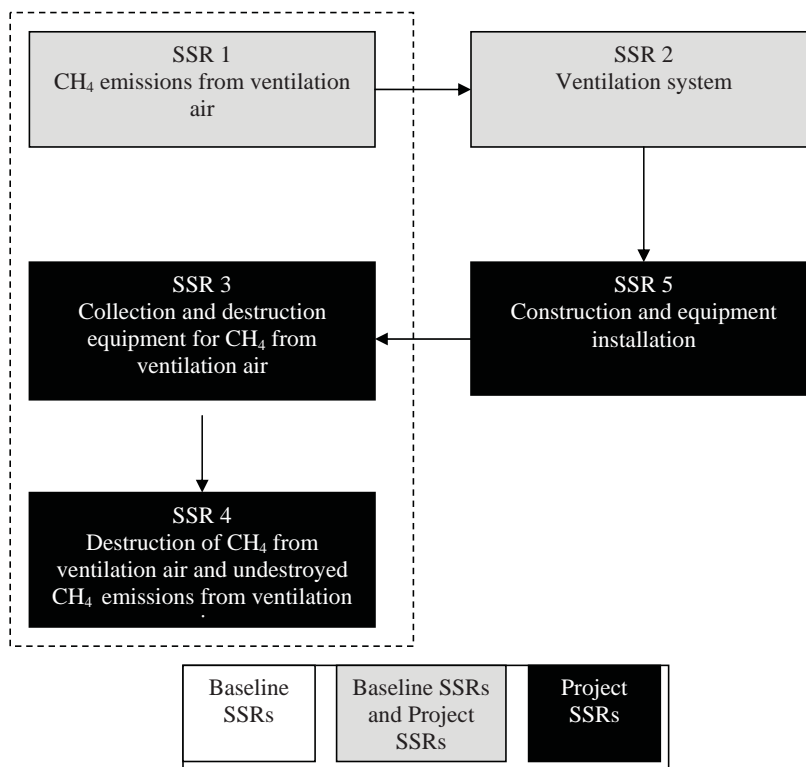


Figure 4.2. Reduction project SSRs

SSR #	Description	GHG	Relevant to Baseline (B) or Project (P)	Included/Excluded
1	Emissions of ventilation air CH ₄	CH ₄	B, P	Included
2	Emissions attributable to energy consumed to operate mine ventilation system	CO ₂	B, P	Excluded
		CH ₄		Excluded
		N ₂ O		Excluded

3	Emissions attributable to energy consumed to operate equipment to capture and destroy ventilation air CH ₄	CO ₂	P	Included
		CH ₄		Excluded
		N ₂ O		Excluded
4	Emissions from the destruction of ventilation air CH ₄	CO ₂	P	Included
		N ₂ O		Excluded
	Emissions of uncombusted ventilation air CH ₄	CH ₄	P	Included
5	Emissions from the construction and/or installation of new equipment	CO ₂	P	Excluded
		CH ₄		Excluded
		N ₂ O		Excluded

5. Calculation method for the GHG emission reductions attributable to the project

The promoter must calculate the quantity of GHG emission reductions attributable to the project using equation 1:

Equation 1

$$ER = BE - PE$$

Where:

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

BE = Emissions under the baseline scenario during the project reporting period, calculated using equation 2, in metric tonnes CO₂ equivalent;

PE = Project emissions during the project reporting period, calculated using equation 3, in metric tonnes CO₂ equivalent.

5.1. Calculation method for GHG emissions in the baseline scenario

The promoter must calculate GHG emissions in the baseline scenario using equation 2:

Equation 2

$$BE = \sum_{t=1}^n [VA_{Et} \times C_{CH_4,t}] \times 0.667 \times 0.001 \times 21$$

Where:

BE = Baseline scenario emissions during the project reporting period, in metric tonnes CO₂ equivalent;

n = Number of time intervals during the project reporting period;

t = Time interval shown in the table in Figure 6.1 for which flow and content measurements of ventilation air CH₄ are aggregated;

VA_{Et} = Volume of ventilation air sent to destruction device during time interval t, in cubic metres at standard conditions;

C_{CH₄,t} = Average CH₄ content in ventilation air before entering destruction device during time interval t, in cubic metres of CH₄ per cubic metre of ventilation air;

0.667 = Density of CH₄, in kilograms of CH₄ per cubic metre of CH₄ at standard conditions;

0.001 = Conversion factor, kilograms to metric tonnes;

21 = Global Warming Potential factor of CH₄.

If a mass flow meter is used to monitor gas flow instead of a volumetric flow meter, the volume and density terms must be replaced by the monitored mass value in kilograms. The CH₄ content must be in mass percent.

5.2. Calculation method for GHG project emissions

The promoter must calculate the GHG project emissions using equations 3 to 7:

Equation 3

$$PE = FF_{CO_2} + DM_{CO_2} + UM_{CH_4}$$

Where:

PE = Project emissions during a project reporting period, in metric tonnes CO₂ equivalent;

FF_{CO₂} = Total CO₂ attributable to the consumption of fossil fuel to capture and destroy ventilation air CH₄ during a project reporting period, calculated using equation 4, in metric tonnes CO₂ equivalent;

DM_{CO₂} = Total CO₂ attributable to the destruction of CH₄ during a project reporting period, calculated using equation 6, in metric tonnes CO₂ equivalent;

UM_{CH₄} = CH₄ emissions attributable to uncombusted CH₄ during a project reporting period, calculated using equation 7, in metric tonnes CO₂ equivalent;

Equation 4

$$FF_{CO_2} = \frac{\sum_{j=1}^n (FF_{PR,j} \times EF_{FF,j})}{1,000}$$

Where:

FF_{CO₂} = Total CO₂ attributable to the consumption of fossil fuel to capture and destroy ventilation air CH₄ during a project reporting period, in metric tonnes CO₂ equivalent;

n = Number of types of fossil fuel;

j = Type of fossil fuel;

FF_{PR,j} = Annual quantity of fossil fuel *j* consumed, expressed

- in kilograms, in the case of fuels whose quantity is expressed as a mass;
- in cubic metres at standard conditions, in the case of fuels whose quantity is expressed as a volume of gas;
- in litres, in the case of fuels whose quantity is expressed as a volume of liquid;

$EF_{FF,j}$ = CO₂ emission factor for fossil fuel j specified in tables 1-3 to 1-8 of QC.1.7 in Schedule A.2 to the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), expressed

- in kilograms of CO₂ per kilogram, in the case of fuels whose quantity is expressed as a mass;
- in kilograms of CO₂ per cubic metre at standard conditions, in the case of fuels whose quantity is expressed as a volume of gas;
- in kilograms of CO₂ per litre, in the case of fuels whose quantity is expressed as a volume of liquid;

1,000 = Conversion factor, metric tonnes to kilograms;

Equation 5

If the volume of ventilation air leaving the destruction device is not measured as specified in Figure 6.1, it must be calculated using equation 5:

$$VA_S = VA_E + CA$$

Where:

VA_S = Volume of ventilation air leaving the destruction device during the project reporting period, in cubic metres at standard conditions;

VA_E = Volume of ventilation air sent to a destruction device during the project reporting period, in cubic metres at standard conditions;

CA = Volume of cooling air added after the point of metering for the volume of ventilation air sent to the destruction device (VA_E), in cubic metres at standard conditions, or a value of 0 if no cooling air is added;

Equation 6

$$DM_{CO_2} = [(VA_E \times C_{CH_4}) - (VA_S \times C_{dest-CH_4})] \times 1.556 \times 0.001$$

Where:

DM_{CO_2} = Total CO₂ attributable to the destruction of CH₄ during a project reporting period, in metric tonnes CO₂ equivalent;

VA_E = Volume of ventilation air sent to a destruction device during the project reporting period, in cubic metres at standard conditions;

VA_S = Volume of ventilation air leaving the destruction device during the project reporting period, in cubic metres at standard conditions;

C_{CH_4} = Average CH_4 content in ventilation air before entering destruction device during the project reporting period, in cubic metres of CH_4 per cubic metre of gas;

$C_{dest-CH_4}$ = Average CH_4 content in ventilation air leaving the destruction device during the project reporting period, in cubic metres of CH_4 per cubic metre of gas;

1.556 = CO_2 emission factor attributable to the combustion of CH_4 , in kilograms of CO_2 per cubic metre of CH_4 combusted;

0.001 = Conversion factor, kilograms to metric tonnes;

Equation 7

$$UM_{CH_4} = VA_S \times T_{dest-CH_4} \times 0.667 \times 0.001 \times 21$$

Where:

UM_{CH_4} = CH_4 emissions attributable to uncombusted CH_4 during a project reporting period, in metric tonnes CO_2 equivalent;

VA_S = Volume of ventilation air leaving the destruction device during the project reporting period, in cubic metres at standard conditions;

$T_{dest-CH_4}$ = Average CH_4 content in ventilation air leaving the destruction device during the project reporting period, in cubic metres of CH_4 per cubic metre of gas;

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

0.001 = Conversion factor, kilograms to metric tonnes;

21 = Global Warming Potential factor of CH_4 .

If a mass flow meter is used to monitor gas flow instead of a volumetric flow meter, the volume and density terms must be replaced by the monitored mass value in kilograms. The CH_4 content must be in mass percent.

6. Project surveillance

6.1. Data collection

The promoter is responsible for collecting the information required for project monitoring.

The promoter must show that the data collected are actual and that rigorous supervision and record-keeping procedures are applied at the project site.

6.2. Surveillance plan

The promoter must establish a surveillance plan to measure and monitor project parameters in accordance with Figure 6.1:

Figure 6.1. Project surveillance plan

Parameter	Factor used in equations	Unit of measurement	Method	Frequency of measurement
Operating status of destruction device	N/A	Degree Celsius or other, depending on the device installed	Measured for each destruction device	Hourly
Volume of ventilation air sent to destruction device	VA _E	Cubic metre at standard conditions	Measured and calculated	Continuous and recorded at least every 2 minutes to calculate an hourly average, adjusted for temperature and pressure
Volume of cooling air added	CA	Cubic metre at standard conditions	Measured and calculated	Continuous and recorded at least every 2 minutes to calculate an hourly average, adjusted for temperature and pressure

Volume of ventilation air leaving the destruction device	V_{A_s}	Cubic metre at standard conditions	Measured or calculated	Continuous and recorded at least every 2 minutes to calculate an hourly average, adjusted for temperature and pressure
CH_4 content in ventilation air sent to destruction device during each project reporting period	C_{CH_4}	Cubic metre of CH_4 per cubic metre of gas at standard conditions	Measured	Continuous and recorded at least every 2 minutes to calculate an hourly average
CH_4 content in ventilation air leaving the destruction device during each project reporting period	$C_{Dest-CH_4}$	Cubic metre of CH_4 per cubic metre of gas at standard conditions	Measured	Continuous and recorded at least every 2 minutes to calculate an hourly average
Total quantity of fossil fuels consumed by equipment to capture and destroy ventilation air CH_4 during a project reporting period, by type of fuel j	$FF_{PR, j}$	Kilogram (solid) Cubic metre at standard conditions (gas) Litre (liquid)	Calculated using fossil fuel purchasing register	At each reporting period
Temperature of ventilation air	T	°C	Measured	Hourly
Pressure of ventilation air	P	kPa	Measured	Hourly

The surveillance plan must

- (1) specify the methods used to collect and record the data required for all the relevant parameters in the table in Figure 6.1;

- (2) specify
 - (a) the frequency of data acquisition;
 - (b) the frequency of instrument cleaning, inspection and calibration activities, and of the verification of instrument calibration accuracy; and
 - (c) the role of the person responsible for each monitoring activity, as well as the quality assurance and quality control measures taken to ensure that data acquisition and instrument calibration are carried out consistently and with precision;
- (3) contain a detailed diagram of the ventilation air capture and destruction system, including the placement of all measurement instruments and equipment that affect included SSRs.

The promoter is responsible for carrying out and monitoring project performance. The promoter must use the destruction device for ventilation air CH₄ and the measurement instruments in accordance with the manufacturer's specifications. The promoter must, in particular, use measurement instruments to measure directly

- (1) the flow of ventilation air sent to each destruction device, continuously, recorded every 2 minutes and totalized as an hourly average adjusted for temperature and pressure;
- (2) the CH₄ content of ventilation air sent to each destruction device, continuously, recorded every 2 minutes and totalized as an hourly average.

When temperature and pressure must be measured to correct flow values at standard conditions, the parameters must be measured at least hourly.

The operating status of destruction device of ventilation air must be monitored and recorded at least hourly.

For every destruction device, the promoter must show in the first project report that a monitoring device has been installed to verify the operation of each destruction device. The promoter must also show in each project report that the monitoring device has operated correctly.

GHG emission reductions will not be taken into account for the issue of offset credits for periods during which the destruction device or the monitoring device for the operation of the destruction device is not operating.

6.3. Measurement instruments

The promoter must ensure that all ventilation gas flow meters and CH₄ analyzers are

- (1) cleaned and inspected as specified in the project's surveillance plan and at the minimum cleaning and inspection frequency specified by the manufacturer, with all cleaning and inspection activities documented by personnel;
- (2) not more than 2 months before or after the project reporting period end date, either
 - (a) checked for calibration accuracy by a qualified and independent person, using a portable instrument, such as a pitot tube, or the manufacturer's specifications, and ensure that the percentage drift is recorded. The CH₄ analyzer must be checked using gas with a CH₄ content of less than 2%;
 - (b) calibrated by the manufacturer or by a third person certified for that purpose by the manufacturer; and
- (3) calibrated by the manufacturer or by a third person certified for that purpose by the manufacturer, according to the manufacturer's specifications or every 5 years, whichever is more frequent.

A calibration certificate or a verification report on calibration accuracy must be produced and included in the project report. The verification provided for in section 70.16 of this Regulation must include confirmation that the person is qualified to verify calibration accuracy.

Flow meter calibrations must be documented to show that the meter was calibrated to a range of flow rates corresponding to the flow rates expected for the ventilation system.

CH₄ analyzer calibrations must be documented to show that the calibration was carried out to a range of temperature, pressure and content conditions corresponding to the range of conditions measured for the mine.

The verification of flow meter and analyzer calibration accuracy must show that the instrument provides a reading of volumetric flow or CH₄ content that is within a +/-5% accuracy threshold.

When a verification of the calibration accuracy of a device shows a shift outside the +/-5% accuracy threshold, the device must be calibrated by the manufacturer or by a third person certified for that

purpose by the manufacturer. In addition, for the entire period from the last calibration that confirmed accuracy within the $\pm 5\%$ threshold until such time as the piece of equipment is correctly calibrated, the promoter must use the more conservative of

- (1) the measured values without correction;
- (2) the adjusted values based on the greatest calibration drift recorded at the time of calibration.

The last calibration confirming accuracy within the $\pm 5\%$ threshold must not have taken place more than 2 months before the end date for the project reporting period.

No offset credit may be issued for a project reporting period when the calibration or verification of the calibration accuracy of the required instruments has not been correctly carried out and documented.

6.4. Data management

Information on data procedures and data monitoring must be managed in a way that guarantees the integrity, exhaustiveness, accuracy and validity of the data.

The promoter must keep the following documents and information:

- (1) the information required under the surveillance plan;
- (2) information on each flow meter, CH₄ analyzer and destruction device used, including type, their model number, serial number and manufacturer's maintenance and calibration procedures;
- (3) the calibration date, time and results for CH₄ analyzers and flow meters, and the corrective measures applied if a piece of equipment fails to meet the requirements of this Regulation;
- (4) the maintenance records for capture, destruction and monitoring systems;
- (5) operating records showing annual coal production.

6.5. Missing data – replacement methods

In situations where data on flow rates or CH₄ content are missing, the promoter must apply the data replacement methods set out in Part II.

Part II

Missing data – replacement methods

The replacement methods below may be used only

- (1) for missing ventilation gas flow rate or CH₄ content parameters;
- (2) for missing data that are discrete, non-chronic and due to unforeseen circumstances;
- (3) when the proper functioning of the destruction device can be shown by thermocouple readings or other devices of the same nature;
- (4) to replace data on ventilation gas flow rates when it is shown that CH₄ content was consistent with normal operations for the time when the data are missing; and
- (5) to replace data on CH₄ content when it is shown that the ventilation gas flow rate was consistent with normal operations for the time when the data are missing.

No offset credit may be issued for periods when the replacement methods cannot be used.

Missing data period	Replacement method
Less than 6 hours	Use the average of the 4 hours immediately before and following the missing data period
6 to less than 24 hours	Use the 90% upper or lower confidence limit of the 24 hours prior to and after the missing data period, whichever results in greater conservativeness
1 to 7 days	Use the 95% upper or lower confidence limit of the 72 hours prior to and after the missing data period, whichever results in greater conservativeness
More than 7 days	No data may be replaced and no reduction may be credited

”.

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

Draft Regulation

An Act respecting parental insurance
(chapter A-29.011)

Premium rates under the parental insurance plan — 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 premium rates under the parental insurance plan, made by the Conseil de gestion de l'assurance parentale on 20 May 2015 and appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The Regulation decreases the premium rates applicable to employees, persons referred to in section 51 of the Act respecting parental insurance (chapter A-29.011), employers, self-employed workers and family-type resources or intermediate resources, as of 1 January 2016.

Further information may be obtained by contacting Shadi J. Wazen, Conseil de gestion de l'assurance parentale, 1122, Grande Allée Ouest, 1^{er} étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 528-1608; fax: 418 643-6738.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Lucie Robitaille, President and Director General of the Conseil de gestion de l'assurance parentale, 1122, Grande Allée Ouest, 1^{er} étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 643-1009; fax: 418 643-6738.

SAM HAMAD,
*Minister of Labour, Employment
and Social Solidarity*

Regulation to amend the Regulation respecting premium rates under the parental insurance plan

An Act respecting parental insurance
(chapter A-29.011, s. 6)

1. The Regulation respecting premium rates under the parental insurance plan (chapter A-29.011, r. 5) is amended by replacing section 1 by the following:

“**1.** The premium rate applicable to an employee and to a person referred to in section 51 of the Act is 0.548%.

The premium rate applicable to a self-employed worker and a family-type resource or intermediate resource is 0.973%.

The premium rate applicable to an employer is 0.767%.”.

2. This Regulation comes into force on 1 January 2016.

102191

Notices

Notice

An Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1)

Notice of recognition of a reserved designation

Replacement of a notice of recognition of a reserved designation

WHEREAS it is expedient to replace, under section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1), the text of a notice of recognition of a reserved designation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Avis de reconnaissance d'une appellation réservée relative au lien avec un terroir (Indication géographique protégée "Agneau de Charlevoix") dated 21 March 2009 ((2009) 141-11 GOQ 1, 319) be replaced by the following text published this time in French and in English, but having effect since the same date:

"Notice of recognition of a reserved designation relating to a link with a terroir (protected geographical indication "Agneau de Charlevoix" (Charlevoix Lamb))

An Act respecting reserved designations and added-value claims (chapter A-20.03)

Under the provisions of the Act respecting reserved designations and added-value claims (chapter A-20.03), persons have applied for recognition of a reserved designation related to a link with a terroir. Compliance of their application with the criteria and requirements of the Act has been verified in that:

(1) On the initiative of a group of interested parties, the Conseil des appellations réservées et des termes valorisants, constituted under sections 7 et seq. of the Act respecting reserved designations and added-value claims (chapter A-20.03) has assigned, in accordance with section 15 of the Act, to competent committees the following functions:

— Assessing the specification manual on which depends the authenticity of products bearing the designation concerned;

— Assessing, in light of the applicable accreditation manual, the capacity of certification bodies to administer a certification program for the products concerned, particularly through inspection plans designed to verify their compliance with the specification manual;

(2) In accordance with the provisions of section 30 of the Act, at least one certification body has demonstrated to the Conseil that it complies with the applicable accreditation manual;

(3) Under the powers conferred by sections 49 et seq. of the Act, the Conseil has ensured that this certification body has the capacity to administer a certification program based on the specification manual for the designation concerned;

(4) This certification body has provided the Conseil, among the documents required under the Act and regulations of the Minister, the list of persons registered and the list of products this body intends to certify;

(5) Under the provisions of paragraph 5 of section 9 of the Act, the Conseil held consultations prior to recommending the recognition of a reserved designation;

(6) In accordance with paragraph 2 of section 9 and section 30 of the Act, the Conseil sent to the Minister its favourable recommendation for the recognition of the reserved designation requested relating to a link with a terroir and in keeping with the criteria and requirements prescribed by regulation of the Minister for the recognition of a protected geographical indication;

THEREFORE, be advised that I recognize as a reserved designation relating to a link with a terroir the protected geographical indication "Agneau de Charlevoix"; in accordance with section 6 of the Act, the recognition grants to persons registered with a certification body accredited to certify the authenticity of products thus designated, and to conditions established by the body, the exclusive right to use the designation.

Any interested person may examine the specification manual concerning the products that can be designated by the protected geographical indication “Agneau de Charlevoix” as well as the names of certification bodies accredited to certify the authenticity of the products it designates, at the following address: Conseil des appellations réservées et des termes valorisants, 35, rue de Port-Royal Est, 5^e étage, Montréal (Québec) H3L 3T1 or on the website www.cartvquebec.com

Minister of Agriculture, Fisheries and Food”.

PIERRE PARADIS,
Minister of Agriculture, Fisheries and Food

102189

Index

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

	Page	Comments
Audit Committees — Regulation 52-110 (Securities Act, chapter V-1.1)	1125	M
Cap-and-trade system for greenhouse gas emission allowances. (Environment Quality Act, chapter Q-2)	1131	Draft
Certain conditions of employment of senior staff of general and vocational colleges (General and Vocational Colleges Act, chapter C-29)	1089	M
Continuous Disclosure Obligations — Regulation 51-102 (Securities Act, chapter V-1.1)	1104	M
Environment Quality Act — Cap-and-trade system for greenhouse gas emission allowances (chapter Q-2)	1131	Draft
General and Vocational Colleges Act — Certain conditions of employment of senior staff of general and vocational colleges (chapter C-29)	1089	M
General Prospectus Requirements — Regulation 41-101 (Securities Act, chapter V-1.1)	1125	M
Health of drivers (Highway Safety Code, chapter C-24.2)	1080	N
Highway Safety Code — Health of drivers (chapter C-24.2)	1080	N
Highway Safety Code — Licences. (chapter C-24.2)	1085	M
Judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature, An Act respecting... — Notice of recognition of a reserved designation (chapter J-1.1)	1181	Notice
Licences (Highway Safety Code, chapter C-24.2)	1085	M
Municipal taxation, An Act respecting... — Real estate assessment roll. (chapter F-2.1)	1102	M
Notice of recognition of a reserved designation (An Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature, chapter J-1.1)	1181	Notice
Occupational health and safety, An Act respecting... — Safety Code for the construction industry (chapter S-2.1)	1086	M
Parental insurance, An Act respecting... — Premium rates under the parental insurance plan. (chapter A-29.011)	1180	Draft

Pay Equity Act — Report on pay equity (chapter E-12.001)	1104	N
Physiotherapy — Certain professional activities in physiotherapy (Professional Code, chapter C-26)	1079	M
Premium rates under the parental insurance plan (An Act respecting parental insurance, chapter A-29.011)	1180	Draft
Professional Code — Physiotherapy — Certain professional activities in physiotherapy (chapter C-26)	1079	M
Real estate assessment roll (An Act respecting municipal taxation, chapter F-2.1)	1102	M
Report on pay equity (Pay Equity Act, chapter E-12.001)	1104	N
Safety Code for the construction industry (An Act respecting occupational health and safety, chapter S-2.1)	1086	M
Securities Act — Audit Committees — Regulation 52-110 (chapter V-1.1)	1125	M
Securities Act — Continuous Disclosure Obligations — Regulation 51-102 (chapter V-1.1)	1104	M
Securities Act — General Prospectus Requirements — Regulation 41-101 (chapter V-1.1)	1125	M