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Summary

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Contents

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O.C. 593-2016, 29 June 2016

Environment Quality Act
(chapter Q-2)

Approval of RecycleMédias' 2015 and 2016 schedules of contributions for the "newspapers" class

WHEREAS, under section 53.31.1 of the Environment Quality Act (chapter Q-2), the persons referred to in subparagraph 6 of the first paragraph of section 53.30 of the Act are required, to the extent and on the conditions set out in subdivision 4.1 of Division VII of Chapter I of the Act, to compensate the municipalities for the services provided by the municipalities to ensure that the materials designated by the Government under section 53.31.2 of the Act are recovered and reclaimed;

WHEREAS, under the first paragraph of section 53.31.12.1 of the Act, the Government may determine on what conditions the amount of the annual compensation owed to the municipalities that is allotted to the "newspapers" class may be paid in whole or in part through a contribution in goods or services, and prescribe the characteristics newspapers must possess to benefit from that mode of payment;

WHEREAS RecycleMédias is a body certified by RECYC-QUÉBEC for the "newspapers" class to represent the persons subject to an obligation of compensation under subdivision 4.1 of Division VII of Chapter I of the Act;

WHEREAS, under the first paragraph of section 53.31.13 of the Act, a certified body may collect from its members and from persons who, without being members, carry on activities similar to those carried on by the members where the designated class of materials is concerned, the contributions necessary to remit the full amount of compensation, including any interest or other applicable penalties, and to indemnify the body for its management costs and other expenses incidental to the compensation regime;

WHEREAS, under the first paragraph of section 53.31.14 of the Act, the contributions payable must be established on the basis of a schedule of contributions that has been the subject of a special consultation of the persons concerned;

WHEREAS RecycleMédias conducted such a consultation before determining the schedules of contributions applicable for 2015 and 2016 for the "newpapers" class;

WHEREAS, under the third paragraph of section 53.31.14 of the Act, the schedule of contributions may provide for exemptions or exclusions and specify the terms according to which the contributions are to be paid to the certified body;

WHEREAS, under the fifth paragraph of section 53.31.14 of the Act, the schedule of contributions must be submitted to the Government, which may approve it with or without modification;

WHEREAS, under section 8.9 of the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10), the amount of the annual compensation owed to the municipalities that is allotted to the "newspapers" class may not exceed $7,600,000 for the year 2015 and $8,360,000 for the year 2016;

WHEREAS sections 8.12 and 8.12.1 of the Regulation provide that such compensation may be paid through a contribution in goods or services provided the certified body proposed a schedule of contributions to RECYC-QUÉBEC, in accordance with sections 53.31.14 and 53.31.15 of the Environment Quality Act, determining the contributions payable and the manner in which payment may be made, without exceeding $3,800,000 for each of the years 2015 and 2016;

WHEREAS, under the second paragraph of section 53.31.15 of the Act, RECYC-QUÉBEC must give its opinion to the Government on the schedule of contributions proposed by a certified body;

WHEREAS RECYC-QUÉBEC has given a favourable opinion on the 2015 and 2016 schedules of contributions established by RecycleMédias for the "newpapers" class;

WHEREAS, under Order in Council 135-2007 dated 14 February 2007, the Regulations Act (chapter R-18.1) does not apply to the proposed schedules or schedules of contributions established under section 53.31.14 of the Environment Quality Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT the schedules of contributions established by RecycleMédias for the contributions for 2015 and 2016, entitled 2015 schedule of contributions for the "newspapers" class, and 2016 schedule of contributions for the "newspapers" class, attached to this Order in Council, be approved without amendment.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

2015 Schedule of Contributions

for "Newspapers"

1. Definitions

1.1. Definitions

In the Schedule, unless the context indicates a different meaning, the following words and expressions mean or designate:

a) "brand": a mark that is used by a person for the purpose of distinguishing, or so as to distinguish, newspapers marketed by the person from newspapers marketed by others;

b) "cash contribution": the amount that must be paid in cash to RecycleMédias by a person prescribed under the Schedule;

c) "class of materials": a class of materials covered by the compensation regime, i.e. the class "newspapers" marketed in Québec;

d) "compensation regime": the compensation regime for municipalities established by sub-section 4.1 of Division VII of Chapter I of the Act and by the Regulation, as amended from time to time;

e) "contribution in ad placements": the amount that may be paid in the form of ad placements by a prescribed person under the Schedule. Such contributions in ad placements must consist of publishing, at the national, regional and local levels, messages intended to inform, educate or raise awareness about environmental matters, particularly in terms of promoting the recycling and recovery of residual materials, and may be made either in newspapers or through digital products;

f) "costs of RecycleMédias": the management costs and other expenses of RecycleMédias incidental to the compensation regime that may be collected by RecycleMédias under section 53.31.13 of the Act;

g) "costs of Recyc-Québec": the management costs and other expenses of Recyc-Québec incidental to the compensation regime and payable to Recyc-Québec by RecycleMédias under section 53.31.18 of the Act and section 8.14 of the Regulation;

h) "digital products": websites (including portals) and other digital products devoted primarily to current events, that are owned by the prescribed person or another member of the person's corporate group, or through which a contribution in ad placements may be made;

i) "distinguishing guise": the format of a newspaper, the appearance of which is used by a person for the purpose of distinguishing, or so as to distinguish, newspapers marketed by the person from newspapers marketed by others;

j) "first supplier": a person who is domiciled or has an establishment in Québec and who is the first to take title, possession or control, in Québec, of a newspaper covered by the Schedule;

k) "foreign publication": a newspaper that markets less than 25% of its total materials in Québec;

l) "materials": paper and other cellulosic fibres belonging to the class of materials concerned here. Quantities of marketed materials are measured in metric tons;

m) "name": the name under which any business is carried on, whether or not it is the name of a legal body, a partnership or an individual;

n) "newspapers": as set forth in section 2 of the Regulation, this class includes paper and other cellulosic fibres used as a medium for written current affairs periodicals published on newsprint, particularly dailies and weeklies, as well as containers and packaging used to deliver newspapers directly to the ultimate consumer or recipient;

o) "prescribed person": a person subject to the compensation regime, as designated in Chapter 3 of the Schedule;

p) "RecycleMédias": an organization accredited by Recyc-Québec that represents newspapers;

q) "Recyc-Québec": the Société québécoise de récupération et de recyclage, as designated in section 1 of the Act respecting the Société québécoise de récupération et de recyclage, R.S.Q., c. S-22.01;

r) "the Act": the Environment Quality Act, R.S.Q., c. Q-2, as amended from time to time;

s) "the Regulation": the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, R.R.Q., c. Q-2, r. 10, as amended from time to time;

t) "the Schedule": the present Schedule of Contributions, including appendices.

2. Interpretation

2.1. Explanatory notice

2.1.1. RecycleMédias may publish an explanatory notice or interpretation guide on its website at www.recyclemedias.com to explain its interpretation of the Schedule and how it will be administered.

2.2. Continuance of the Schedule

2.2.1. If any provision of the Schedule is deemed invalid or unenforceable by a competent court or for any other reason, it shall not affect the validity of the other provisions of the Schedule, which shall be interpreted as if the invalid provision were omitted.

3. Designation of prescribed persons

3.1. Prescribed persons

3.1.1. Only the person who is the owner of the brand, name or distinguishing guise that identifies a material subject to contributions under the Schedule shall be required to pay a contribution with regard to that material.

3.1.2. However, if the owner has neither a domicile nor an establishment in Québec, payment of contributions may be required of the first supplier in Québec, whether or not it is the importer of that material.

3.1.3. Any person who marketed materials during 2014 remains fully responsible for such materials, and shall pay, according to the terms provided in the Schedule, any contribution and other amounts provided under the Schedule in respect of these materials, notwithstanding the fact that at the time the Schedule came into force or thereafter (i) the person is no longer the owner of the brand, name or distinguishing guise that identifies a material subject to contributions under the Schedule, or (ii) the person no longer markets materials, or (iii) the person no longer is the first supplier of this material in Quebec. Such a person is considered to be a prescribed person for the purposes of the Schedule.

3.2. Exempted persons

3.2.1. Prescribed persons who demonstrate to RecycleMédias that the contributions prescribed in Chapters 5 and 6 of the Schedule have been paid in full, on their behalf, by a third party recognized by RecycleMédias as a voluntary contributor under section 3.3, are exempted from those contributions.

3.2.2. Prescribed persons who own the brand, name or distinguishing guise which identifies a material subject to contributions pursuant to the Schedule and who, in 2014, marketed materials weighing less than a total of fifteen (15) metric tons, are also exempted from the contributions prescribed in Chapters 5 and 6 of the Schedule.

3.3. Voluntary contributor

3.3.1. A third party whose domicile or establishment is outside of Québec, and who is the owner of a brand, name or distinguishing guise, may be accepted by RecycleMédias as a voluntary contributor, notably if the person satisfies the conditions stipulated below.

3.3.2. A voluntary contributor may only act to fulfill the obligations that, under the Schedule, would be the responsibility of the first supplier of materials identified by a brand, name or distinguishing guise that is owned by the voluntary contributor. The latter may not act to fulfill the obligations of persons prescribed under section 3.1.1.

3.3.3. A third party may be recognized as a voluntary contributor if it concludes an agreement to that effect with RecycleMédias, which agreement shall include the following provisions:

- that it agrees to fulfill the obligations related to contribution in ad placements under the Schedule;
- that it agrees to pay the cash contribution under the Schedule;
- that it agrees to produce the reports required in Chapter 7 of the Schedule, under the terms set out in that Chapter;
- that it agrees to the foregoing with regard to all of its first suppliers in Québec;
- that it agrees to respect the laws of Québec, and accepts that any legal proceedings will take place in Québec, under the laws of Québec.

A third party recognized as a voluntary contributor thus becomes a prescribed person with respect to both cash contribution and contribution in ad placements.

3.3.4. RecycleMédias may decide to conclude an agreement such as that described in section 3.3.3 with a third party whose domicile or establishment is in Canada but outside of Québec, and which, without being the owner of a brand, name or distinguishing guise, is its principal distributor in Québec. Section 3.3.2 also applies to such a third party, which for the purposes of the Schedule is considered as a voluntary contributor.

3.3.5. The first supplier and the voluntary contributor are solidarily liable for their obligations under the Schedule.

3.4. Publication of the names of prescribed persons

3.4.1. RecycleMédias may publish on its website the name of any person that, in RecycleMédias' view, meets the criteria for a prescribed person in section 3.1 of the Schedule.

4. Compensation regime

4.1. Annual compensation payable

For the year covered by the Schedule, the amount of the annual compensation payable for the class "newspapers", under the Act and the Regulation, will be $7,600,000. This amount will be paid through contributions in ad placements in the amount of $3,800,000 and cash contributions in the amount of $3,800,000.

4.2. Costs

As well, the amounts corresponding to the costs of Recyc-Québec and RecycleMédias will be paid by the prescribed persons through cash contributions.

4.3. Environmental consequences

4.3.1. In order to make the prescribed persons accountable for the environmental consequences of the marketing of newspapers, and to promote the adoption of responsible behavior, each prescribed person who is the owner of the brand, name or distinguishing guise which identifies the materials that are subject to contributions under this Schedule, and who marketed materials in 2014 with a total weight of more than one hundred and forty (140) metric tons, must show that it has and offers one or more digital products throughout 2015. If a prescribed person fails to do so, an amount equal to 5% of the contribution in ad placements of such prescribed person shall be converted into an additional cash contribution. The payment rules established for the cash contribution in chapter 6 of the Schedule shall apply to such additional cash contribution, subject to the necessary adjustments.

5. Contribution in ad placements

5.1. Determination of contribution in ad placements

5.1.1. For 2015, the contribution in ad placements by a prescribed person corresponds to the quantity of materials marketed by that person in 2014 multiplied by the applicable rate , i.e. $39.73 per metric ton.

5.2. Foreign publication

5.2.1. For newspapers qualified as foreign publications, the contribution in ad placements is converted into cash contribution that is additional to that provided in Chapter 6. This additional cash contribution is paid to Recyc-Québec as partial payment of compensation due to municipalities under the Regulation by prescribed persons in the “newspaper” class.

5.2.2. The payment rules for cash contributions set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to the additional cash contribution.

5.3. Terms and conditions

5.3.1. Ad placements for a maximum value corresponding to the amount of each prescribed person’s contribution in ad placements will be requested from such prescribed person by no later than September 30, 2016 for publication by no later than May 31, 2017 in respect of contributions in ad placements for 2015.

5.3.2. To determine the value of each ad placement and the terms and conditions under which it is provided, the customary government rate card (or national rate card) of the prescribed person (or member of the person's corporate group, as the case may be) shall be applied. Furthermore, in order to avoid that part of its contribution in ad placements be converted into an additional cash contribution as provided under section 5.4 of the Schedule, a prescribed person may choose to make a contribution in ad placements for a value higher than the required value. In such case, the prescribed person will not be entitled to any credit for the additional value thus contributed.

5.3.3. It is agreed that it is up to Recyc-Québec or its advertising agency to ensure that any advertising campaign delivered complies with the rate cards and the other standard terms and conditions of each prescribed person, including the deadlines. RecycleMédias will then require the contributions in ad placements from the prescribed persons in accordance with the terms, conditions and specifications provided by Recyc-Québec or its advertising agency.

5.3.4. For the purpose of making its contribution in ad placements, each prescribed person must collaborate with RecycleMédias, Recyc-Québec and any advertising agency retained by Recyc-Québec. Recyc-Québec and any advertising agency it retains must provide RecycleMédias with the information required for RecycleMédias to ensure that the contributions in ad placements payable pursuant to the Schedule are made according to the terms of the Schedule, including by providing RecycleMédias, by no later than June 30, 2017, with a detailed report indicating, for each prescribed person required to make a contribution in ad placements, the total value of the contribution in ad placements made by such person as of May 31, 2017 and, where applicable, any failure by a prescribed person to provide the full value of its contribution in ad placements required for 2015.

5.3.5. In the event that the report submitted to RecycleMédias under section 5.3.4 indicates a default by one or more prescribed persons, such persons must be informed thereof by RecycleMédias within thirty (30) days following its receipt of the report and such prescribed persons shall then have the opportunity to remedy the default by making the necessary ad placements to remedy the default by no later than September 30, 2017.

5.3.6. Overall, the contributions in ad placements provided by the prescribed persons under this Schedule shall enable the dissemination of information, awareness and educational messages on environmental matters and favour messages intended to promote the recovery and reclamation of residual materials in all the regions of the province of Quebec, based on a distribution (in quantity of materials and as indicated in section 5.1.1 of this Schedule) which is similar to the distribution of the population over the territory of Quebec.

5.3.7. Cities do not have individual access to advertising spaces, since the compensation in goods and services under the program is managed on a province-wide basis.

5.3.8. The distribution of the contributions in ad placements is proportional to the quantity of materials marketed by the prescribed persons per territory. No later than the one hundred and twentieth (120th) day after the Schedule comes into force, RecycleMédias shall submit to Recyc-Québec a notice of the amount of the contribution in ad placements for each prescribed person, as well as a list of the newspapers and digital products controlled by each prescribed person.

5.3.9. The Implementation Committee consists of representatives from RecycleMédias, Recyc-Québec, the municipal associations, the city of Montréal and the city of Québec, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les Changements Climatiques ("**MDDELCC**") and from Eco-Entreprises Québec. Its mandate is to monitor the application of the compensation regime and monitor the design, production and placements of messages about the municipal recovery programs that will be published in newspapers and digital products at the Québec-wide, regional and local levels.

The members of the Implementation Committee will validate the content of the published messages, their frequency while taking into account the availability of advertising space, the distribution of the advertising commitments at the Québec-wide, regional and local levels by the prescribed persons, the geographical distribution of the prescribed persons, the distribution between newspapers and digital products, and the fee schedules specific to each of the prescribed persons.

5.4. Conversion into additional cash contribution

5.4.1. A prescribed person who has not fulfilled the contribution in ad placements, in whole or in part, by the date set in this Schedule and who, after receiving a proper request therefor, fails to remedy its default by no later than September 30, 2017, as provided in section 5.3.5, will be liable to pay an additional cash contribution in an amount equal to the value of the contribution in ad placements payable, or the balance thereof, as applicable.

5.4.2. The payment rules for the cash contribution set out Chapter 6 also apply, with the necessary modifications, to the additional cash contribution.

6. Cash contribution

6.1. Determination of cash contribution

6.1.1. For 2015, the cash contribution by a prescribed person corresponds to the quantity of materials marketed by that person in 2014 multiplied by the applicable rate, i.e. $49.04 per metric ton.

6.2. Date, place and form of payment

6.2.1. The cash contribution must be paid to RecycleMédias within ninety (90) days after the invoice is received. Unless otherwise decided by RecycleMédias, payment must be in full, in a single instalment.

6.2.2. RecycleMédias may specify a different deadline for payment of the cash contribution.

6.3. Penalties, interest and recovery

6.3.1. Cash contributions that are due and unpaid to RecycleMédias bear interest as set out in section 53.31.16 of the Act, i.e. at the rate determined under the first paragraph of section 28 of the *Tax Administration Act,* R.S.Q., c. A-6.002. Such interest will be calculated daily on the unpaid amount of the cash contribution, starting from the date when the cash contribution became due and ending on the date of payment, at the rate mentioned above. Any change to that rate automatically changes the interest rate applying under the present section.

6.3.2. In addition to the interest applied under section 6.3.1, a prescribed person who has not paid the cash contribution within two hundred and ten (210) days after receipt of the invoice in respect of the contribution for 2015, will be liable to a penalty equal to 10% of the cash contributions owing.

6.3.3. Pursuant to section 53.31.16 of the Act, when RecycleMédias exercises a remedy to claim a sum that it is owed, a penalty equal to 20% of the amount of the cash contribution will be applied.

6.4. Form of payment

6.4.1. Payment of cash contributions under Chapter 6 of the Schedule must be made in the legal tender of Canada.

7. Registration and reporting by prescribed persons

7.1. Registration of prescribed persons

7.1.1. Any prescribed person (including a prescribed person exempted from contributions under section 3.2.2 of the Schedule) must register with RecycleMédias by sending it the information specified in Appendix A of the Schedule by no later than the thirtieth (30^{th}) day after the prescribed person becomes subject to the Schedule.

7.2. Reporting of materials

7.2.1. Any prescribed person (including a prescribed person exempted from contributions under section 3.2.2 of the Schedule) must produce a report on the materials marketed by sending to RecycleMédias the information specified in Appendix B of the Schedule, notably:

a) A list of the brands, names and distinguishing guises covered by the materials report;

b) A list and description of any excluded materials that were omitted from the materials report;

c) A statement certifying that the content of the materials report is true and accurate;

d) A list of digital products that the prescribed person has and offers throughout 2015.

7.2.2. Prescribed persons must submit their materials report for 2015 by the latest of the following dates, either March 31, 2016 or the fifteenth (15th) day following the date on which the Schedule comes into force.

7.3. Changes and amendments

7.3.1. Any change in the content of documents submitted by a prescribed person, including any change to the information provided pursuant to Appendice A, must be reported in a modification notice sent to RecycleMédias within thirty (30) days after the change occurs.

7.4. Transmission medium and format

7.4.1. Documents and modification notices must be transmitted to RecycleMédias using digital media. They must be submitted using the forms provided on the website of RecycleMédias, using the procedure described on the site.

7.5. Billing

7.5.1. RecycleMédias sends each prescribed person a statement of the contribution owing in ad placements and an invoice for the cash contribution owing (and additional cash contribution if any).

7.5.2. If a person fails to register under section 7.1 of the Schedule, or fails to send to RecycleMédias a materials report required under section 7.2 of the Schedule, the amounts of the contribution in ad placements, the cash contribution and the additional cash contribution, if any, will then be determined and billed based on an estimate by RecycleMédias.

7.6. Verification of reports

7.6.1. Besides the information and documents that must be produced for the purposes of Appendice B of the Schedule, RecycleMédias reserves the right to ask for additional information, such as tables of data, audit reports, or any other information used in preparing the reports.

7.6.2. RecycleMédias may review the materials report and require that corrections be made by the prescribed person. RecycleMédias may also choose to make the necessary corrections itself, after notifying the prescribed person. Following such corrections, the prescribed person will be sent a revised statement adjusting the contribution in ad placements and a revised invoice adjusting the cash contribution and, where applicable, the additional cash contribution.

7.6.3. A prescribed person that has not followed through on an adjusted contribution in ad placements, in whole or in part, or that has not concluded an agreement with RecycleMédias within sixty (60) days after the revised statement was issued, will be liable to a penalty, payable in cash, of an amount corresponding to the value of the unpaid contributions in ad placements.

The payment rules for the cash contribution set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to such penalties. In the case of a credit, RecycleMédias will apply the value of the credit to the next statement.

7.6.4. An adjustment made to the cash contribution must be paid in full, in a single instalment, to RecycleMédias within thirty (30) days after the revised invoice is issued. In the case of a credit, RecycleMédias will apply the value of the credit to the next invoice.

The payment rules for the cash contribution set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to such adjustments.

8. Conservation of files

8.1. Conservation of files

8.1.1. A prescribed person must conserve all documents and other media used in preparing reports and all proofs of publication pertaining to its contributions in ad placements for a period of five (5) years after the reports were transmitted or from the date of publication, as the case may be. Such information must be made available for consultation and copying by RecycleMédias, during normal business hours, following prior notice to that effect by RecycleMédias.

8.2. Confidentiality

8.2.1. During the period in which RecycleMédias conserves information it has received in connection with the compensation regime, RecycleMédias is bound to take appropriate measures to ensure its security, preserve its integrity, protect its confidentiality, and prohibit access to it by any unauthorized person. RecycleMédias must also ensure the respect of all other obligations prescribed by law with respect to the conservation of such information.

9. Dispute resolution

9.1. Procedure

9.1.1. In the event of dispute between a prescribed person and RecycleMédias concerning the materials or quantity of materials covered by contributions, or concerning the value of ad placements made by a prescribed person, both parties shall attempt to resolve the dispute through discussions between their respective representatives within thirty (30) days after a written notice of the dispute is issued, or by a common agreement, which will be consigned to writing.

9.1.2. If the dispute persists after the expiry of the period mentioned in section 9.1.1, it shall be definitely settled by arbitration other than the courts, pursuant to the provisions of the *Code of Civil Procedure*, R.S.Q., c. C-25.

9.1.3. Non-payment and failure by a prescribed person to submit a report are not subject to arbitration.

10. Adjustment

10.1. Adjustment clause

10.1.1. Amounts received as interest or penalties under the Schedule are applied to the costs of Recyc-Québec and RecycleMédias for the year after such amounts are received.

10.1.2. In the event that RecycleMédias, for 2015, collects an amount exceeding by 5% the amount necessary to pay a) the amount of the annual compensation set forth in section 4.1, including the applicable interest, administrative costs and penalties, if any, b) the costs of Recyc-Québec and c) the costs of RecycleMédias, RecycleMédias shall grant a credit to the prescribed persons who have paid their cash contributions for 2015. This credit shall correspond to the amount collected beyond the excess of 5% and shall be allocated *pro rata* to the cash contributions paid by the prescribed persons.

10.1.3. Notwithstanding the terms of section 6.1.1, in the event that RecycleMédias, for 2015, does not collect, or deems that it will not likely collect, the amount necessary to pay a) the amount of the annual compensation set forth in section 4.1, including the applicable interest, administrative costs and penalties, if any, b) the costs of Recyc-Québec and c) the costs of RecycleMédias, RecycleMédias may require from the prescribed persons the payment of the necessary amount to make up the shortfall. This amount shall be allocated *pro rata* to the cash contributions payable by each prescribed person. In such case, the prescribed persons shall pay the said amount to RecycleMédias within thirty (30) following the submission of an invoice to them for this purpose by RecycleMédias. Chapter 6 of the Schedule shall be applicable to this amount, with the necessary adjustments.

11. Effective date and duration

11.1. Effective date

11.1.1. The Schedule shall come into force on the fifteenth (15^{th}) day after its publication in the *Gazette officielle du Québec*.

11.2. Duration

11.2.1. The Schedule is valid for the obligation year 2015.

Appendix A

Registration of a Prescribed Person

Name of enterprise

Nature of obligation

Address of headquarters and phone number

If the headquarters are not in Québec, address and phone number of the domicile or an establishment in Quebec

Business website

Name and coordinates of the first respondent of the enterprise

2016 Schedule of Contributions

for "Newspapers"

1. Definitions

1.1. Definitions

In the Schedule, unless the context indicates a different meaning, the following words and expressions mean or designate:

a) "brand": a mark that is used by a person for the purpose of distinguishing, or so as to distinguish, newspapers marketed by the person from newspapers marketed by others;

b) "cash contribution": the amount that must be paid in cash to RecycleMédias by a person prescribed under the Schedule;

c) "compensation regime": the compensation regime for municipalities established by sub-section 4.1 of Division VII of Chapter I of the Act and by the Regulation, as amended from time to time;

d) "contribution in ad placements": the amount that may be paid in the form of ad placements by a prescribed person under the Schedule. Such contributions in ad placements must consist of publishing, at the national, regional and local levels, messages intended to inform, educate or raise awareness about environmental matters, particularly in terms of promoting the recycling and recovery of residual materials, and may be made either in newspapers or through digital products;

e) "costs of RecycleMédias": the management costs and other expenses of RecycleMédias incidental to the compensation regime that may be collected by RecycleMédias under section 53.31.13 of the Act;

f) "costs of Recyc-Québec": the management costs and other expenses of Recyc-Québec incidental to the compensation regime and payable to Recyc-Québec by RecycleMédias under section 53.31.18 of the Act and section 8.14 of the Regulation;

g) "digital products": websites (including portals) and other digital products devoted primarily to current events, that are owned by the prescribed person or another member of the person's corporate group, or through which a contribution in ad placements may be made;

h) "distinguishing guise": the format of a newspaper, the appearance of which is used by a person for the purpose of distinguishing, or so as to distinguish, newspapers marketed by the person from newspapers marketed by others;

i) "first supplier": a person who is domiciled or has an establishment in Québec and who is the first to take title, possession or control, in Québec, of a newspaper covered by the Schedule;

j) "foreign publication": a newspaper that markets less than 25% of its total materials in Québec;

k) "materials": paper and other cellulosic fibres belonging to the class of newspapers, as well as the containers and packaging used to deliver newspapers directly to the ultimate consumer or recipient. Quantities of marketed materials are measured in metric tons;

l) "name": the name under which any business is carried on, whether or not it is the name of a legal body, a partnership or an individual;

m) "newspapers": as set forth in section 2 of the Regulation, this class includes paper and other cellulosic fibres used as a medium for written current affairs periodicals published on newsprint, particularly dailies and weeklies, as well as containers and packaging used to deliver newspapers directly to the ultimate consumer or recipient (particularly bags and elastic bands);

n) "prescribed person": a person subject to the compensation regime, as designated in Chapter 3 of the Schedule;

o) "RecycleMédias": an organization accredited by Recyc-Québec that represents newspapers;

p) "Recyc-Québec": the Société québécoise de récupération et de recyclage, as designated in section 1 of the Act respecting the Société québécoise de récupération et de recyclage, R.S.Q., c. S-22.01;

q) "the Act": the Environment Quality Act, R.S.Q., c. Q-2, as amended from time to time;

r) "the Regulation": the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, R.R.Q., c. Q-2, r. 10, as amended from time to time;

s) "the Schedule": the present Schedule of Contributions, including appendices.

2. Interpretation

2.1. Explanatory notice

2.1.1. RecycleMédias may publish an explanatory notice or interpretation guide on its website at www.recyclemedias.com to explain its interpretation of the Schedule and how it will be administered.

2.2. Continuance of the Schedule

2.2.1. If any provision of the Schedule is deemed invalid or unenforceable by a competent court or for any other reason, it shall not affect the validity of the other provisions of the Schedule, which shall be interpreted as if the invalid provision were omitted.

3. Designation of prescribed persons

3.1. Prescribed persons

3.1.1. Only the person who is the owner of the brand, name or distinguishing guise that identifies a material subject to contributions under the Schedule shall be required to pay a contribution with regard to that material.

3.1.2. However, if the owner has neither a domicile nor an establishment in Québec, payment of contributions may be required of the first supplier in Québec, whether or not it is the importer of that material.

3.1.3. Any person who marketed materials during 2015 remains fully responsible for such materials, and shall pay, according to the terms provided in the Schedule, any contribution and other amounts provided under the Schedule in respect of these materials, notwithstanding the fact that at the time the Schedule came into force or thereafter (i) the person is no longer the owner of the brand, name or distinguishing guise that identifies a material subject to contributions under the Schedule, or (ii) the person no longer markets materials, or (iii) the person no longer is the first supplier of this material in Quebec. Such a person is considered to be a prescribed person for the purposes of the Schedule.

3.2. Exempted persons

3.2.1. Prescribed persons who demonstrate to RecycleMédias that the contributions prescribed in Chapters 5 and 6 of the Schedule have been paid in full, on their behalf, by a third party recognized by RecycleMédias as a voluntary contributor under section 3.3, are exempted from those contributions.

3.2.2. In order to promote freedom of the press and lighten the administrative burden of RecycleMédias, prescribed persons who own the brand, name or distinguishing guise which identifies a material subject to contributions pursuant to the Schedule and who, in 2015, marketed materials weighing less than a total of fifteen (15) metric tons, are also exempted from the contributions prescribed in Chapters 5 and 6 of the Schedule.

3.3. Voluntary contributor

3.3.1. A third party whose domicile or establishment is outside of Québec, and who is the owner of a brand, name or distinguishing guise, may be accepted by RecycleMédias as a voluntary contributor, notably if the person satisfies the conditions stipulated below.

3.3.2. A voluntary contributor may only act to fulfill the obligations that, under the Schedule, would be the responsibility of the first supplier of materials identified by a brand, name or distinguishing guise that is owned by the voluntary contributor. The latter may not act to fulfill the obligations of persons prescribed under section 3.1.1.

3.3.3. A third party may be recognized as a voluntary contributor if it concludes an agreement to that effect with RecycleMédias, which agreement shall include the following provisions:

- that it agrees to fulfill the obligations related to contribution in ad placements under the Schedule;
- that it agrees to pay the cash contribution under the Schedule;
- that it agrees to produce the reports required in Chapter 7 of the Schedule, under the terms set out in that Chapter;
- that it agrees to the foregoing with regard to all of its first suppliers in Québec;
- that it agrees to respect the laws of Québec, and accepts that any legal proceedings will take place in Québec, under the laws of Québec.

A third party recognized as a voluntary contributor thus becomes a prescribed person with respect to both cash contribution and contribution in ad placements.

3.3.4. RecycleMédias may decide to conclude an agreement such as that described in section 3.3.3 with a third party whose domicile or establishment is in Canada but outside of Québec, and which, without being the owner of a brand, name or distinguishing guise, is its principal distributor in Québec. Section 3.3.2 also applies to such a third party, which for the purposes of the Schedule is considered as a voluntary contributor.

3.3.5. The first supplier and the voluntary contributor are solidarily liable for their obligations under the Schedule.

3.4. Publication of the names of prescribed persons

3.4.1. RecycleMédias may publish on its website the name of any person that, in RecycleMédias' view, meets the criteria for a prescribed person in section 3.1 of the Schedule.

4. Compensation regime

4.1. Annual compensation payable

For the year covered by the Schedule, the amount of the annual compensation payable for the class "newspapers", under the Act and the Regulation, will be $8,360,000. This amount will be paid through contributions in ad placements in the amount of $3,800,000 and cash contributions in the amount of $4,560,000.

4.2. Costs

As well, the amounts corresponding to the costs of Recyc-Québec and RecycleMédias will be paid by the prescribed persons through cash contributions.

4.3. Environmental consequences

4.3.1. In order to make the prescribed persons accountable for the environmental consequences of the marketing of newspapers, and to promote the adoption of responsible behavior, each prescribed person who is the owner of the brand, name or distinguishing guise which identifies the materials that are subject to contributions under this Schedule, and who marketed materials in 2015 with a total weight of more than fifteen (15) metric tons, must show that it has and offers one or more digital products throughout 2016. If a prescribed person fails to do so, an amount equal to 5% of the contribution in ad placements of such prescribed person shall be converted into an additional cash contribution. The payment rules established for the cash contribution in chapter 6 of the Schedule shall apply to such additional cash contribution, subject to the necessary adjustments.

5. Contribution in ad placements

5.1. Determination of contribution in ad placements

5.1.1. For 2016, the contribution in ad placements by a prescribed person corresponds to the quantity of materials marketed by that person in 2015 multiplied by the applicable rate , i.e. $45.28 per metric ton.

5.2. Foreign publication

5.2.1. For newspapers qualified as foreign publications, the contribution in ad placements is converted into cash contribution that is additional to that provided in Chapter 6. This additional cash contribution is paid to Recyc-Québec as partial payment of compensation due to municipalities under the Regulation by prescribed persons in the “newspaper” class.

5.2.2. The payment rules for cash contributions set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to the additional cash contribution.

5.3. Terms and conditions

5.3.1. Ad placements for a maximum value corresponding to the amount of each prescribed person’s contribution in ad placements will be requested from such prescribed person by no later than September 30, 2017 for publication by no later than April 30, 2018 in respect of contributions in ad placements for 2016.

5.3.2. To determine the value of each ad placement and the terms and conditions under which it is provided, the customary government rate card (or national rate card) of the prescribed person (or member of the person's corporate group, as the case may be) shall be applied. Furthermore, in order to avoid that part of its contribution in ad placements be converted into an additional cash contribution as provided under section 5.4 of the Schedule, a prescribed person may choose to make a contribution in ad placements for a value higher than the required value. In such case, the prescribed person will not be entitled to any credit for the additional value thus contributed.

5.3.3. It is agreed that it is up to Recyc-Québec or its advertising agency to ensure that any advertising campaign delivered complies with the rate cards and the other standard terms and conditions of each prescribed person, including the deadlines. RecycleMédias will then require the contributions in ad placements from the prescribed persons in accordance with the terms, conditions and specifications provided by Recyc-Québec or its advertising agency.

5.3.4. For the purpose of making its contribution in ad placements, each prescribed person must collaborate with RecycleMédias, Recyc-Québec and any advertising agency retained by Recyc-Québec. Recyc-Québec and any advertising agency it retains must provide RecycleMédias with the information required for RecycleMédias to ensure that the contributions in ad placements payable pursuant to the Schedule are made according to the terms of the Schedule, including by providing RecycleMédias, by no later than May 31, 2018, with a detailed report indicating, for each prescribed person required to make a contribution in ad placements, the total value of the contribution in ad placements made by such person as of April 30, 2018 and, where applicable, any failure by a prescribed person to provide the full value of its contribution in ad placements required for 2016.

5.3.5. In the event that the report submitted to RecycleMédias under section 5.3.4 indicates a default by one or more prescribed persons, such persons must be informed thereof by RecycleMédias within thirty (30) days following its receipt of the report and such prescribed persons shall then have the opportunity to remedy the default by making the necessary ad placements to remedy the default by no later than July 31, 2018.

5.3.6. Overall, the contributions in ad placements provided by the prescribed persons under this Schedule shall enable the dissemination of information, awareness and educational messages on environmental matters and favour messages intended to promote the recovery and reclamation of residual materials in all the regions of the province of Quebec, based on a distribution (in quantity of materials and as indicated in section 5.1.1 of this Schedule) which is similar to the distribution of the population over the territory of Quebec.

5.3.7. Cities do not have individual access to advertising spaces, since the compensation in goods and services under the program is managed on a province-wide basis.

5.3.8. The distribution of the contributions in ad placements is proportional to the quantity of materials marketed by the prescribed persons per territory. No later than the one hundred and twentieth (120th) day after the Schedule comes into force, RecycleMédias shall submit to Recyc-Québec a notice of the amount of the contribution in ad placements for each prescribed person, as well as a list of the newspapers and digital products controlled by each prescribed person.

5.3.9. The Implementation Committee consists of representatives from RecycleMédias, Recyc-Québec, the municipal associations, the city of Montréal and the city of Québec, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les Changements Climatiques ("**MDDELCC**") and from Eco-Entreprises Québec. Its mandate is to monitor the application of the compensation regime and monitor the design, production and placements of messages about the municipal recovery programs that will be published in newspapers and digital products at the Québec-wide, regional and local levels.

The members of the Implementation Committee will validate the content of the published messages, their frequency while taking into account the availability of advertising space, the distribution of the advertising commitments at the Québec-wide, regional and local levels by the prescribed persons, the geographical distribution of the prescribed persons, the distribution between newspapers and digital products, and the fee schedules specific to each of the prescribed persons.

5.4. Conversion into additional cash contribution

5.4.1. A prescribed person who has not fulfilled the contribution in ad placements, in whole or in part, by the date set in this Schedule and who, after receiving a proper request therefor, fails to remedy its default by no later than July 31, 2018, as provided in section 5.3.5, will be liable to pay an additional cash contribution in an amount equal to the value of the contribution in ad placements payable, or the balance thereof, as applicable.

5.4.2. The payment rules for the cash contribution set out Chapter 6 also apply, with the necessary modifications, to the additional cash contribution.

6. Cash contribution

6.1. Determination of cash contribution

6.1.1. For 2016, the cash contribution by a prescribed person corresponds to the quantity of materials marketed by that person in 2015 multiplied by the applicable rate, i.e. $61.88 per metric ton.

6.2. Date, place and form of payment

6.2.1. The cash contribution must be paid to RecycleMédias within ninety (90) days after the invoice is received. Unless otherwise decided by RecycleMédias, payment must be in full, in a single instalment.

6.2.2. RecycleMédias may specify a different deadline for payment of the cash contribution.

6.3. Penalties, interest and recovery

6.3.1. Cash contributions that are due and unpaid to RecycleMédias bear interest as set out in section 53.31.16 of the Act, i.e. at the rate determined under the first paragraph of section 28 of the *Tax Administration Act,* R.S.Q., c. A-6.002. Such interest will be calculated daily on the unpaid amount of the cash contribution, starting from the date when the cash contribution became due and ending on the date of payment, at the rate mentioned above. Any change to that rate automatically changes the interest rate applying under the present section.

6.3.2. In addition to the interest applied under section 6.3.1, a prescribed person who has not paid the cash contribution within two hundred and ten (210) days after receipt of the invoice in respect of the contribution for 2016, will be liable to a penalty equal to 10% of the cash contributions owing.

6.3.3. Pursuant to section 53.31.16 of the Act, when RecycleMédias exercises a remedy to claim a sum that it is owed, a penalty equal to 20% of the amount of the cash contribution will be applied.

6.4. Form of payment

6.4.1. Payment of cash contributions under Chapter 6 of the Schedule must be made in the legal tender of Canada.

7. Registration and reporting by prescribed persons

7.1. Registration of prescribed persons

7.1.1. Any prescribed person (including a prescribed person exempted from contributions under section 3.2.2 of the Schedule) must register with RecycleMédias by sending it the information specified in Appendix A of the Schedule by no later than the thirtieth (30^{th}) day after the prescribed person becomes subject to the Schedule.

7.2. Reporting of materials

7.2.1. Any prescribed person (including a prescribed person exempted from contributions under section 3.2.2 of the Schedule) must produce a report on the materials marketed, including the materials referred to in the second paragraph of subsection 2(2) of the Regulation, by sending to RecycleMédias the information specified in Appendix B of the Schedule, notably:

a) A list of the brands, names and distinguishing guises covered by the materials report;

b) A list and description of any excluded materials that were omitted from the materials report;

c) A statement certifying that the content of the materials report is true and accurate;

d) A list of digital products that the prescribed person has and offers throughout 2016.

7.2.2. Prescribed persons must submit their materials report for 2016 by the latest of the following dates, either March 31, 2017 or the fifteenth (15th) day following the date on which the Schedule comes into force.

7.3. Changes and amendments

7.3.1. Any change in the content of documents submitted by a prescribed person, including any change to the information provided pursuant to Appendice A, must be reported in a modification notice sent to RecycleMédias within thirty (30) days after the change occurs.

7.4. Transmission medium and format

7.4.1. Documents and modification notices must be transmitted to RecycleMédias using digital media. They must be submitted using the forms provided on the website of RecycleMédias, using the procedure described on the site.

7.5. Billing

7.5.1. RecycleMédias sends each prescribed person a statement of the contribution owing in ad placements and an invoice for the cash contribution owing (and additional cash contribution if any).

7.5.2. If a person fails to register under section 7.1 of the Schedule, or fails to send to RecycleMédias a materials report required under section 7.2 of the Schedule, the amounts of the contribution in ad placements, the cash contribution and the additional cash contribution, if any, will then be determined and billed based on an estimate by RecycleMédias.

7.6. Verification of reports

7.6.1. Besides the information and documents that must be produced for the purposes of Appendice B of the Schedule, RecycleMédias reserves the right to ask for additional information, such as tables of data, audit reports, or any other information used in preparing the reports.

7.6.2. RecycleMédias may review the materials report and require that corrections be made by the prescribed person. RecycleMédias may also choose to make the necessary corrections itself, after notifying the prescribed person. Following such corrections, the prescribed person will be sent a revised statement adjusting the contribution in ad placements and a revised invoice adjusting the cash contribution and, where applicable, the additional cash contribution.

7.6.3. A prescribed person that has not followed through on an adjusted contribution in ad placements, in whole or in part, or that has not concluded an agreement with RecycleMédias within sixty (60) days after the revised statement was issued, will be liable to a penalty, payable in cash, of an amount corresponding to the value of the unpaid contributions in ad placements.

The payment rules for the cash contribution set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to such penalties. In the case of a credit, RecycleMédias will apply the value of the credit to the next statement.

7.6.4. An adjustment made to the cash contribution must be paid in full, in a single instalment, to RecycleMédias within thirty (30) days after the revised invoice is issued. In the case of a credit, RecycleMédias will apply the value of the credit to the next invoice.

The payment rules for the cash contribution set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to such adjustments.

8. Conservation of files

8.1. Conservation of files

8.1.1. A prescribed person must conserve all documents and other media used in preparing reports and all proofs of publication pertaining to its contributions in ad placements for a period of five (5) years after the reports were transmitted or from the date of publication, as the case may be. Such information must be made available for consultation and copying by RecycleMédias, during normal business hours, following prior notice to that effect by RecycleMédias.

8.2. Confidentiality

8.2.1. During the period in which RecycleMédias conserves information it has received in connection with the compensation regime, RecycleMédias is bound to take appropriate measures to ensure its security, preserve its integrity, protect its confidentiality, and prohibit access to it by any unauthorized person. RecycleMédias must also ensure the respect of all other obligations prescribed by law with respect to the conservation of such information.

9. Dispute resolution

9.1. Procedure

9.1.1. In the event of dispute between a prescribed person and RecycleMédias concerning the materials or quantity of materials covered by contributions, or concerning the value of ad placements made by a prescribed person, both parties shall attempt to resolve the dispute through discussions between their respective representatives within thirty (30) days after a written notice of the dispute is issued, or by a common agreement, which will be consigned to writing.

9.1.2. If the dispute persists after the expiry of the period mentioned in section 9.1.1, it shall be definitely settled by arbitration other than the courts, pursuant to the provisions of the *Code of Civil Procedure*, R.S.Q., c. C-25.

9.1.3. Non-payment and failure by a prescribed person to submit a report are not subject to arbitration.

10. Adjustment

10.1. Adjustment clause

10.1.1. Amounts received as interest or penalties under the Schedule are applied to the costs of Recyc-Québec and RecycleMédias for the year after such amounts are received.

10.1.2. In the event that RecycleMédias, for 2016, collects an amount exceeding by 5% the amount necessary to pay a) the amount of the annual compensation set forth in section 4.1, including the applicable interest, administrative costs and penalties, if any, b) the costs of Recyc-Québec and c) the costs of RecycleMédias, RecycleMédias shall grant a credit to the prescribed persons who have paid their cash contributions for 2016. This credit shall correspond to the amount collected beyond the excess of 5% and shall be allocated *pro rata* to the cash contributions paid by the prescribed persons.

10.1.3. Notwithstanding the terms of section 6.1.1, in the event that RecycleMédias, for 2016, does not collect, or deems that it will not likely collect, the amount necessary to pay a) the amount of the annual compensation set forth in section 4.1, including the applicable interest, administrative costs and penalties, if any, b) the costs of Recyc-Québec and c) the costs of RecycleMédias, RecycleMédias may require from the prescribed persons the payment of the necessary amount to make up the shortfall. This amount shall be allocated *pro rata* to the cash contributions payable by each prescribed person. In such case, the prescribed persons shall pay the said amount to RecycleMédias within thirty (30) following the submission of an invoice to them for this purpose by RecycleMédias. Chapter 6 of the Schedule shall be applicable to this amount, with the necessary adjustments.

11. Effective date and duration

11.1. Effective date

11.1.1. The Schedule shall come into force on the fifteenth (15^{th}) day after its publication in the *Gazette officielle du Québec*.

11.2. Duration

11.2.1. The Schedule is valid for the obligation year 2016.

Appendix A

Registration of a Prescribed Person

Name of enterprise

Nature of obligation

Address of headquarters and phone number

If the headquarters are not in Québec, address and phone number of the domicile or an establishment in Quebec

Business website

Name and coordinates of the first respondent of the enterprise

Appendix B

Materials Report

Report year

Reference year

Quantity of newspapers marketed in Quebec, in metric tons (distinguishing between those subject to section 5.2 of the Schedule and those which are not, and also distinguishing between paper and other cellulosic fibers, on the one hand, and containers and packaging, on the other hand);

A list of the brands, names and distinguishing guises covered by the prescribed person's materials report;

A list and description of any excluded materials that were omitted from the prescribed person's materials report;

A statement certifying that the content of the prescribed person's materials report is true and accurate;

A list of the digital products that the prescribed person has and offers throughout 2015;

Notwithstanding the foregoing, as stipulated in section 7.6.1 of the Schedule RecycleMédias reserves the right to ask for any additional information that was used in preparing this report.

102676

Gouvernement du Québec

O.C. 594-2016, 29 June 2016

Environment Quality Act
(chapter Q-2)

Approval of Éco Entreprises Québec's 2015 and 2016 schedule of contributions for the "containers and packaging" and "printed matter" classes

WHEREAS, under section 53.31.1 of the Environment Quality Act (chapter Q-2), the persons referred to in subparagraph 6 of the first paragraph of section 53.30 of the Act are required, to the extent and on the conditions set out in subdivision 4.1 of Division VII of Chapter I, to compensate the municipalities for the services provided by the municipalities to ensure that the materials designated by the Government under section 53.31.2 of the Act are recovered and reclaimed;

WHEREAS Éco Entreprises Québec is a body certified by RECYC-QUÉBEC for the "containers and packaging" and "printed matter" classes to represent the persons subject to an obligation of compensation under subdivision 4.1 of Division VII of Chapter I of the Act;

WHEREAS, under the first paragraph of section 53.31.12.1 of the Act, a certified body is required to pay to RECYC-QUÉBEC, in trust, the amount of the compensation owed to the municipalities;

WHEREAS, under the first paragraph of section 53.31.13 of the Act, a certified body may collect from its members and from persons who, without being members, carry on activities similar to those carried on by the members where the classes of materials are concerned, the contributions necessary to remit the full amount of compensation, including any interest or other applicable penalties, and to indemnify the body for its management costs and other expenses incidental to the compensation regime;

WHEREAS, under the first paragraph of section 53.31.14 of the Act, the contributions payable must be established on the basis of a schedule of contributions that has been the subject of a special consultation of the persons concerned;

WHEREAS Éco Entreprises Québec conducted such a consultation before determining the schedule of contributions applicable for 2015 and 2016 for the "containers and packaging" and "printed matter" classes;

WHEREAS, under the third paragraph of section 53.31.14 of the Act, the schedule of contributions may provide for exemptions or exclusions and specify the terms according to which the contributions are to be paid to the certified body;

WHEREAS, under the fifth paragraph of section 53.31.14 of the Act, the schedule of contributions must be submitted to the Government, which may approve it with or without modification;

WHEREAS, under the second paragraph of section 53.31.15 of the Act, RECYC-QUÉBEC must give the Government an opinion on the schedule of contributions proposed by a certified body;

WHEREAS a favourable opinion was given by RECYC-QUÉBEC as regards the 2015 and 2016 schedule of contributions for the "containers and packaging" and "printed matter" classes;

WHEREAS, under Order in Council 135-2007 dated 14 February 2007, the Regulations Act (chapter R-18.1) does not apply to the proposed schedules or schedules of contributions established under section 53.31.14 of the Environment Quality Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT Éco Entreprises Québec's 2015 and 2016 schedule of contributions, entitled 2015 and 2016 schedule of contributions for the "containers and packaging" and "printed matter" classes, be approved without amendment.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

2015 AND 2016 SCHEDULE OF CONTRIBUTIONS FOR THE "CONTAINERS AND PACKAGING" AND "PRINTED MATTER" CLASSES

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PREAMBLE

The *Environment Quality Act* (Chapter Q-2) (the "**Act**") contains provisions with respect to the compensation to municipalities for the services that the latter offer to ensure the recovery and reclaim of residual materials designated in the *Regulation respecting compensation for municipal services provided to recover and reclaim residual materials* (Chapter Q-2, r.10) (the "**Regulation**"). This Regulation specifies the basic principles and main orientations regarding the contribution of the enterprises to the financing of recycling services.

Pursuant to section 53.31.12 of the Act, a body certified by the Société québécoise de récupération et de recyclage shall remit to the Société québécoise de récupération et de recyclage the amount of the monetary compensation owed to municipalities. In order to fulfill this obligation, the certified body may, pursuant to section 53.31.13 of the Act, collect from its members and from persons who or which, without being members, carry on similar activities to those carried on by the members in relation to the designated materials or classes of materials, the contributions necessary to remit a) the amount of compensation determined by the Société québécoise de récupération et de recyclage, including the interests, administrative fees and applicable penalties, as the case may be, b) the amount necessary to indemnify the certified body for its management costs and other expenses related to the compensation regime, as well as, c) the amount payable to the Société québécoise de récupération et de recyclage as per section 53.31.18 of the Act.

From this approach, the certified body also has the responsibility, pursuant to section 53.31.14, to prepare and propose a schedule covering up to a period of three years and in conformity with the objectives of the Act. The proposed rules in this schedule must be approved by the Government, and are afterwards published in the *Gazette officielle du Québec*.

It is in this context that Éco Entreprises Québec (ÉEQ) was recertified on February 15, 2013, to represent persons having an obligation to compensate for the "containers and packaging" and "printed matter" classes of materials, and collect from the latter the monetary compensations that will be remitted to municipalities.

The Act dictates a number of requirements guiding ÉEQ's actions in the preparation of the Contribution Table for the enterprises, which are:

- The payable contributions must be established on the basis of a schedule that has been the subject of a special consultation with the "Targeted Persons";

- The criteria taken into account to determine the schedule must evolve over the years in order to foster the accountability of the various classes of persons in regards to the environmental consequences of the products they manufacture, market, distribute or commercialize or the materials they otherwise generate, having regard to the content of recycled materials, the nature of materials used, the volume of residual materials produced and their potential for recovery, recycling and other forms of development.

As for the Regulation, it specifies various aspects of the Act: more particularly, it specifies the minimal framework applicable to the schedule, namely by establishing certain exemptions to the benefit of certain persons in respect of certain materials or, conversely, by targeting persons that alone may be required to pay contributions in respect of certain materials, as stipulated in the third (3rd) paragraph of section 1 of the Regulation.

Section 53.31.14 of the Act states that the schedule may provide for exemptions and exclusions and may specify the terms according to which the contributions are to be paid to ÉEQ.

The schedule prepared and proposed by ÉEQ has been drafted in a way to include all the elements enabling a person to determine its liability, to understand the scope of its obligations, to determine the amount of the payable contribution. In order to reach all those clarity and conciseness goals in a sole document, ÉEQ has reproduced certain provisions of the Act and the Regulation and also proposes a section covering the definitions of the terms used.

In the same concern for clarity, ÉEQ proposes explanations to targeted persons that are available on its website at www.ecoentreprises.qc.ca.

ÉEQ favours alternative modes of dispute resolution, particularly arbitration, with respect to the quantity or type of materials that must be taken into account in the report to be submitted. In this context, the procedural rules favoured by ÉEQ are those found in the administrative guide entitled *Mediation and Arbitration Rules* that are also available on its website at www.ecoentreprises.qc.ca.

During the time where ÉEQ is in possession of information that has been transmitted to it in the scope of the compensation regime, ÉEQ shall see to it that all agreed upon means are put in place to ensure the safety and confidentiality, and ensure the respect of all other obligations provided for by the applicable laws pertaining to the confidentiality and conservation of this information.

The document hereafter constitutes the 2015 and 2016 Schedule for "Containers and Packaging" and "Printed Matter" Classes (the "Schedule") proposed by ÉEQ for approval by the government.

1. DEFINITIONS

1.1 DEFINITIONS

In the Schedule, unless the context indicates otherwise, the following words and expressions mean or refer to:

a) "Obligation Year": year for which a Targeted Person is required to pay the payable contribution established on the basis of the Materials it marketed during the Reference Year defined in the Schedule;

b) "Reference Year": time period from January 1 to December 31 of a calendar year for which a Targeted Person must submit the quantities of Materials for the establishment of the payable contribution related to the corresponding Obligation Year;

c) "Classes of Materials": two (2) of the three (3) classes of materials targeted by the Compensation Regime, specifically "containers and packaging" and "printed matter" that are marketed in Québec and for which, for the purposes of the contribution, exclusions are prescribed under Chapter 3 of the Schedule;

d) "Ultimate Consumer": the ultimate recipient or ultimate user of a product or a service;

e) "Retailer": means a person which principal activity consists in the operation of one or several retail outlet(s) intended for an ultimate user;

f) "Establishment": a physical place wherein takes place, by one or many persons, an organized economic activity, whether or not it is commercial in nature, consisting in the production of goods, their administration or their alienation, or in the provision of services. Any place described in Appendix C of the Schedule is deemed to constitute an establishment;

g) "Newspapers": one (1) of the three (3) classes of material also stipulated in the *Regulation,* but not targeted by the Schedule, and represented by RecycleMédias;

h) "Act": the *Environment Quality Act* (Chapter Q-2), as amended from time to time;

i) "Materials": containers, packaging, or printed matter included in a Class of Materials and that are listed in Appendices A and B, column 3 of the Table found in the Schedule;

j) "Brand": means a mark that is used by a person for the purpose of distinguishing or so as to distinguish products or services manufactured, sold, leased, hired or performed by the person from those manufactured, sold, leased, hired or performed by others, but does not include a certification mark within the meaning of section 2 of the *Trade-marks Act* (R.S.C., 1985, c. T-13);

k) "Name": means the name under which any business is carried on, whether or not it is the name of a legal person, a partnership or an individual;

l) "Targeted Person": a natural person, partnership, cooperative or a legal person other than a municipality obligated by the Compensation Regime and subject, for the purposes of the payable contribution, to exemptions and other terms prescribed under Chapter 2 of the Schedule;

m) "First Supplier": means a person who has a domicile or an establishment in Québec and is the first to take title, or possession, or control, in Québec, of a printed matter designated by the Schedule or a product whose container or packaging is designated by the Schedule;

n) "Product": material good intended for an ultimate consumer, whether directly or indirectly sold or provided otherwise;

o) "Compensation Regime": the compensation regime prescribed by Chapter 1, Division VII, subdivision 4.1 of the Act and by the Regulation, as amended from time to time;

p) "Regulation": *The Regulation respecting compensation for municipal services provided to recover and reclaim residual materials* (Chapter Q-2, r.10);

q) "Service": service that is not a material good and that is intended to an ultimate consumer, whether it is sold or otherwise provided, either directly or indirectly;

r) "Distinguishing Guise": means the shaping of containers or packaging, the appearance of which is used by a person for the purpose of distinguishing or so as to distinguish products manufactured, sold, leased, hired or performed by the person from those manufactured, sold, leased, hired or performed by others.

2. DESIGNATION OF PERSONS SUBJECT TO PAYING A CONTRIBUTION

2.1 TARGETED PERSONS

2.1.1 The persons referred to in sections 3 and 6 of the Regulation, that are the owners of a Brand, a Name or a Distinguishing Guise are the only ones who may be required to pay a contribution for:

1° Containers and packaging used for commercializing or marketing a Product or Service in Québec under that Brand, Name or Distinguishing Guise;

2° Containers and packaging identified by that Brand, Name or Distinguishing Guise;

3° Containers and packaging intended for a single or short-term use and designed to contain, protect or wrap products, such as storage bags, wrapping paper and paper or styrofoam cups;

4° Materials included in the printed matter class identified by that Brand, Name or Distinguishing Guise.

When a Product or a Service, a designated container, a packaging or a printed matter, that is mentioned in the first paragraph, is identified by more than one Brand, Name or Distinguishing Guise having different owners, the Targeted Person is considered the owner of the Brand, Name or Distinguishing Guise that is the most closely related to the making of the Product or the Service, the container, the packaging or the printed matter.

2.1.2 If the owner has no domicile or establishment in Québec, the First Supplier in Québec of the Products or the Services, or the containers and packaging or of the printed matter, other than the manufacturer, may be required to pay the contribution, whether or not that supplier is the importer.

2.1.3 The following special rules apply in respect of containers or packaging added at retail outlets, whether or not the containers or packaging are subject to section 2.1.1 of the Schedule, paragraphs 1, 2 and 3, and section 2.1.2 of the Schedule:

1° The payment of a contribution may be required from a person having added containers or packaging at a retail outlet;

2° The payment of a contribution may not be required from the manufacturer of those containers and packaging;

3° Where a retail outlet is supplied or operated as a franchise or a chain, under a banner name, or as part of another similar form of affiliation or group of businesses or establishments, the contribution for containers or packaging added at the retail outlet is payable by the franchisor, owner of the chain, banner or group, as the case may be, or if the franchisor, owner of the chain, banner or group has no domicile or establishment in Québec, by their representative in Québec, or where there is no representative, by the retailer.

2.1.4 The Targeted Person who has a right of ownership in the Brand, Name or Distinguishing Guise and who sells, transfers or otherwise assigns to another person said right, during the Reference Year, remains, with the other person, fully and solidarily liable for the payable contribution amount up to the transfer date.

2.1.5 In the event of a total or partial sale, transfer or assignment of an enterprise, during the Reference Year, involving a Targeted Person who may notably be a franchisor, an owner of a chain, banner or group, or a First Supplier to another person, the parties involved in this transaction remain fully and solidarily liable for the payable contribution amount up to the transfer date.

2.1.6 Are also Targeted Persons, those persons that have no retail outlet in Québec and whose products are commercialised or whose services are offered in Quebec through E-commerce. These persons cannot be exempted from paying a contribution under section 2.2.2, paragraph 3.

2.2 EXEMPTED PERSONS

2.2.1 In accordance with section 5 of the Regulation, the persons mentioned therein are exempt from paying a contribution for those containers and packaging for which they already have obligations to ensure the recovery and reclamation of said materials.

1° Persons who are already required under a regulation made under the Act to take measures or contribute financially towards measures to recover or reclaim containers or packaging;

2° Persons already required under a consignment system recognized under Québec law to take measures or contribute financially towards measures to recover or reclaim containers or packaging, such as beer and soft drink non-refillable containers;

3° Persons who are able to establish that they participate directly in another system to recover and reclaim containers or packaging that operates

on an established and regular basis in Québec, such as the program for the recovery of refillable beer bottles existing on November 24, 2004.

2.2.2 Are also exempt from paying a contribution in regard to containers and packaging and printed matter:

1° The Targeted Persons subject to sections 2.1.1and 2.1.2 of the Schedule whose gross sales, receipts, revenues or other inflows for Products marketed in Québec or Services provided in Québec were less than or equal to $1,000,000 or who marketed in Québec one or more Materials of which the total weight of the Materials or group of Materials is less than or equal to one (1) metric ton;

2° The Targeted Persons subject to section 2.1.3, paragraphs 1° et 3° of the Schedule whose gross sales, receipts, revenues or other inflows for Products marketed in Québec or Services provided in Québec were less than or equal to $1,000,000 or who marketed in Québec one or more Materials of which the total weight of the Materials or group of Materials is less than or equal to one (1) metric ton;

In order to determine the gross sales, receipts, revenues or other inflows in Québec or the total weight of these Materials or group of Materials, the Targeted Persons who are subject to section 2.1.3, paragraph 3 of the Schedule must take into consideration the combined activities in Québec of all of its retail outlets that are supplied or operated as a franchise or a chain, under a banner name, or as part of another similar form of affiliation or group of businesses or establishments;

3° The Targeted Persons who are Retailers and operate only one retail outlet and which location is not supplied or operated as a franchise or a chain, under a banner name, or as part of another similar form of affiliation or group of businesses or establishments. However, this exemption is not available to a Retailer operating only one retail outlet, which occupies 929 square meters (10 000 square feet) or more of floor space.

2.3 VOLUNTARY CONTRIBUTOR

2.3.1 Éco Entreprises Québec may accept that a third party whose domicile and establishment is outside Québec and who is the owner of a Brand, a Name or a Distinguishing Guise becomes a voluntary contributor, notably if that third party:

a) is not exempt from paying a contribution pursuant to section 5 of the Regulation or division 2.2 of the Schedule; and
b) satisfies the conditions set out in the following sections.

2.3.2 Voluntary contributors may only act to fulfill obligations that, according to the Schedule, with regard to their Products and Services, containers and packaging or printed matter, would be the responsibility of the First Supplier, but this does not have the effect of exempting the First Supplier from its obligations under the Schedule.

2.3.3 A third party may be recognized as a voluntary contributor after having entered into an agreement to that effect with Éco Entreprises Québec, which will include, amongst other conditions:

- That it undertakes to assume all of the obligations of a Targeted Person pursuant to the Schedule;
- That it undertakes, in regards to the First Supplier, to fulfill any obligation flowing from the agreement;
- That it undertakes to abide by Québec laws and agrees that lawsuits be instituted in the Province of Québec, according to Québec laws.

The third party who has entered into such an agreement is deemed to be a Targeted Person pursuant to the Regulation and the Schedule.

2.3.4 Éco Entreprises Québec may decide to enter into the agreement provided under section 2.3.3 of the Schedule with a third party, whose domicile or establishment is outside Québec, and, while not being owner of a Brand, a Name or a Distinguishing Guise, is its main distributor in Québec. Section 2.3.2 of the Schedule applies equally to this third party.

2.3.5 The First Supplier and the voluntary contributor are solidarily liable for the obligations they are subject to pursuant to the Schedule.

2.4 PUBLICATION OF THE NAMES OF TARGETED PERSONS

2.4.1 Éco Entreprises Québec can make a list available including the names of any person who has registered pursuant to division 5.1 of the Schedule, and has consented to such disclosure.

3. DESIGNATION OF CLASSES OF MATERIALS REQUIRING A CONTRIBUTION AND EXCLUSIONS IN THE SCHEDULE

3.1 "CONTAINERS AND PACKAGING": GENERAL DEFINITION

3.1.1 Pursuant to section 2 of the Regulation, the "containers and packaging" Class of Materials includes all flexible or rigid material, for example paper, carton, plastic, glass or metal, and any combination of such materials that, as the case may be:

- is used to contain, protect, wrap or notably present products at any stage in the movement of the product from the producer to the Ultimate Consumer;
- is intended for a single or short-term use and designed to contain, protect or wrap products, such as storage bags, wrapping paper and paper or styrofoam cups.

3.2 "CONTAINERS AND PACKAGING" INCLUDED IN THE PAYABLE CONTRIBUTION

3.2.1 The containers and packaging listed in Appendices A and B, as well as the containers and packaging given out free of charge as Products, must be included in the establishment of the payable contribution.

3.3 "CONTAINERS AND PACKAGING" EXCLUDED FROM THE PAYABLE CONTRIBUTION

3.3.1 The following containers and packaging are excluded from the establishment of the payable contribution:

a) Containers and packaging whose Ultimate Consumer is an industrial, commercial or institutional establishment;
b) Containers and packaging whose Ultimate Consumer is an agricultural establishment notably rigid containers of pesticides for agriculture use approved by the Pest Management Regulatory Agency and rigid containers of fertilizers approved by the Canadian Food Inspection Agency subject to the programs enacted by AgriRÉCUP/CleanFARMS and who contributes to these programs;
c) The pallets, tertiary or transport packaging, designed to facilitate the handling and transport of a number of sales units or bundled packaging conceived in order to prevent physical handling and transport damage.

However, containers and packaging that are likely to be used not only for such transportation but also for delivery of products directly to the Ultimate Consumer, including paper, carton, polystyrene protection or plastic film, remain covered and must consequently be included in the establishment of the payable contribution;

d) Containers and packaging intended for a single or short-term use and which are sold as Products;
e) Long-life containers or packaging: are considered as such containers or packaging designed to accompany, protect or store a Product throughout its life when the Product is designed to last for five (5) years or more.
f) Containers or packaging accompanying a Product intended solely to be used or consumed by an Ultimate Consumer at the site of distribution or sale of the Product when such containers or packaging are taken into charge on that same site. As an example, but not limited to, such excluded containers and packaging are those accompanying food in a restaurant, but not those accompanying drive-thru and take-out orders.

3.4 "PRINTED MATTER": GENERAL DEFINITION

3.4.1 Pursuant to section 2 of the Regulation, the "printed matter" Class of Materials includes paper and other cellulosic fibres, whether or not they are used as a medium for text or images.

3.5 "PRINTED MATTER" INCLUDED IN THE PAYABLE CONTRIBUTION

3.5.1 The printed matter notably listed in Appendices A and B, as well as the papers and other cellulosic fibres given out free of charge as Products, such as calendars and greeting cards, must be included in the establishment of the payable contribution.

Materials that can be identified by a Brand, a Name or a Distinguishing Guise are considered as printed matter that should be included in the establishment of the payable contribution.

3.6 "PRINTED MATTER" EXCLUDED FROM THE PAYABLE CONTRIBUTION

3.6.1 The following printed matter are excluded from the payable contribution:

a) Printed matter whose Ultimate Consumer is an industrial, commercial or institutional establishment;

b) Books as well as materials included in the "Newspapers" Class of Materials;

c) Printed matter already included in the "containers and packaging" Class of Materials;

d) Papers and other cellulosic fibres sold as Products, with the exception of magazines, paper for general use such as printer paper, lined, cross-sectioned and blank paper, whether white or coloured, as well as notepads of all sizes;

e) Printed matter generated while providing a Service or accompanying a Product intended solely to be used or consumed by an Ultimate Consumer at the site of distribution or sale of the Service or the Product when such printed matter is taken into charge on that same site.

4. DETERMINATION OF CONTRIBUTION AMOUNTS AND PAYMENT

4.1 PAYABLE CONTRIBUTION AND REFERENCE YEAR FOR THE CALCULATION OF THE CONTRIBUTION

4.1.1 For the Obligation Year 2015:

a) A Targeted Person that marketed Materials in the course of the year 2014 must pay a contribution for the Obligation Year 2015;

b) For the purpose of calculating the payable contribution for the Obligation Year 2015, the Materials that must be considered are those marketed in Québec from January 1st, 2014, to December 31st, 2014, inclusively, which year constitutes the Reference Year.

4.1.2 For the Obligation Year 2016:

a) A Targeted Person that marketed Materials in the course of the year 2015 must pay a contribution for the Obligation Year 2016;

b) For the purpose of calculating the payable contribution for the Obligation Year 2016, the Materials that must be considered are those marketed in Québec from January 1st, 2015, to December 31st, 2015, inclusively, which year constitutes the Reference Year.

4.1.3 The contribution amount payable by a Targeted Person due for the Obligation Years 2015 and 2016 is determined by multiplying, for each Material, the quantity in kilograms that is marketed in Québec during the Reference Year applicable to each of these Obligation Years 2015 and 2016 by the rate applicable to that Material pursuant to the applicable Contribution Tables for each of these Obligation Years 2015 and 2016, annexed in Appendices A and B of the Schedule, respectively, and then by adding together all of these amounts.

4.1.4 For the purposes of the Schedule, any Targeted Person required to pay a contribution under chapter 2 of the Schedule is deemed to have marketed Materials.

4.2 LUMP SUM PAYMENT OPTION

4.2.1 Any Targeted Person whose gross sales, receipts, revenues or other inflows for Products marketed or Services provided in Québec for a Reference Year are greater than $1,000,000 and who has marketed one or more Materials for the same period, with a total weight for such Materials or group of Materials greater than 1 metric ton but less than or equal to 15 metric tons may choose, for the Obligation Year related to the Reference Year, either to pay the contribution established under division 4.1 of the Schedule or opt to pay the lump sum payment set out as follows:

a) When the total weight of the Materials or group of Materials is less than or equal to 2.5 metric tons, the lump sum payable contribution is established at $380 for the Obligation Year 2015 and at $415 for the Obligation Year 2016;

b) When the total weight of the Materials or group of Materials is more than 2.5 metric tons but less than or equal to 5 metric tons, the lump sum payable contribution is established at $810 for the Obligation Year 2015 and at $885 for the Obligation Year 2016;

c) When the total weight of the Materials or group of Materials is more than 5 metric tons but less than or equal to 10 metric tons, the lump sum payable contribution is established at $1,615 for the Obligation Year 2015 and at $1,765 for the Obligation Year 2016;

d) When the total weight of the Materials or group of Materials is more than 10 metric tons but less than or equal to 15 metric tons, the lump sum payable contribution is established at $2,695 for the Obligation Year 2015 and at $2,945 for the Obligation Year 2016;

Alternatively, when the Targeted Person's gross sales, receipts, revenues or other inflows for the Products marketed or Services provided in Québec for a Reference Year are greater than $1,000,000 but equal to or less than $2,000,000, it may choose to pay the lump sum payable contribution established at $2,695 for the Obligation Year 2015 and at $2,945 for the Obligation Year 2016.

In order to determine the gross sales, receipts, revenues or other inflows in Québec or the total weight for the Material or group of Materials, the Targeted Person subject to section 2.1.3, paragraph 3 of the Schedule must take into consideration the combined activities in Québec of all its retail outlets that are supplied or operated as a franchise or a chain, under a banner name, or as part of another similar form of affiliation or group of business or establishments.

4.3 DATES OF PAYMENT OF THE CONTRIBUTION

4.3.1 The Targeted Person must pay to Éco Entreprises Québec the amount of the payable contribution as determined pursuant to section 4.1.1 or 4.1.2 of the Schedule within the delays and according to the terms of payment indicated hereafter:

1° For the Obligation Year 2015,

- 80 % of the payable contribution must be paid no later than the expiry of the fourth month following the effective date of the Schedule;
- The balance of the contribution must be paid no later than the expiry of the sixth month following the effective date of the Schedule;

2° For the Obligation Year 2016,

- 50 % of the payable contribution must be paid no later than the expiry of the ninth month following the effective date of the Schedule;
- The balance of the contribution must be paid no later than the expiry of the twelfth month following the effective date of the Schedule.

4.3.2 Where the Targeted Person chooses to pay a lump sum pursuant to section 4.2.1 of the Schedule, the Targeted Person must pay 100 % of the amount owed for the Obligation Year 2015, no later than the expiry of the fourth month following the effective date of the Schedule, and for the Obligation Year 2016, no later than the expiry of the ninth month following the effective date of the Schedule.

4.4 INTEREST, ADMINISTRATION FEES AND RECOVERY AMOUNT

4.4.1 Under reserve of any additional amount required to be paid as the contribution owed as per a revised invoice, any part of the payable contribution owed by the Targeted Person that has not been paid to Éco Entreprises Québec in the period fixed under section 4.3.1 or 4.3.2 of the Schedule, and pursuant to the payment terms provided for at division 4.5 of the Schedule, will bear interest at the rate fixed by section 28 of the *Tax Administration Act* (Chapter A-6.002), and this in conformity with section 53.31.16 of the Act. The interest is calculated daily on the amount owed from the date at which this part of the contribution must be paid until the date of payment, at the rate mentioned hereabove. Any change in the rate will immediately bring a change to the payable interest rate pursuant to the present section.

However, the daily interest calculated between the date the invoice is issued pursuant to the Schedule and the date of payment are cancelled if the amount required by this invoice is paid at the latest thirty (30) days following the date the invoice was issued.

4.4.2 Under reserve of any additional amount required to be paid in the contribution owed as per a revised invoice, any Targeted Person who has not paid a part of the payable contribution in a delay of ninety (90) days following the date at which said part of the contribution is due pursuant to section 4.3.1 or 4.3.2 of the Schedule, must pay, in addition to the interest required under section 4.4.1 of the Schedule, the administrative fees equivalent to 10 % of the part of the payable contribution owed in order to compensate Éco Entreprises Québec for its administrative costs incurred.

When a Targeted Person makes the written request and Éco Entreprises Québec only had to undertake minor administrative measures to claim a sum owed under the terms of the Schedule, a 50 % reduction of the administrative fees that are due under the first may be applied.

The Targeted Persons that are subject to division 4.2 of the Schedule who have not been the object of any recovery measures by Éco Entreprises Québec under section 5.2.2 of the Schedule and who, voluntarily and in conformity with division 5.1 of the Schedule, register with Éco Entreprises Québec and submit a Materials Report to it, may be admissible to a credit equivalent to 100 % of the administrative fees that are owed under the first paragraph upon the receipt of a written request.

4.4.3 Pursuant to section 53.31.16 of the Act, where Éco Entreprises Québec commences a legal recourse to claim a sum it is owed, it may claim an amount equal to 20 % of that sum.

4.5 PLACE AND METHOD OF PAYMENT

4.5.1 Any payment made according to the Schedule must be in Canadian legal currency.

4.5.2 Any payment owed according to the Schedule may be made by cheque, pre-authorized debit, wire transfer or a centralized payment service.

In the event the payment is made by way of a wire transfer or by a centralized payment service, a written notice to that effect must be submitted to Éco Entreprises Québec. If such notice is not forwarded, Éco Entreprises Québec is exonerated from any liability if the amount of the contribution is not applied.

5. REGISTRATION AND REPORTING BY TARGETED PERSONS

5.1 REGISTRATION AND REPORTING BY TARGETED PERSONS

5.1.1 All Targeted Persons must register with Éco Entreprises Québec in conformity with the procedure set out in section 5.1.5 of the Schedule.

5.1.2 As per the procedure set out in section 5.1.5 of the Schedule, every Targeted Person must also submit a report of the Materials it marketed in order to establish its payable contribution according to chapter 4, by submitting the following data and information to Éco Entreprises Québec:

a) A description of the methodology and data used to prepare the Targeted Person's Materials report;

b) A description of the Materials excluded from the Materials report used to establish the Targeted Person's payable contribution;

c) A description of deducted Materials from the Targeted Person's Materials report, as well as, the number of kilograms or the percentage applied according to the type of Material;

d) A description of the containers, packaging and printed matter that the Targeted Person marketed and that are not mentioned in the Materials report, as well as, the quantity in kilograms of the marketed containers, packaging and printed matter;

e) A list of Brands, Names and Distinguishing Guises that are covered in the Targeted Person's Materials report;

f) A declaration as to the truthfulness of the information contained in the Targeted Person's Materials report.

5.1.3 A Targeted Person must register and submit its Materials reports for the 2015 and 2016 Obligation Years.

5.1.4 A Targeted Person must register and submit the Materials reports at the latest ninety (90) days following the effective date of the Schedule.

5.1.5 The registration and Materials report must be transmitted to Éco Entreprises Québec electronically. This must be done by using the forms that are provided to this effect in the registration and reporting interfaces that are available on Éco Entreprises Québec's website at www.ecoentreprises.qc.ca, all according to the submission procedures described on the site.

5.2 BILLING, CREDITS AND REIMBURSEMENT

5.2.1 Upon receipt of the Materials report from the Targeted Person, Éco Entreprises Québec sends by e-mail to the Targeted Person who submitted the report one (1) or two (2) invoice(s) for the payable contribution, which is established based on the information contained in each Materials report, and in relation to the type of contribution established pursuant to section 4.3.1 or 4.3.2 of the Schedule, as the case may be.

The present section cannot, however, be interpreted as an exoneration of the Targeted Person to pay the contribution in the delays stipulated in division 4.3 of the Schedule.

The present section also cannot be interpreted as denying Éco Entreprises Québec its right to review said Materials reports and to send an imposed invoice or a revised invoice pursuant to sections 5.2.2, 5.2.3 and 5.2.4 of the Schedule.

5.2.2 Any failure to register, any failure to submit the Materials report and the submission of an incomplete, late, erroneous or fraudulent Materials report gives rise to the possibility that Éco Entreprises Québec, at any time, may impose the amount of the contribution payable by means of an estimate based on all elements in its possession, notably based on the installations or activities of the Targeted Person, or by way of a recognized fixed-price estimate method. These elements or methods remain confidential if Éco Entreprises Québec uses personal information concerning a Targeted Person to establish the imposed invoice. In this case, Éco Entreprises Québec cannot be compelled to reveal these elements or methods. This imposed invoice is presumed valid and if it is contested, it belongs to the Targeted Person to establish that the invoice is ill-founded.

This imposed invoice includes interest and the administrative fees established pursuant to sections 4.4.1 and 4.4.2 of the Schedule. Despite any contestation, any amount owed under the imposed invoice must be paid in the thirty (30) days of it being issued.

In the event that the Targeted Person subject to the first paragraph has previously been sent an imposed invoice under the terms of one or more previous Schedules, Éco Entreprises Québec may require payment of an amount equivalent to an increase of, at most 20 % of the payable contribution established in conformity with the first paragraph.

5.2.3 Éco Entreprises Québec can, within a delay of three (3) years following the date when the Targeted Person submits the Materials report, review the Materials report submitted by the Targeted Person and require that the Targeted Person provide the necessary documentation to said report within a delay of sixty (60) days. Éco Entreprises Québec can also decide to make the necessary corrections after having informed the Targeted Person. Following these corrections, a revised invoice determining the adjustment to the payable contribution is sent to the Targeted Person. This revised invoice is presumed valid and if it is contested, it belongs to the Targeted Person to establish that it is ill-founded.

Despite any contestation, the additional sum required to be paid for the contribution as indicated in the revised invoice must be paid by the Targeted Person to Éco Entreprises Québec within a delay of thirty (30) days following the issuance of this invoice.

The amount owed will bear interest at the rate fixed by section 28 of the *Tax Administration Act* (Chapter A-6.002), and this in conformity with section 53.31.16 of the Act. The interest is calculated daily on the unpaid amount of the contribution, starting from the date this amount must be paid until the date of payment, at the rate mentioned here above. Any change to this rate automatically brings a change to the payable interest rate pursuant to the present section.

In addition to interest, any Targeted Person that has not paid the sum required within the delay of ninety (90) days following the date at which this sum is due, must pay fees equivalent to 10 % of the sum owed to compensate Éco Entreprises Québec for the administrative fees it incurred.

5.2.4 In the event that a Targeted Person believes that it has grounds that could justify a revision of its Materials report by Éco Entreprises Québec, it must submit this amended Materials report to Éco Entreprises Québec for approval, within a period of one (1) year following the deadline provided for at section 5.1.4 of the Schedule for the submission of the Materials report, failing which its claim is forfeited. This predetermined time limit is of two (2) years when the amended Materials report seeks to correct a situation where more than one Targeted Person has submitted a Materials report relating to the same Material(s), which resulted in duplicate reports. All relevant documents and information, such as detailed

work sheets, accounting documents and methodological explanations, allowing Éco Entreprises Québec to proceed with a complete analysis and to render an enlightened decision must be filed in support of the amended Materials report in the same delay. If Éco Entreprises Québec approves in all or in part the said amended Materials report, a revised invoice of the payable contribution is then transmitted to the Targeted Person. This revised invoice is presumed valid and where it is contested, it belongs to the Targeted Person to establish that it is ill-founded.

If, within a delay of one (1) year following the delay established in section 5.1.4 of the Schedule, a Targeted Person submits more than one amended Materials report to Éco Entreprises Québec for approval, said person is subject to pay administration fees corresponding to the greatest amount between $250 and 5 % of the difference between the contribution indicated in the filed report and the contribution indicated in the amended report, for a maximum of $25,000, and this before Éco Entreprises Québec undertakes any study of the amended Materials report.

When, after filing an amended Materials report as indicated in the second paragraph of this section that Éco Entreprises Québec approves, a Targeted Person must pay a higher contribution than that of the previously accepted revised Materials report, Éco Entreprises Québec may renounce to the Targeted Person paying the administration fees due under the second paragraph of this section. The amount of administration fees already paid is to be credited to the Targeted Person, as the case may be.

Despite any contestation, the additional amount required to be paid for the contribution as indicated in the revised invoice must be paid by the Targeted Person to Éco Entreprises Québec within a delay of thirty (30) days following the issuance of this invoice. The amount owed will bear interest at the rate fixed by section 28 of the *Tax Administration Act* (Chapter A-6.002), and in conformity with section 53.31.16 of the Act. The interest is calculated daily on the unpaid amount of the contribution, starting from the date this amount must be paid until the date of payment, at the rate mentioned here above. Any change to this rate automatically brings a change to the payable interest rate pursuant to the present section.

In addition to interest, any Targeted Person that has not paid the sum required within the delay of ninety (90) days following the date at which this sum is due, must pay fees equivalent to 10 % of the sum owed to compensate Éco Entreprises Québec for the administrative fees it incurred.

5.2.5 Once the amended Materials report is approved by Éco Entreprises Québec, and it appears that the Targeted Person paid a contribution that was higher than it should have paid, the amount overpaid is credited to any contribution payable for the following Obligation Year, up to the adjusted contribution amount for the current Obligation Year. Éco Entreprises Québec reimburses the Targeted Person, without interest, any amount exceeding this credit subject to any amount owed to Éco Entreprises Québec pursuant to section 5.2.4, paragraph 2.

5.2.6 A Targeted Person to whom an imposed or revised invoice has been sent may attempt to arrive at an agreement with Éco Entreprises Québec pursuant to chapter 6 of the Schedule if the dispute relates to the quantity or the qualification of Materials that should have been taken into account in the Materials report. This process does not exempt, however, the Targeted Person from their obligation to pay the amount indicated in the imposed invoice in the period indicated at section 5.2.2 of the Schedule, or the additional sum required to be paid as a contribution indicated in the revised invoice within the delay indicated at section 5.2.3 or 5.2.4, as the case may be. In the event where an agreement is reached and results in an overage paid, section 5.2.5 of the Schedule applies with any necessary adjustments.

5.2.7 Following a request submitted by a Targeted Person and approved by Éco Entreprises Québec, Éco Entreprises Québec reimburses, without any interest, any contribution or any part of a contribution paid by a person whom has opted to pay a lump sum pursuant to section 4.2.1 of the Schedule and for whom it was later determined not to be a Targeted Person under the Schedule.

5.3 VERIFICATION AND CONSERVATION OF FILES

5.3.1 Éco Entreprises Québec reserves the right to require, from any Targeted Person, as well as, any person whom Éco Entreprises Québec has reasonable grounds to believe is a Targeted Person, the books, registries, accounting documents and any other documents deemed necessary by Éco Entreprises Québec in order to establish the payable contribution by this person.

Any Targeted Person must render this information available to be consulted and photocopied by Éco Entreprises Québec, during normal business hours, no later than sixty (60) days following the receipt of a written notice from Éco Entreprises Québec to that effect.

5.3.2 Other than the information and documents that the Targeted Person must submit in support of its Materials report, Éco Entreprises Québec reserves the right to require from the said person that it provide, within sixty (60) days following the receipt of a written notice, any supplementary information, such as, a complete list of containers and packaging and printed matter covered by the Schedule, whether or not this information was used in the preparation of the Materials report, the data tables, audit reports, list of declared Brands and list of Brands excluded from the Materials report and the distribution of percentages, which were used by the Targeted Person to complete its Materials report.

5.3.3 When a Targeted Person does not provide the information and documents required by Éco Entreprises Québec within the delay set out in sections 5.3.1 and 5.3.2, as the case may be said person is subject to pay administration fees corresponding to the greatest amount between $250 and 1 % of the contribution owed for the relevant Obligation year following this default, for a maximum amount of $25,000;

5.3.4 Any Targeted Person must keep a record of all documents and any technological or other support used to prepare the Materials report for a period of at least five (5) years from the date that this Materials report is transmitted.

6. DISPUTE RESOLUTION

6.1 PROCEDURE

6.1.1 In the case of a dispute between the Targeted Person and Éco Entreprises Québec regarding the quantity or the qualification of the Materials that should have been taken into account in the Materials report following the issuance of an imposed invoice pursuant to section 5.2.2 of the Schedule, or following the issuance of a revised invoice pursuant to section 5.2.3 or 5.2.4 of the Schedule, the Targeted Person and Éco Entreprises Québec will endeavour to resolve the dispute by way of discussions between their respective representatives in the thirty (30) days following the issuance of the invoice.

6.1.2 In the event that the dispute cannot be resolved during this period, and if the object of the dispute, excluding the interest, administrative fees and penalties exceeds $100,000.00, the Targeted Person may notify Éco Entreprises Québec in writing by way of a "Notice of dispute" within sixty (60) days following the issuance of the invoice, indicating therein the grounds for contestation as well as their intention to submit the dispute either to mediation and, in the case of failure, to arbitration, or directly to arbitration. Following receipt of said notice, the parties will either proceed to mediation, and, in the case of failure, to arbitration, or directly to arbitration, as the case may be, in conformity with the procedures of mediation or arbitration adopted by Éco Entreprises Québec that are in effect at the date of the Notice of dispute. These procedures may be consulted on the website of Éco Entreprises Québec (www.ecoentreprises.qc.ca).

6.1.3 By invoking the mediation and/or arbitration procedures provided at section 6.1.2 of the Schedule, the parties exclude any recourse before the common law tribunals, except for provisional measures.

7. ADJUSTMENTS

7.1 ADJUSTMENTS

7.1.1 In the case where, for a particular Class of Materials, Éco Entreprises Québec collects, following the expiry of the twenty-four (24) month period following the date where the balance for the payable contribution is due as prescribed by section 4.3.1 of the Schedule, an amount that exceeds by 4 % the required amount to be paid for this Class of Materials, for one (1) year where said amounts become due, a) the amount of the compensation determined by the Société québécoise de récupération et de recyclage, including the interest, administrative fees and applicable penalties, as the case may be, b) the amount necessary to indemnify Éco Entreprises Québec for its management costs and other expenses related to the compensation regime, as well as, c) the amount payable to the Société québécoise de récupération et de recyclage pursuant to section 53.31.18 of the Act (this last amount being identified in the present chapter, as being the "required amount"), Éco Entreprises Québec issues a credit to Targeted Persons that have paid the contribution for the Obligation Year in which the surplus has accumulated. This credit will correspond to the amount collected above the exceeding 4 % and is redistributed pro rata amongst the payable contributions by sub-class of Materials within each class, and then, by pro rata amongst the contributions paid by the Targeted Persons within each sub-class.

7.1.2 In the case where Éco Entreprises Québec does not collect the required amount for a Class of Materials following the expiry of the twenty-four (24) month period following the date where the balance for the payable contribution is due pursuant to section 4.3.1 of the Schedule, Éco Entreprises Québec can require from Targeted Persons for this Class of Materials the amount needed to satisfy the difference. This amount is distributed pro rata amongst the required contributions by a sub-class of Materials within this Class and then, by pro rata amongst the required contributions for each Targeted Person within each sub-class. This amount must be paid to Éco Entreprises Québec by the Targeted Persons within thirty (30) days following the transmission of an invoice to this effect by Éco Entreprises Québec. The divisions 4.4 and 4.5 of the Schedule are applicable for this amount by making the necessary modifications.

If Éco Entreprises Québec judges that it will most likely not be able to collect the amount necessary for a Class of Materials, at the expiry of a twenty-four (24) month period following the date at which the balance of the payable contribution is payable pursuant to section 4.3.1 of the Schedule, Éco Entreprises Québec can, at any moment, require an amount that it deems necessary to satisfy the difference. This amount is distributed pro rata amongst the required contributions by sub-class of Materials within this Class, and then, by pro rata amongst the required contributions paid by the Targeted Persons within each sub-class. This amount must be paid to Éco Entreprises Québec by the Targeted Persons within thirty (30) days following the transmission of an invoice to this effect by Éco Entreprises Québec. The divisions 4.4 and 4.5 of the Schedule are applicable to this amount by making the necessary modifications.

8. EFFECTIVE DATE AND DURATION

8.1 EFFECTIVE DATE

The Schedule shall be effective on the day of its publication in the *Gazette officielle du Québec*, which is on July 13th, 2016.

8.2 DURATION

The Schedule is valid for the 2015 and 2016 Obligation Years.

APPENDIX A: 2015 CONTRIBUTION TABLE

Contributions for the period from January 1st through December 31st, 2014[1]

Class of Materials	Sub-class of Materials	Materials	Annualized contributions ¢/kg	Credit for recycled content (Threshold to achieve[2])
Printed matter		• Newsprint inserts and circulars	16,044	80 %
		• Catalogues and publications	23,286	50 %
		• Magazines	23,286	50 %
		• Telephone books	23,286	80 %
		• Paper for general use	23,286	80 %
		• Other printed matter		
Containers and Packaging	Paperboard	• Corrugated cardboard	18,593	n/a
		• Kraft paper shopping bags	18,593	100 %
		• Kraft paper packaging	18,593	100 %
		• Boxboard and other paper packaging	19,527	n/a
		• Gable-top containers	19,528	n/a
		• Paper laminants	24,495	100 %

[1] For the calculation of the contribution for the 2015 Obligation Year, the Targeted Persons must, without fail, for the purposes of the application of chapters 4 and 5 of the Schedule, declare the materials that were marketed in Québec for the twelve (12) months comprised between January 1st and December 31st of the Reference Year, that is prescribed in division 4.1 of the Schedule.

[2] A credit of 20 % for the payable contribution is granted to Targeted Persons that generate materials of which the percentage (%) of recycled **post-consumer** content reaches or exceeds the established benchmark, when the Materials report is submitted within the prescribed delays. The credit is granted by way of a distinct invoice that is issued in the year following the deadline to submit the Materials report. The **appropriate documentation** to determine the content of **post-consumer** recycled material **must be provided** to Éco Entreprises Québec **before the deadline to pay the contribution**. The content of the recycled material is an element which is taken into consideration when calculating the payable contribution pursuant to section 53.31.14, paragraph 2 of the Act.

		• Aseptic containers	22,869	n/a
	Plastics	• PET bottles	26,235	100 %
		• HDPE bottles	15,965	100 %
		• Plastic laminants	47,142	n/a
		• Plastic HDPE and LDPE films	47,142	n/a
		• HDPE, LDPE plastic shopping bags	47,142	n/a
		• Expanded Polystyrene – food packaging	75,026	n/a
		• Expanded Polystyrene – cushioning packaging	75,026	n/a
		• Non expanded Polystyrene	75,026	n/a
		• PET containers	26,235	100 %
		• Polylactic acid (PLA) and other degradable plastics	75,026	n/a
		• Other plastics, polymers and polyurethane	30,222	n/a
	Aluminum	• Food and beverages aluminum containers	12,746	n/a
		• Other aluminum packaging		
	Steel	• Steel aerosol containers	14,421	n/a
		• Other steel containers		
	Glass	• Clear glass	14,567	n/a
		• Coloured glass	14,161	n/a

APPENDIX B: 2016 CONTRIBUTION TABLE

Contributions for the period from January 1st through December 31st, 2015[1]

Class of Materials	Sub-class of Materials	Materials	Annualized contributions ¢/kg	Credit for recycled content (Threshold to achieve[2])
Printed matter		• Newsprint inserts and circulars	17,437	80 %
		• Catalogues and publications	25,299	50 %
		• Magazines	25,299	50 %
		• Telephone books	25,299	80 %
		• Paper for general use	25,299	80 %
		• Other printed matter		
Containers and Packaging	Paperboard	• Corrugated cardboard	19,246	n/a
		• Kraft paper shopping bags	19,246	100 %
		• Kraft paper packaging	19,246	100 %
		• Boxboard and other paper packaging	20,739	n/a
		• Gable-top containers	21,187	n/a
		• Paper laminants	26,553	100 %
		• Aseptic containers	23,701	n/a
	Plastics	• PET bottles	28,031	100 %
		• HDPE bottles	16,365	100 %
		• Plastic laminants	48,882	n/a
		• Plastic HDPE and LDPE films	48,882	n/a
		• HDPE, LDPE plastic shopping bags	48,882	n/a

		• Expanded Polystyrene – food packaging	78,976	n/a
		• Expanded Polystyrene – cushioning packaging	78,976	n/a
		• Non expanded Polystyrene	78,976	n/a
		• PET containers	28,031	100 %
		• Polylactic acid (PLA) and other degradable plastics	78,976	n/a
		• Other plastics, polymers and polyurethane	31,611	n/a
	Aluminum	• Food and beverages aluminum containers	12,962	n/a
		• Other aluminum packaging		
	Steel	• Steel aerosol containers	15,640	n/a
		• Other steel containers		
	Glass	• Clear glass	18,378	n/a
		• Coloured glass	18,455	n/a

1. For the calculation of the contribution for the 2016 Obligation Year, the Targeted Persons must, without fail, for the purposes of the application of chapters 4 and 5 of the Schedule, declare the materials that were marketed in Québec for the twelve (12) months comprised between January 1st and December 31st of the Reference Year, that is prescribed in division 4.1 of the Schedule.

2 A credit of 20 % for the payable contribution is granted to Targeted Persons that generate materials of which the percentage (%) of recycled **post-consumer** content reaches or exceeds the established benchmark, when the Materials report is submitted within the prescribed delays. The credit is granted by way of a distinct invoice that is issued in the year following the deadline to submit the Materials report. The **appropriate documentation** to determine the content of **post-consumer** recycled material **must be provided** to Éco Entreprises Québec **before the deadline to pay the contribution**. The content of the recycled material is an element which is taken into consideration when calculating the payable contribution pursuant to section 53.31.14, paragraph 2 of the Act.

APPENDIX C : ESTABLISHMENT IN QUÉBEC

For the purposes of this Appendix, a Targeted Person is referred to as "enterprise".

If an enterprise does not have its head office, which constitutes its domicile, in the Province of Québec, it may still have one or several establishments in the Province.

Here are some non-exhaustive examples provided solely as a guide to assist in determining whether an enterprise has an establishment in Québec for the purposes of the Schedule:

a) The enterprise indicates an address in Québec in the "Établissements" section of the report it filed with the Registraire des entreprises of the province of Québec or it indicates a Québec address in its corporate bylaws or regulations.

b) Insurance companies or financial institutions:
An enterprise which offers insurance or financial products in Québec and holds a licensed issued by the Autorité des marchés financiers ("AMF") is deemed to have an establishment in Québec.

c) The owner of immovable property in the province:

When an enterprise owns an immovable in Québec, that immovable is presumed to be an establishment.

d) An enterprise using equipment or machinery in the province:

When an enterprise does not have a fixed place of business in the province, it may still have an establishment at the place where it uses an important quantity of machinery or material for a particular moment within a reference year. Said enterprise is then deemed to have an establishment at such place.

e) Commercial activities in the province related to raw materials:
When the activities of an enterprise consist of producing, growing, excavating, mining, creating, manufacturing, improving, transforming, preserving or constructing, in full or in part, anything in Québec, whether or not the sale of the thing occurs in Quebec or elsewhere, this activity will allow us to conclude that the enterprise possessed an establishment in Québec in the year in which the activity took place;

f) A representative in Québec:
The establishment of an enterprise signifies a fixed place or a principal place where it carries on business. An establishment may include an office, a residence, a branch, a mine, a gas or oil well, an agricultural endeavor, a woodlot, a factory, a storage facility or a workshop.

When an enterprise is operated or represented through an employee, an agent or a mandatary who is established at a particular place and has general authority to contract for his employer or mandator, or who possesses an inventory of merchandise belonging to the employer or mandator which is used to regularly fill orders that such employee, agent or mandator receives, the enterprise is deemed to have an establishment at this place, even if the orders are sometimes placed with a distribution center that is situated outside of Québec.

g) Commission agent, broker, independent agent or subsidiary:
An enterprise is not deemed to have an establishment by the sole fact that it has a business relationship with someone else through a commission agent, a broker or another independent agent, or by the fact that it maintains an office or a warehouse for the sole purpose of purchasing merchandise; it will also not be deemed to have an establishment in a place for the sole reason that it controls a subsidiary that itself carries on business in the province.

Attention: A person acting as an "attorney for service" for a legal person that is registered at the Registraire des entreprises of the Province of Québec does not constitute an element that would be considered sufficient to determine that the legal person has an establishment in Québec.

102677

Gouvernement du Québec

O.C. 608-2016, 29 June 2016

Supplemental Pension Plans Act
(chapter R-15.1)

An Act to amend the Supplemental Pension Plans Act mainly with respect to the funding of defined benefit pension plans
(2015, chapter 29)

Supplemental pension plans — Amendment

CONCERNING the Regulation to amend the Regulation respecting supplemental pension plans

WHEREAS, under subparagraphs 8.0.1 and 8.0.2 of the first paragraph of section 244 of the Supplemental Pension Plans Act (chapter R-15.1), Retraite Québec may, by regulation,

— determine the information to be contained in the notice required under section 119.1 of the Act and the attestations and documents to be included with it;

— determine the manner for setting the target level of the stabilization provision required under section 125 of the Act, and the criteria according to which any scale established is to be applied;

WHEREAS, under section 76 of the Act to amend the Supplemental Pension Plans Act mainly with respect to the funding of defined benefit pension plans (2015, chapter 29), the regulations made for the purposes of the provisions enacted by that Act may have retroactive effect from a date not prior to 1 January 2016;

WHEREAS, on 2 March 2016, Retraite Québec made the Regulation to amend the Regulation respecting supplemental pension plans;

WHEREAS, under the fifth paragraph of section 244 of the Supplemental Pension Plans Act, the regulations of Retraite Québec shall be submitted to the Government for approval;

WHEREAS, in accordance with sections 10, 11 and 12 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting supplemental pension plans was published, with a written notice that it could be approved by the Government on the expiry of 30 days following its publication, in Part 2 of the *Gazette officielle du Québec* of 6 April 2016;

WHEREAS it is expedient to approve the amended Regulation;

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

THAT the Regulation to amend the Regulation respecting supplemental pension plans, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting supplemental pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 244, 1st par., subpars. 8.0.1 and 8.0.2)

An Act to amend the Supplemental Pension Plans Act mainly with respect to the funding of defined benefit pension plans
(2015, chapter 29, s. 76)

1. The Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) is amended by inserting, after section 3, the following:

"**3.1.** The notice that the pension committee must send Retraite Québec under section 119.1 of the Act shall contain the following information:

(1) the name of the plan and the number assigned to it by Retraite Québec;

(2) the date of the end of the plan's last fiscal year;

(3) the degree of solvency of the plan as at that date.

"**3.2.** The notice must be accompanied with a document, prepared by an actuary, containing the following information:

(1) the data, assumptions and methods used to determine the financial position of the plan on a solvency basis;

(2) a certification of the actuary certifying the plan's degree of solvency at the end of the plan's last fiscal year;

(3) the name of the signatory, his professional title, the name and address of his office and the date of signing.".

2. The Regulation is amended by inserting, after section 60.5, the following division:

"**DIVISION VI.2**
STABILIZATION PROVISION

"**60.6.** The target level of the stabilization provision provided for under section 125 of the Act is determined using the following scale, based on the percentage of the assets allocated to variable-yield investments in accordance with the target set out in the plan's investment policy in effect at the date of the actuarial valuation of the plan, and the ratio between the duration of the assets and the duration of the liabilities at that date:

TARGET LEVEL OF THE STABILIZATION PROVISION (%)

Assets allocated to variable-yield investments (%)	Duration of the assets/Duration of the liabilities (%)				
	0	25	50	75	100
0	12	10	8	6	5
20	14	12	10	8	6
40	16	14	12	10	8
50	17	15	13	11	9
60	19	17	15	13	11
70	22	20	18	16	14
80	24	22	20	18	16
100	27	25	23	21	20

Assets allocated to variable-yield investments are those not allocated to fixed-income investments.

Where the percentage of the assets of the plan allocated to variable-yield investments or the ratio between the duration of the assets and the duration of the liabilities is between two percentage points indicated on the scale, the target level of the stabilization provision is calculated using a linear interpolation and rounded off to the first decimal.

"**60.7.** Derivatives may not be considered assets for the purpose of establishing the target level of the stabilization provision.

However, derivatives that increase the pension fund's exposure to stock market risks shall be added to assets allocated to variable-yield investments.

Furthermore, derivatives may be taken into consideration for the purpose of establishing the duration of the assets.

"**60.8.** For the purposes of this Division, fixed-income investments are:

(1) cash on hand;

(2) money market securities whose rating, attributed by a rating agency referred to in the third paragraph, is the one indicated with regard to that agency or a higher rating;

(3) bond market securities whose rating, attributed by a rating agency referred to in the third paragraph, is the one indicated with regard to that agency or a higher rating;

(4) first or second mortgages the amount of which is not more than 75% of the value of the property that is used as a security for the payment.

Up to 50% of the assets invested in infrastructure or in immovables (real estate) can be considered fixed-income investments. Investments in stock market securities are excluded.

The minimum ratings, by rating agency and type of investment, are as follows:

Rating agency	**Rating**	
	Bond market securities	Money market securities
Dominion Bond Rating Service	BBB	R-2 (middle)
Fitch Ratings	BBB-	F-3
Moody's Investors Service	Baa3	P-3
Standard & Poor's	BBB-	A-3

Money market or bond market securities whose rating attributed by another rating agency recognized by a competent authority is at least equal to the one indicated for the agencies mentioned in the third paragraph can also be considered as fixed-income investments.

"**60.9**. The duration of the assets is determined by the actuary who is responsible for carrying out the actuarial valuation. It is equal to the total of the durations of each of the fixed-income investments provided for in the investment policy weighted on the basis of the target determined for that investment in the policy.

The duration of each investment is established according to the benchmark index provided in the investment policy for the investment. The duration of an investment for which no index is provided in the investment policy is calculated by the person or body who invests any part of the plan's assets.

The duration attributed to an investment in infrastructure or in immovables (real estate) shall not exceed 6.

"**60.10.** The duration of the liabilities is established by the actuary responsible for carrying out the actuarial valuation using the following formula:

$(P_{-} - P_{+}) / (2 * P * 0{,}01)$

where

"P" is the value of the liabilities on a funding basis, as at the date of the actuarial valuation, established using the discount rate determined by the actuary;

"P_{-}" is the same value of the liabilities established using the discount rate minus 1%;

"P_{+}" is the same value of the liabilities established using the same discount rate plus 1%.

For the application of this section, the liabilities of the plan must be increased by the value of the additional obligations resulting from any amendment considered for the first time at the date of the actuarial valuation of the plan.".

"**60.11.** Where no target is set out in the investment policy of the plan in effect on 31 December 2015, the target provided for in the investment policy in effect on the date on which the actuarial valuation report referred to under section 318.2 of the Act is produced shall be used.".

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 1 January 2016.

102678

Gouvernement du Québec

O.C. 609-2016, 29 June 2016

An Act respecting the Société des loteries du Québec (chapter S-13.1)

Electronic bingo

By-law respecting electronic bingo

WHEREAS, under the first paragraph of section 13 of the Act respecting the Société des loteries du Québec (chapter S-13.1), the board of directors of the Société des loteries du Québec determines by by-law the general standards and conditions relating to the nature and holding of the lottery schemes it conducts and administers;

WHEREAS, in accordance with the first paragraph of section 13, the company made the By-law respecting electronic bingo;

WHEREAS, in accordance with the second paragraph of section 13, the by-law shall be submitted to the Government for approval;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft By-law respecting electronic bingo was published in Part 2 of the *Gazette officielle du Québec* of 9 March 2016 with a notice that it could be approved by the Government with or without amendment on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to approve the By-law with amendment;

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

THAT the By-law respecting electronic bingo, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

By-law respecting electronic bingo

An Act respecting the Société des loteries du Québec (chapter S-13.1, s. 13)

1. This By-law governs the lottery scheme called "electronic bingo". The games offered by the scheme are of the pari-mutuel type, include a predetermined prize structure or combine both.

The games are played on paper cards or on cards appearing on the screen of an electronic bingo device and designated in this By-law as "electronic card".

2. Short additional games played only on an electronic bingo device may also be offered by the scheme.

3. Only the holder of a paper or electronic card may participate in electronic bingo.

4. A minor may not be present in the hall or on the premises where an electronic bingo is conducted and operated while the game is played, unless the minor works there.

5. To participate in an electronic bingo game, the player must obtain, on payment of the sum indicated, a paper card or any other means allowing the player to acquire one or more electronic cards.

6. No card may be sold at a price other than the price determined by the Société des loteries du Québec.

7. A player must see the amount available to play on the screen of the electronic bingo device used.

8. A player playing on an electronic bingo device must follow the instructions appearing on the screen of the device to acquire electronic cards or to play additional games.

9. No paper or electronic card may be bought once the first number of the electronic bingo game concerned is drawn, unless the game rules provide otherwise.

10. A card is valid only for the game for which it is bought.

11. Unless provided otherwise, a paper card must be marked using a bingo marker and an electronic card must be marked in accordance with the game instructions on the screen of the electronic bingo device.

12. There may only be 1 player per electronic bingo device.

13. The winning numbers are selected using a tumbler or blower that chooses them randomly or a computer that can generate numbers randomly.

14. The rules of the game, including the method of awarding prizes and the description of the prizes to be won, must be reproduced in a document available to the public in the halls offering electronic bingo.

15. The name of an additional game, the cost of the game, the prizes to be won and the method for awarding them must be available to the player on the screen of the electronic bingo device before the start of the game.

16. Where the player becomes aware that a card is a winning card, the player is responsible for declaring it out loud in the case of a paper card or for declaring it in accordance with the indications appearing on the screen of the electronic bingo device in the case of an electronic card, otherwise the player is not entitled to the prize.

17. When a card declared a winner is determined, after verification, a winning card, the prize corresponding to the winning card is awarded to the holder of the card.

If the card declared a winner in accordance with the first paragraph is determined, after verification, not to be a winning card, the prize cannot be paid to its holder and the game continues for that prize.

18. Winning cards must be confirmed by means of a control number.

19. The holder of a winning paper card must present the card for payment at the location and according to the indications on the card.

The holder of a winning electronic card or whose additional game is a winner, may add the amount of the prize won in the form of credit that may be used to participate in other games or claim the amount for payment using a redemption coupon issued by the electronic bingo device, at the location and according to the indications on the coupon or on the screen of the device.

20. A prize awarded to a player cannot be claimed later by another player.

If, before awarding the prize, more than 1 player has declared their card a winning card, and, after verification, there is more than 1 winning card, the prize is divided equally among the players of valid winning cards, unless the rules provide otherwise.

21. Any card for which payment by the player was not made prior to the draw for which it is valid, is void and does not entitle to any prize.

The same applies to any paper card or redemption coupon that is illegible, mutilated, counterfeited, improperly cut, misprinted, incomplete, erroneously printed or otherwise defective, unless the control number makes it possible to determine that the card is really a winning card or that the coupon really entitles to the payment of the amount indicated on the coupon.

22. No prize is awarded for participating in a game on a defective electronic bingo device. Unless the defect or failure is attributable to the player, the sum paid by the player to participate in the game is refunded to the player.

23. In case of discrepancy between the redemption coupon and the data pertaining to that coupon recorded by the central computer of the company, the latter prevails.

24. For all the electronic bingo games referred to in this By-law, the annual payout rate may not be less than 35% or greater than 83%.

25. No symbol, acronym, name or other characteristic used to identify the electronic bingo may be used for advertising or any other purpose without the written authorization of the company.

26. The company awards to a charitable or religious organization referred to in paragraph b of subsection 1 of section 207 of the Criminal Code (R.S.C. 1985, c. C-46), holder of a bingo licence issued by the Régie des alcools des courses et des jeux, that it determines, a portion of the net income produced by the electronic bingo.

The company must make public the sharing of the income.

27. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102679

Draft Regulations

Draft Regulation

An Act respecting energy efficiency and innovation (chapter E-1.3)

Energy efficiency of electrical or hydrocarbon-fuelled appliances

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation harmonizes Québec's regulatory requirements with those of its main commercial partners, both as regards the categories of appliances covered and minimum requirements on energy performance.

The draft Regulation will lower interprovincial economic barriers, foster internal trade and produce major energy savings. For individuals, the purchase of appliances with improved energy performance may result in additional costs. The costs are however paid off by the savings from the lower energy consumption of the appliances over their useful life. For Québec manufacturers producing the appliances covered by the draft Regulation, there is no direct cost since the requirements included in the draft Regulation are based on the regulatory requirements of Canada and Ontario, which the enterprises must already comply with given that they export their products mostly to Ontario.

Further information on the draft Regulation may be obtained by contacting Jean-Philippe Gamache, Direction des secteurs résidentiel, institutionnel et des affaires, Bureau de l'efficacité et de l'innovation énergétiques, Ministère de l'Énergie et des Ressources naturelles, 5700, 4eAvenue Ouest, bureau B 406, Québec (Québec) G1H 6R1; fax: 418 643-5828, telephone: 418 627-6379, extension 8027; email: jean-philippe.gamache@mern.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Luce Asselin, Associate Deputy Minister for Energy, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A 407, Québec (Québec) G1H 6R1.

PIERRE ARCAND,
Minister of Energy and Natural Resources

Regulation respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances

An Act respecting energy efficiency and innovation (chapter E-1.3, ss. 21, 22, 23 and 26)

1. An appliance listed in Schedule 1, whose manufacturing ends during the period determined in that Schedule, must comply with the energy efficiency standard and the energy performance requirement provided for each appliance in Schedule 1.

The compliance of an appliance is tested and verified according to the applicable test procedure provided for in the energy efficiency standard specified in Schedule 1 and according to any specification in Schedule 1.

Where a standard listed in Schedule 1 states that it is based on or harmonized with another standard, the test procedure of the latter standard may be used to test and verify the compliance of the appliance.

2. A reference to an energy efficiency standard is a reference to the version listed in Schedule 1, including all subsequent modifications made to the standard.

3. An appliance listed in Schedule 1 must be provided with an energy efficiency verification mark issued by a certification body accredited by the Standards Council of Canada, in the energy efficiency verification field. The energy efficiency verification mark certifies that the appliance has been tested and its energy performance has been verified.

In the case of a general service fluorescent lamp, a general service incandescent reflector lamp or a general service lamp, the energy verification mark may be affixed on the exterior of their package.

4. An appliance listed in Schedule 1 must be provided with at least one permanent label bearing its model number and its date of manufacturing or bearing a code identifying that date.

Where, for the purposes of section 24 of the Act respecting energy efficiency and innovation (chapter E-1.3), the Minister permits a manufacturer to apply to an appliance or a category of appliances energy efficiency standards different from those set out in Schedule 1, the appliance must be provided with a permanent label obtained from the Minister certifying that it meets Québec's energy performance requirement.

5. A label or a mark provided for in sections 3 and 4 must be affixed so that it is easily located and read without having to disassemble a part of the appliance.

6. The special stamp that an inspector may affix in the cases referred to in section 32 of the Act respecting energy efficiency and innovation (chapter E-1.3) is a red-coloured self-adhesive stamp containing a text indicating that the appliance cannot be marketed in Québec and the amount of the fines applicable if the stamp is removed. The stamp must be affixed on the exterior of an appliance package.

7. A manufacturer of appliances listed in Schedule 1 keeps up to date a register containing at least

(1) the name of the certification body referred to in section 3;

(2) the number of the appliance energy performance verification file;

(3) all information allowing to show the compliance of the appliance with the applicable energy efficiency standard and the energy performance requirement according to the test procedure provided for in the energy efficiency standard specified in Schedule 1.

8. Attestations of the verification of the energy performance of appliances issued by the Canadian Standards Association, Warnock Hersey Professional Services Ltd., Underwriters Laboratories Inc. and the Canadian Gas Association before (*insert the date of coming into force of this Regulation*) in accordance with the Regulation respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances (chapter E-1.2, r. 1), retain their full validity under this Regulation.

9. This Regulation replaces the Regulation respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances (chapter E-1.2, r. 1).

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

SCHEDULE 1
(ss. 1, 2, 3, 4 and 7)

The following abbreviations are used in this Schedule:

AC:	Alternative current;
AFUE:	Annual fuel utilization efficiency;
AHRI:	Air-Conditioning, Heating, and Refrigeration Institute;
ANSI:	American National Standards Institute;
ASHRAE:	American Society of Heating, Refrigerating, and Air-Conditioning Engineers;
AV:	Adjusted volume in litres;
BLE:	Ballast luminous efficiency;
Cap:	Cooling capacity;
CCT:	Correlated colour temperature;
CEER:	Combined energy efficiency ratio;
CEI:	International Electrotechnical Commission;
COP:	Coefficient of performance;
COPc:	Coefficient of performance for cooling;
COPh:	Coefficient of performance for heating;
Cr:	Daily water removal capacity in L/d;
CRI:	Colour rendering index;
CSA:	Canadian Standards Association;
Eannual:	Annual energy consumption or calculated annual energy consumption in kWh/y;
Edaily:	Daily energy consumption or calculated daily energy consumption in kWh/d;
EER:	Energy efficiency ratio;
EF:	Efficiency factor;
Hm:	Daily production cabability in kg/d;
HSPF:	Heating seasonal performance factor;
IEER:	Integrated energy efficiency ratio;
IES:	Illuminating Engineering Society;
IPLV:	Integrated part-load value;
ITE:	Institute of Transportation Engineers;
LE:	Average lamp efficacy in lm/W;
LED:	Light-emitting diode;
NEMA:	National Electrical Manufacturers Association;
P:	Rated wattage in watts;
PTAC:	Packaged terminal air conditioner;
PTHP:	Packaged terminal heat pump;
SEER:	Seasonal energy efficiency ratio;
SL:	Standby loss in watts;
TDA:	Total display area;
TE:	Thermal efficiency;
Vf:	Freezer volume in litres;
Vn:	Tank nominal volume in litres;
Vr:	Refrigerator volume in litres.

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Categories, appliances and scope of application	Energy efficiency standard	Energy performance requirements	Manufacturing period
Category 1: Domestic water heaters			
1. Water heater			
1. Natural gas or propane-fired water heater with a capacity of 76 L (20 US gallons) or more and of 380 L (100 US gallons) or less and an input rating of 22 kW (75,000 Btu/h) or less. Units designed for combination space and water heating applications are excluded.	CSA P.3-04, Testing Method for Measuring Energy Consumption and Determining Efficiencies of Gas-Fired Storage Water Heaters	EF ≥ 0.7 – 0.0005 × Vn	As of the coming into force of the Regulation
2. Oil-fired water heater with a capacity of 190 L (50 US gallons) or less and with an input rating of 30.5 kW (105,000 Btu/h) or less. Units designed for combination space and water heating applications are excluded.	CAN/CSA B211-00, Energy Efficiency of Oil-Fired Storage Tank Water Heaters	EF ≥ 0.59 – 0.0005 × Vn	As of the coming into force of the Regulation to 31 December 2017
	CAN/CSA B211-00, Energy Efficiency of Oil-Fired Storage Tank Water Heaters	EF ≥ 0.68 – 0.0005 × Vn	From 1 January 2018
3. Electric storage tank water heater with a capacity of 50 L (13 US gallons) or more and of 454 L (120 US gallons) or less and with an input rating of 12 kW or less. Units designed for combination space and water heating applications are excluded.	CAN/CSA C191-04, Performance of electric storage tank water heaters for domestic hot water service	**Tank with bottom inlet** Vn ≥ 50 L and ≤ 270 L: SL ≤ 0.2 × Vn + 40 Vn > 270 L and ≤ 454 L: SL ≤ 0.472 × Vn – 33.5 **Tank with top inlet** Vn ≥ 50 L and < 160 L: SL ≤ 0.2 × Vn + 35 Vn ≥ 160 L and < 270 L: SL ≤ 0.2 × Vn + 25 Vn ≥ 270 L and ≤ 290 L: SL ≤ 0.472 × Vn – 48.5 Vn > 290 L and ≤ 454 L: SL ≤ 0.472 × Vn – 38.5	As of the coming into force of the Regulation
Category 2: Heating or air-conditioning appliances			
1. Gas-fired unit heaters			
1. Gas-fired unit heater, automatically controlled, vented, that distributes warmed air without the use of ducts and whose capacity is 2,931 kW (10,000,000 Btu/h) or less, mounted or suspended from the ceiling.	CAN/CSA P.11-07, Testing method for measuring efficiency and energy consumption of gas-fired unit heaters	TE ≥ 80% at the maximum heat input nominal capacity and must be equipped with an intermittent ignition device and - a power-vented system; - an automatic vent damper; or - an automatic flue damper.	As of the coming into force of the Regulation

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2. Boilers			
1. All boilers covered by the definitions below	N/A	All boilers must have an automatic water temperature adjustment device that adjusts the temperature of the water supplied by the boiler to ensure that an incremental change in inferred heat load produces a corresponding incremental change in the temperature of the water supplied. For boilers that fire at a single power, the requirement is met if the device automatically allows the burner or heating element to fire only when the device has determined that the inferred heat load cannot be met by the residual heat of the water in the system. For hot water boilers with no inferred heat load, the device must limit the water temperature in the boiler to not more than 60°C. A boiler must be operated only when the device is installed.	As of the coming into force of the Regulation
2. Natural gas or propane boiler designed to be connected to a low pressure steam or hot water central heating system equipped or not with tankless domestic water heating coils and with a heat input of less than 88 kW (300,000 Btu/h). Units designed for combination space and water heating applications are excluded.	CAN/CSA P.2-13, Testing method for measuring the annual fuel utilization efficiency of residential gas-fired or oil-fired furnaces and boilers	Hot water: AFUE ≥ 82% and must not be equipped with a continuously burning pilot light Steam: AFUE ≥ 80% and must not be equipped with a continuously burning pilot light	As of the coming into force of the Regulation
3. Oil-fired boiler designed to be connected to a low pressure steam or hot water central heating system equipped or not with tankless domestic water heating coils, that operates using oil or another hydrocarbon and with a heat input of 88 kW (300,000 Btu/h) or less. Units designed for combination space and water heating applications are excluded.	CAN/CSA P.2-13, Testing method for measuring the annual fuel utilization efficiency of residential gas-fired or oil-fired furnaces and boilers or ANSI/ASHRAE 103-2007, Method of Testing for Annual Fuel Utilization Efficiency of Residential Central Furnaces and Boilers	Hot water: AFUE ≥ 84% Steam: AFUE ≥ 82%	As of the coming into force of the Regulation
4. Electric boiler designed to be connected to a hot water central heating system with a heat input of less than 88 kW (300,000 Btu/h) and that is not equipped with tankless domestic water heating coils.	N/A	N/A	As of the coming into force of the Regulation

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3. Central air conditioners and heat pumps (split-system or single-package)			
1. Single-package central air conditioner or heat pump, that uses single-phase electric current, with a cooling capacity of less than 19 kW (65,000 Btu/h). Appliances designed for constrained spaces are excluded.	CAN/CSA C656-14, Performance standard for split-system and single-package air conditioners and heat pumps	SEER ≥ 14, HSPF region V ≥ 7 and power consumption in off mode ≤ 30 W for an air conditioner or ≤ 33 W for a heat pump	As of the coming into force of the Regulation
2. Space constrained split-system or single package air conditioner or heat pump, that uses single-phase electric current, with a cooling capacity of less than 19 kW (65,000 Btu/h). Wall units are included.	CAN/CSA C656-14, Performance standard for split-system and single-package air conditioners and heat pumps	SEER ≥ 12, HSPF region V ≥ 6.4 and power consumption in off mode ≤ 30 W for an air conditioner or ≤ 33 W for a heat pump	As of the coming into force of the Regulation
3. Split-system central air conditioner other than a small-duct and high-velocity air conditioner or an air conditioner for constrained spaces, that uses single-phase electric current, with a cooling capacity of less than 19 kW (65,000 Btu/h).	CAN/CSA C656-14, Performance standard for split-system and single-package air conditioners and heat pumps	SEER ≥ 13 and power consumption in off mode ≤ 30 W	As of the coming into force of the Regulation
4. Split-system heat pump, other than a small-duct and high-velocity heat pump or a heat pump for constrained spaces, that uses single-phase electric current, with a cooling capacity of less than 19 kW (65,000 Btu/h).	CAN/CSA C656-14, Performance standard for split-system and single-package air conditioners and heat pumps	SEER ≥ 14, HSPF region V ≥ 7.1 and power consumption in off mode ≤ 33 W	As of the coming into force of the Regulation
5. Split-system central air conditioner or heat pump, small-duct and high-velocity, that uses single-phase electric current, with a cooling capacity of less than 19 kW (65,000 Btu/h).	CAN/CSA C656-14, Performance standard for split-system and single-package air conditioners and heat pumps	SEER ≥ 12, HSPF region V ≥ 6.3 and power consumption in off mode ≤ 30 W	As of the coming into force of the Regulation
6. Central air conditioner or heat pump, that uses three-phase electric current, with a cooling capacity of less than 19 kW (65,000 Btu/h).	CAN/CSA C656-14, Performance standard for split-system and single-package air conditioners and heat pumps	SEER ≥ 13 and HSPF region V ≥ 6.7	As of the coming into force of the Regulation
4. Large air conditioners and heat pumps			
1. Large commercial or industrial unitary air-conditioner, air-cooled, without a heating section or with an electric heating section.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.2 and IEER ≥ 11.4 Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 11 and IEER ≥ 11.2	As of the coming into force of the Regulation

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	For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 10 and IEER ≥ 10.1	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.7 and IEER ≥ 9.8	
2. Large commercial or industrial unitary air-conditioner, air-cooled, with a heating section other than an electric heating section.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11 and IEER ≥ 11.2	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.8 and IEER ≥ 11	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 9.8 and IEER ≥ 9.9	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.5 and IEER ≥ 9.6	
3. Large commercial or industrial unitary air-conditioner, water-cooled, without a heating section or with an electric heating section. Variable flow units are excluded.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 12.1 and IEER ≥ 11.7	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 12.5 and IEER ≥ 11.2	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 12.4 and IEER ≥ 11.1	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 11 and IEER ≥ 11.1	
4. Large commercial or industrial unitary air-conditioner, water-cooled, with a heating section other than an electric heating section. Variable flow units are excluded.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.9 and IEER ≥ 11.5	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 12.3 and IEER ≥ 11	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 12.2 and IEER ≥ 10.9	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 10.8 and IEER ≥ 10.9	
5. Large commercial or industrial unitary air-conditioner, evaporation-cooled, without a heating section or with an electric heating section. Variable flow units are excluded.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 12.1 and IEER ≥ 11.7	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 12 and IEER ≥ 11.2	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 11.9 and IEER ≥ 11.1	
		Cap ≥ 223 kW (760,000 Btu/h) EER ≥ 11 and IEER ≥ 11.1	
6. Large commercial or industrial unitary air-conditioner, evaporation-cooled, with a heating section other than an electric heating section. Variable flow units are excluded.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.9 and IEER ≥ 11.5	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 11.8 and IEER ≥ 11	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 11.7 and IEER ≥ 10.9	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 10.8 and IEER ≥ 10.9	

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	Unitary Air-Conditioning and Heat Pump Equipment		
7. Large commercial or industrial variable flow unitary air-conditioner, water-cooled or evaporation-cooled, without a heating section or with an electric heating section.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.5 and IEER ≥ 11.7	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 11 and IEER ≥ 11.2	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 11 and IEER ≥ 11.1	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 11 and IEER ≥ 11.1	
8. Large commercial or industrial variable flow unitary air-conditioner, water-cooled or evaporation-cooled, with a heating section other than an electric heating section.	For EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.3 and IEER ≥ 11.5	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.8 and IEER ≥ 11	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 10.8 and IEER ≥ 10.9	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 10.8 and IEER ≥ 10.9	
9. Large commercial or industrial unitary heat pump, air-cooled, without a heating section or with an electric heating section.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11, IEER ≥ 11.2, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.6, IEER ≥ 10.7, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
10. Large commercial or industrial unitary heat pump, air-cooled, with a heating section other than an electric heating section.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 10.8, IEER ≥ 11, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.4, IEER ≥ 10.5, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
11. Large commercial or industrial unitary heat pump, water-cooled, without a heating section or with an electric heating section. Variable flow units are excluded.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER:	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 12.1, IEER ≥ 11.2, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 12.5, IEER ≥ 10.7, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	

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	ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 12.4, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
12. Large commercial or industrial unitary heat pump, water-cooled, with a heating section other than an electric heating section. Variable flow units are excluded.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.9, IEER ≥ 11, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 12.3, IEER ≥ 10.5, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 12.2, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
13. Large commercial or industrial unitary heat pump, evaporation-cooled, without a heating section or with an electric heating section. Variable flow units are excluded.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 12.1, IEER ≥ 11.2, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 12, IEER ≥ 10.7, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 11.9, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
14. Large commercial or industrial unitary heat pump, evaporation-cooled, with a heating section other than an electric heating section. Variable flow units are excluded.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11.9, IEER ≥ 11, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 11.8, IEER ≥ 10.5, COP at 8.3°C ≥ 3.2 and COP at - 8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 11.7, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
15. Large commercial or industrial variable flow unitary heat pump, water-cooled, without a heating section or with an electric heating section.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 12, IEER ≥ 11.2, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.6, IEER ≥ 10.7, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 10, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	

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		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
16. Large commercial or industrial variable flow unitary heat pump, water-cooled, with a heating section other than an electric heating section.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 12, IEER ≥ 11, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.4, IEER ≥ 10.5, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 9.8, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
17. Large commercial or industrial variable flow unitary heat pump, evaporation-cooled, without a heating section or with an electric heating section.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 11, IEER ≥ 11.2, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.6, IEER ≥ 10.7, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.5, IEER ≥ 9.6, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
18. Large commercial or industrial variable flow unitary heat pump, evaporation-cooled, with a heating section other than an electric heating section.	For COP and EER: CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps For IEER: ANSI/AHRI 340/360-2007, Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment	Cap ≥ 19 kW (65,000 Btu/h) and < 40 kW (135,000 Btu/h): EER ≥ 10.8, IEER ≥ 11, COP at 8.3°C ≥ 3.3 and COP at -8.3°C ≥ 2.25	As of the coming into force of the Regulation
		Cap ≥ 40 kW (135,000 Btu/h) and < 70 kW (240,000 Btu/h): EER ≥ 10.4, IEER ≥ 10.5, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 70 kW (240,000 Btu/h) and < 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
		Cap ≥ 223 kW (760,000 Btu/h): EER ≥ 9.3, IEER ≥ 9.4, COP at 8.3°C ≥ 3.2 and COP at -8.3°C ≥ 2.05	
5. Room air conditioners			
1. Single-phase room air conditioner that has a cooling capacity of 10.55 kW (36,000 Btu/h) or less, except a packaged terminal air conditioner. Portable air conditioners are excluded.	CAN/CSA C368.1-14, Energy performance of room air conditioners	**With louvred sides, without reverse cycle**	As of 1 January 2017
		Cap < 1.75 kW (6,000 Btu/h): CEER ≥ 11	
		Cap ≥ 1.75 kW (6,000 Btu/h) and < 2.33 kW (8,000 Btu/h): CEER ≥ 11	
		Cap ≥ 2.33 kW (8,000 Btu/h) and < 4.08 kW (14,000 Btu/h): CEER ≥ 10.9	
		Cap ≥ 4.08 kW (14,000 Btu/h) and < 5.83 kW (20,000 Btu/h): CEER ≥ 10.7	
		Cap ≥ 5.83 kW (20,000 Btu/h) and < 8.17 kW (28,000 Btu/h): CEER ≥ 9.4	

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		Cap ≥ 8.17 kW (28,000 Btu/h): CEER ≥ 9	
		With louvred sides, with reverse cycle	
		Cap < 8.17 kW (20,000 Btu/h): CEER ≥ 9.8	
		Cap ≥ 8.17 kW (20,000 Btu/h): CEER ≥ 9.3	
		Without louvred sides, without reverse cycle	
		Cap < 1.75 kW (6,000 Btu/h): CEER ≥ 10	
		Cap ≥ 1.75 kW (6,000 Btu/h) and < 2.33 kW (8,000 Btu/h): CEER ≥ 10	
		Cap ≥ 2,33 kW (8,000 Btu/h) and < 3.21 kW (11,000 Btu/h): CEER ≥ 9.6	
		Cap ≥ 3.21 kW (11,000 Btu/h) and < 4.08 kW (14,000 Btu/h): CEER ≥ 9.5	
		Cap ≥ 4.08 kW (14,000 Btu/h) and < 8.17 kW (20,000 Btu/h): CEER ≥ 9.3	
		Cap ≥ 8.17 kW (20,000 Btu/h): CEER ≥ 9.4	
		Without louvred sides, with reverse cycle	
		Cap < 4.08 kW (14,000 Btu/h): CEER ≥ 9.3	
		Cap ≥ 4.08 kW (14,000 Btu/h): CEER ≥ 8.7	
		Unit for casement window only: CEER ≥ 9.5	
		Unit for casement or sliding window: CEER ≥ 10.4	
6. Packaged terminal air conditioners and heat pumps			
1. Factory-built packaged terminal air conditioner or heat pump that, as the case may be, consists of a wall sleeve and a separate unencased cooling component and that is intended to cool a single room or zone, or that consists of a wall sleeve and a separate unencased combination of heating and cooling components and that is intended to heat and cool a single room or zone.	AHRI 310/380-2004 CAN/CSA C744-14, Standard for packaged terminal air-conditioners and heat pumps	**PTAC: standard size**	As of the coming into force of the Regulation
		Cap < 2,030 W (7,000 Btu/h): EER ≥ 11.7	
		Cap ≥ 2,030 W (7,000 Btu/h) and ≤ 4,390 W (15,000 Btu/h): EER ≥ 13.8 – (0.300 × Cap / 293.1)	
		Cap > 4,390 W (15,000 Btu/h): EER ≥ 9.3	
		PTAC: non-standard size	
		Cap < 2,030 W (7,000 Btu/h): EER ≥ 9.4	
		Cap ≥ 2,030 W (7,000 Btu/h) and ≤ 4,390 W (15,000 Btu/h): EER ≥ 10.9 – (0.213 × Cap / 293.1)	
		Cap > 4,390 W (15,000 Btu/h): EER ≥ 7.7	
		PTHP : standard size	
		Cap < 2,030 W (7,000 Btu/h): EER ≥ 11.9 and COP ≥ 3.3	
		Cap ≥ 2,030 W (7,000 Btu/h) and ≤ 4,390 W (15,000 Btu/h): EER ≥ 14.0 – (0.300 × Cap / 293.1) and COP ≥ 3.7 – (0.052 × Cap)	
		Cap > 4,390 W (15,000 Btu/h): EER ≥ 9.5 and COP ≥ 2.9	
		PTHP : non-standard size	
		Cap < 2,030 W (7,000 Btu/h): EER ≥ 9.3 and COP ≥ 2.7	

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		Cap ≥ 2,030 W (7,000 Btu/h) and ≤ 4,390 W (15,000 Btu/h): EER ≥ 10.8 – (0.213 × Cap) and COP ≥ 2.9 – (0.026 × Cap)	
		Cap > 4,390 W (15,000 Btu/h): EER ≥ 7.6 and COP ≥ 2.5	
7. Single packaged vertical air conditioners and heat pumps			
1. Single packaged commercial air conditioner or heat pump, that is air-cooled, encased, with or without heating capability but not a heat pump, the major components of which are arranged vertically and that is intended for mounting through, or on either side of, an exterior wall.	CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps	Cap < 19 kW (65,000 Btu/h): EER ≥ 9 and COP ≥ 3	As of the coming into force of the Regulation
		Cap ≥ 19 kW (65,000 Btu/h) and < 39.5 kW (135,000 Btu/h): EER ≥ 8.9 and COP ≥ 3	
		Cap ≥ 39.5 kW (135,000 Btu/h): EER ≥ 8.6 and COP ≥ 2.9	
8. Internal water loop heat pumps			
1. Water source heat pump that is a factory-built single package or a split-system matching assembly, intended for installation in an internal water loop system and whose cooling or heating capacity is less than 40 kW (135,000 Btu/h).	CAN/CSA-C13256-1-01, Water-source heat pumps — Testing and rating for performance — Part 1: Water-to-air and brine-to-air heat pumps	Cap < 5 kW: COPc ≥ 3.28 for an input water temperature of 30°C and COPh ≥ 4.2 for an input water temperature of 20°C	As of the coming into force of the Regulation
		Cap ≥ 5 and < 40 kW : COPc ≥ 3.52 for an input water temperature of 30°C and COPh ≥ 4.2 for an input water temperature of 20°C	
9. Ground-source heat pumps			
1. Ground-source heat pump that is a factory-built single package or a split-system matching assembly, that has a cooling or heating capacity of less than 40 kW (135,000 Btu/h) and is intended for application in an open or closed-loop ground-source system.	CAN/CSA-C13256-1-01, Water-source heat pumps — Testing and rating for performance — Part 1: Water-to-air and brine-to-air heat pumps	Open-loop: cooling COP ≥ 4.74 for an input water temperature of 15°C and heating COP ≥ 3.6 for an input water temperature of 10°C	As of the coming into force of the Regulation
		Closed-loop: cooling COP ≥ 3.93 for an input water temperature of 25°C and heating COP ≥ 3.1 for an input water temperature of 0°C	
10. Furnaces			
1. Natural gas or propane furnace, that uses single-phase electric current and that has an input rate of 65.92 kW (225,000 Btu/h) or less.	CAN/CSA P.2-13, Testing method for measuring the annual fuel utilization efficiency of residential gas-fired or oil-fired furnaces and boilers	Furnaces for mobile homes or recreational vehicles that are not equipped with an integrated cooling component: AFUE ≥ 80%	As of the coming into force of the Regulation
		Furnaces for mobile homes or recreational vehicles that are equipped with an integrated cooling component: AFUE ≥ 81%	
		For all other furnaces: AFUE ≥ 92%	
2. Natural gas or propane furnace, that uses three-phase	ANSI Z21.47-2012 CSA 2.3-2012 , Gas-fired central furnaces	AFUE ≥ 78% or TE ≥ 80%	As of the coming into

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electric current and that has an input rate of 65.92 kW (225,000 Btu/h) or less, but does not include a furnace for a mobile home or a recreational vehicle.			force of the Regulation
3. Gas furnace that has an input rate of more than 65.92 kW (225,000 Btu/h) and not more than 117.23 kW (400,000 Btu/h).	ANSI Z21.47-012 CSA 2.3-2012, Gas-fired central furnaces	Furnaces for mobile homes or recreational vehicles: TE ≥ 76% and must not be equipped with a continuously burning pilot light	As of the coming into force of the Regulation
		For all other furnaces: TE ≥ 80% and must not be equipped with a continuously burning pilot light	
4. Oil furnace that has an input rate of 65.92 kW (225,000 Btu/h) or less and that is fired only with oil or oil with another hydrocarbon.	CAN/CSA P.2-13, Testing method for measuring the annual fuel utilization efficiency of residential gas-fired or oil-fired furnaces and boilers	Furnaces for mobile homes or recreational vehicles: AFUE ≥ 75%	As of the coming into force of the Regulation
		Weatherized furnaces that are not designed for mobile homes or recreational vehicles: AFUE ≥ 78%	
		Non-weatherized furnaces that are not designed for mobile homes or recreational vehicles: AFUE ≥ 83%	
		For all non-weatherized furnaces: the maximum electrical consumption in a standby or an off mode must be less than 11 W	
11. Condensing units			
1. Large commercial or industrial condensing unit intended for air conditioning applications with a cooling capacity of 19 kW (65,000 Btu/h) or more and of 70 kW (240,000 Btu/h) or less.	CAN/CSA C746-06, Performance standard for rating large and single packaged vertical air conditioners and heat pumps	Air-cooled: EER ≥ 10.1	As of the coming into force of the Regulation
		Water-cooled or evaporation-cooled: EER ≥ 13.1	
12. Chillers			
1. Machine designed to make use of a refrigerant cycle to remove heat from a liquid, usually water, that rejects that heat to a cooling medium, usually air or water, and the refrigerant condenser of which may, or may not be, an integral part of the machine.	CAN/CSA C743-09, Performance Standard for rating packaged water chillers	**Vapour compression**	As of 1 January 2017
		Air-cooled with or without a condenser, capacity < 528 kW, type A: COP ≥ 2.802 and IPLV ≥ 3.664	
		Air-cooled with or without a condenser, capacity ≥ 528 kW, type A: COP ≥ 2.802 and IPLV ≥ 3.737	
		Water, alternating, type A, type B	
		All water-cooled appliances, reciprocating, type A, type B, must meet the energy performance requirements for water-cooled appliances, rotary screw or scroll	
		Water-cooled, rotary screw, scroll, capacity < 264 kW, type A: COP ≥ 4.509 and IPLV ≥ 5.582	
		Water-cooled, rotary screw, scroll, capacity < 264 kW, type B: COP ≥ 4.396 and IPLV ≥ 5.861	
		Water-cooled, rotary screw, scroll, capacity ≥ 264 and < 528 kW, type A: COP ≥ 4.538 and IPLV ≥ 5.718	

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		Water-cooled, rotary screw, scroll, capacity ≥ 264 and < 528 kW, type B: COP ≥ 4.452 and IPLV ≥ 6.001	
		Water-cooled, rotary screw, scroll, capacity ≥ 528 and < 1,055 kW, type A: COP ≥ 5.172 and IPLV ≥ 6.063	
		Water-cooled, rotary screw, scroll, capacity ≥ 528 and < 1,055 kW, type B: COP ≥ 4.898 and IPLV ≥ 6.513	
		Water-cooled, rotary screw, scroll, capacity ≥ 1,055 kW, type A: COP ≥ 5.672 and IPLV ≥ 6.513	
		Water-cooled, rotary screw, scroll, capacity ≥ 1,055 kW, type B: COP ≥ 5.504 and IPLV ≥ 7.177	
		Water-cooled, centrifugal, capacity < 264 kW, type A: COP ≥ 5.547 and IPLV ≥ 5.901	
		Water-cooled, centrifugal, capacity < 264 kW, type B: COP ≥ 5.504 and IPLV ≥ 7.815	
		Water-cooled, centrifugal, capacity ≥ 264 and < 528 kW, type A: COP ≥ 5.547 and IPLV ≥ 5.901	
		Water-cooled, centrifugal, capacity ≥ 264 and < 528 kW, type B: COP ≥ 5.504 and IPLV ≥ 7.815	
		Water-cooled, centrifugal, capacity ≥ 528 and < 1,055 kW, type A: COP ≥ 6.1 and IPLV ≥ 6.401	
		Water-cooled, centrifugal, capacity ≥ 528 and < 1,055 kW, type B: COP ≥ 5.856 and IPLV ≥ 8.792	
		Water-cooled, centrifugal, capacity ≥ 1,055 kW, type A: COP ≥ 6.170 and IPLV ≥ 6.525	
		Water-cooled, centrifugal, capacity ≥ 1,055 kW, type B: COP ≥ 5.961 and IPLV ≥ 8.792	
		Absorption	
		Single-effect, air-cooled, all capacities, type A: COP ≥ 0.6	
		Single-effect, air-cooled, all capacities, type A: COP ≥ 0.7	
		Double-effect absorption, indirect-fired, all capacities, type A: COP ≥ 1 and IPLV ≥ 1.05	
		Double-effect absorption, direct-fired, all capacities, type A: COP ≥ 1 and IPLV ≥ 1	
13. Thermostats			
1. Thermostat intended for line-voltage switching of a controlled resistive heating load (120 to 240 V).	CAN/CSA C828-13, Performance requirements for thermostats used with individual room electric space heating devices. For the duty	For all thermostats: the maximum absolute thermostat droop in temperature ≤ 1.5°C	As of the coming into force of the Regulation
		Thermostats for fan-coil units: differential ≤ 1.0°C	

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Thermostats used exclusively with radiant floors are excluded.	cycle: the average temperature at the centre of the test room must be within 0.5°C of the original setpoint temperature of 22°C of the thermostat for a duty cycle of 50%	For all other types of thermostats: differential ≤ 0.5°C	
14. Ceiling fans			
1. Residential, industrial or commercial suspended or hugger ceiling fan designed to be connected to supply circuits not exceeding 250 V.	CAN/CSA C814-10, Energy performance of ceiling fans The service value must be measured in accordance with the procedure in Chapter 5 of CAN/CSA C814-96, Energy Performance of Ceiling Fans	All ceiling fan light kits and ceiling fans with integrated lights that have a total electrical power of 10 W or higher must be equipped with an electrical device or other limiting device, so that the lighting cannot operate with bulbs consuming more than a total of 190 W. For a household fan: service value ≥ 30 L/s/W For an industrial or commercial fan: service value ≥ 35 L/s/W	As of the coming into force of the Regulation
Category 3 : Lighting units			
1. Fluorescent lamp ballasts			
1. For all ballasts covered by the definitions below.	NEMA/ANSI C82.77-2002, Harmonic emission limits – related power quality requirements for lighting equipment	For all ballasts, the requirements respecting harmonic rates must be met. Ballasts must have a power factor of at least 90%. In the case of ballasts designed and marked for residential use at 120 V, a power factor of 50% or more must be deemed to be acceptable.	As of the coming into force of the Regulation
	N/A	BLE ≥ A / (1 + B × total lamp arc power $^{(-C)}$) where A, B and C correspond to:	
2. Instant-start and rapid-start ballast (other than residential ballasts) designed to operate lamps commonly referred to as: (a) 1,200 mm medium bipin lamps, (b) 600 mm U-shaped lamps or (c) 2,400 mm slimline lamps (class 1).	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	277 V: A = 0.993, B = 0.47 and C = 0.25 347 V: A = 0.963, B = 0.27 and C = 0.25	As of the coming into force of the Regulation
3. Programmed-start ballast (other than residential ballasts) designed to operate lamps commonly referred to as: (a) 1,200 mm medium bipin lamps, (b) 600 mm U-shaped lamps, (c) 1,200 mm miniature bipin standard output lamps or (d) 1,200 mm miniature bipin high output lamps (class 2).	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	277 V: A = 0.993, B = 0.51 and C = 0.37 347 V: A = 0.963, B = 0.51 and C = 0.37	As of the coming into force of the Regulation
4. Instant-start and rapid-start ballast (other than sign ballasts) designed to operate lamps commonly referred to as 2,400 mm	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	277 V: A = 0.993, B = 0.38 and C = 0.25 347 V: A = 0.963, B = 0.38 and C = 0.25	As of the coming into force of the Regulation

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high output lamps (class 3).			
5. Programmed-start ballast (other than sign ballasts) designed to operate lamps commonly referred to as 2,400 mm high output lamps (class 4).	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	277 V: A = 0.973, B = 0.70 and C = 0.37 347 V: A = 0.944, B = 0.70 and C = 0.37	As of the coming into force of the Regulation
6. Sign ballast that operates lamps commonly referred to as 2,400 mm high output lamps (class 5).	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	277 V: A = 0.993, B = 0.47 and C = 0.25 347 V: A = 0.963, B = 0.47 and C = 0.25	As of the coming into force of the Regulation
7. Residential instant-start and rapid-start ballast designed to operate lamps commonly referred to as: (a) 1,200 mm medium bipin lamps, (b) 600 mm U-shaped lamps or (c) 2,400 mm slimline lamps (class 6, 120 V).	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	120 V: A = 0.993, B = 0.41 and C = 0.25	As of the coming into force of the Regulation
8. Residential programmed-start ballast designed to operate lamps commonly referred to as: (a) 1,200 mm medium bipin lamps or (b) 600 mm U-shaped lamps (class 7, 120 V).	CAN/CSA - C654-14, Fluorescent lamp ballast efficacy measurements	120 V: A = 0.973, B = 0.71 and C = 0.37	As of the coming into force of the Regulation
2. Exit signs			
1. Type 1, 2 or 3 exit sign, as referred to in CAN/CSA C860-11.	CAN/CSA C860-11, Performance of internally lighted exit signs	Types 1 and 2: maximum wattage of 5 W per legend Type 3: maximum wattage of 5 W per legend + 5 W for a charging circuit	As of 31 August 2017
3. General service fluorescent lamps			
1. U-shaped general service fluorescent lamp with a nominal overall length of not less than 560 mm, but not more than 635 mm and a rated wattage greater than 35 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 84 and CRI ≥ 69 CCT > 4,500 and ≤ 7,000 K: LE ≥ 81 and CRI ≥ 69	As of the coming into force of the Regulation
2. U-shaped general service fluorescent lamp with a nominal overall length of not less than 560 mm, but not more than 635 mm and a maximum rated wattage of 35 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 84 and CRI ≥ 45 CCT > 4,500 and ≤ 7,000 K: LE ≥ 81 and CRI ≥ 45	As of the coming into force of the Regulation
3. Straight-shaped general service fluorescent lamp with a nominal overall length of 1,200 mm and a rated wattage greater than 35 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 89 and CRI ≥ 69 CCT > 4,500 and ≤ 7,000 K: LE ≥ 88 and CRI ≥ 69	As of the coming into force of the Regulation
		CCT ≤ 4,500 K: LE ≥ 89 and CRI ≥ 45	

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4. Straight-shaped general service fluorescent lamp with a nominal overall length of 1,200 mm and a maximum rated wattage of 35 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT > 4,500 and ≤ 7,000 K: LE ≥ 88 and CRI ≥ 45	As of the coming into force of the Regulation
5. Straight-shaped slimline general service fluorescent lamp with a nominal overall length of 2,400 mm and a rated wattage greater than 65 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 92 and CRI ≥ 69 CCT > 4,500 and ≤ 7,000 K: LE ≥ 88 and CRI ≥ 69	As of the coming into force of the Regulation
6. Straight-shaped slimline general service fluorescent lamp with a nominal overall length of 2,400 mm and a maximum rated wattage of 65 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 92 and CRI ≥ 45 CCT > 4,500 and ≤ 7,000 K: LE ≥ 88 and CRI ≥ 45	As of the coming into force of the Regulation
7. Straight-shaped high output fluorescent lamp with a nominal overall length of 2,400 mm and a rated wattage greater than 100 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 97 and CRI ≥ 69 CCT > 4,500 and ≤ 7,000 K: LE ≥ 93 and CRI ≥ 69	As of the coming into force of the Regulation
8. Straight-shaped high output fluorescent lamp with a nominal overall length of 2,400 mm and a maximum rated wattage of 100 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 97 and CRI ≥ 45 CCT > 4,500 and ≤ 7,000 K : LE ≥ 93 and CRI ≥ 45	As of the coming into force of the Regulation
9. Straight-shaped miniature standard output fluorescent lamp with a nominal overall length of 1,200 mm and a rated wattage greater than 35 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 86 CCT > 4,500 and ≤ 7,000 K: LE ≥ 81	As of the coming into force of the Regulation
10. Straight-shaped miniature high output fluorescent lamp with a nominal overall length of 1,200 mm and a maximum rated wattage of 35 W.	CAN/CSA C819-11, Performance of general service fluorescent lamps	CCT ≤ 4,500 K: LE ≥ 76 CCT > 4,500 and ≤ 7,000 K: LE ≥ 72	As of the coming into force of the Regulation
4. General service incandescent reflector lamps			
1. Incandescent and tungsten halogen reflector lamp designed for general lighting that has a rated wattage of less than 205 W, but greater than 40 W, an operating capability included between 110 and 130 V, an E26/24 single contact or E26/50x39 skirted, medium screw base and a bulb diameter greater than 57 mm.	CAN/CSA C862-12, Performance of incandescent reflector lamps	Standard spectrum, diameter > 6.35 cm and voltage ≥ 125 V: LE ≥ 6.8(P) $^{0.27}$ Standard spectrum, diameter > 6.35 cm and voltage < 125 V: LE ≥ 5.9(P) $^{0.27}$ Standard spectrum, diameter ≤ 6.35 cm and voltage ≥ 125 V: LE ≥ 5.7(P) $^{0.27}$ Standard spectrum, diameter ≤ 6.35 cm and voltage < 125 V: LE ≥ 5.0(P) $^{0.27}$ Modified spectrum, diameter > 6.35 cm and voltage ≥ 125 V: LE ≥ 5.8(P) $^{0.27}$ Modified spectrum, diameter > 6.35 cm and voltage < 125 V: LE ≥ 5.0(P) $^{0.27}$ Modified spectrum, diameter ≤ 6.35 cm and voltage ≥ 125 V: LE ≥ 4.9(P) $^{0.27}$	As of the coming into force of the Regulation

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		Modified spectrum, diameter ≤ 6.35 cm and voltage < 125 V: LE ≥ 4.2(P) $^{0.27}$	
		ER30 and ER40 ≥ 40 W and < 50 W: LE ≥: 10.5	
		ER30 and ER40 50 W: LE ≥ 7.0	
		ER40 65 W: LE ≥ 12.5	
5. General service lamps			
1. Electrical device providing a luminous flux having a nominal voltage of not less than 110 V and not more than 130 V or a nominal voltage range included at least partially between those voltages and that is screw-based. The following lamps are excluded: (a) appliance lamps; (b) coloured lamps; (c) infrared lamps; (d) spherical-shaped (G-shaped) lamps referred to in ANSI C78.20-2003, A, G, PS, and Similar Shapes with E26 Medium Screw Bases, and ANSI C79.1-2002, Nomenclature for Glass Bulbs Intended for Use with Electric Lamps, with a diameter of at least 13 cm; (e) lamps for display cases; (f) left-hand thread base lamps; (g) plant lamps; (h) reflector lamps that have a shape indicated in ANSI C79.1-2002; (i) sign service lamps; (j) silver bowl lamps; (k) traffic signal module or pedestrian traffic signal module and street lights; (l) submersible lamps; (m) screw-based lamps E5, E10, E11, E12, E17, E26/50×39, E26/53×39, E29/28, E29/53×39, E39, E39d, EP39 or EX39, according to ANSI C81.61-2006, American National Standard for Electrical Lamp Bases-Specifications for Bases (Caps) for Electric Lamps; (n) lamps that have a B, BA, CA, F, G16-1/2, G25, G30 or M-14 shape or other similar shape, in accordance with ANSI C78.20-2003	NEMA/ANSI C82.77-2002, Harmonic emission limits – related power quality requirements for lighting equipment	For all lamps: the rate of total harmonic distorsion must be 20% or less and the power factor must be at least 90%.	As of 1 January 2018
	For En: IES LM-45-15, IES Approved Method for the Electrical and Photometric Measurement of General Service Incandescent Filament Lamps or IES LM-66-14, IES Approved Method for the Electrical and Photometric Measurements of Single-Based Fluorescent Lamps, or LM-79-08, IES Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products. For life: IES LM-49-12, IES Approved Method for Life Testing of General Lighting Incandescent Filament Lamps or IES LM-65-14, IES Approved Method for Life Testing of Single-Based Fluorescent Lamps, or IES LM - 80 - 15, IES Approved Method: Measuring Luminous Flux and Color Maintenance of LED Packages, Arrays and Modules For CRI: CIE 13.3-1995, Method of Measuring and Specifying Colour Rendering Properties of Light Sources Bulbs must be tested at 120 V regardless of their nominal voltage.	For general service lamps: LE ≥ 45, CRI ≥ 80 and life ≥ 1,000 hours	
		For modified spectrum lamps: LE ≥ 45, CRI ≥ 75 and life ≥ 1,000 hours	

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and ANSI C79.1-2002, and a maximum wattage of 40 W; (o) rough service lamps; (p) vibration service lamps; (q) shatter resistant lamps, including safety lamps and shock resistant lamps; and (r) three-way lamps.			
6. Traffic signal modules			
1. Road traffic signal module: self-contained device that consists of all of the optical components required for its operation and is designed to provide drivers with movement information and to fit into a traffic signal housing.	ITE, Vehicle Traffic Control Signal Heads: LED Circular Signal Supplement, June 27, 2005	A red light that has a diameter of 304.8 mm: maximum wattage of 17 W and nominal wattage of 11 W	As of the coming into force of the Regulation
		A red light that has a diameter of 203.2 mm: maximum wattage of 13 W and nominal wattage of 8 W	
		A red arrow: maximum wattage of 12 W and nominal wattage of 9 W	
		A green light that has a diameter of 304.8 mm: maximum wattage of 15 W and nominal wattage of 15 W	
		A green light that has a diameter of 203.2 mm: maximum wattage of 12 W and nominal wattage of 12 W	
		A green arrow: maximum wattage of 11 W and nominal wattage of 11 W	
2. Pedestrian traffic signal module: self-contained device that consists of all of the optical components required for its operation and is designed to provide pedestrians with movement information and to fit into a pedestrian signal housing.	ITE, Pedestrian Traffic Control Signal Indicators: LED Signal Modules, August 4, 2010	Combination of walking person and hand display: maximum wattage of 16 W and nominal wattage of 13 W	As of the coming into force of the Regulation
		A walking person only display: maximum wattage of 12 W and nominal wattage of 9 W	
		A hand only display: maximum wattage of 16 W and nominal wattage of 13 W	
7. Torchieres			
1. Portable luminaire that has a reflector bowl or similar-shaped reflector that directs light in a predominantly upward direction for providing indirect lighting and that may be equipped with additional sockets for other lighting functions.	CAN/CSA C867.1-08, Performance of torchieres	Without additional sockets: total electrical power ≤ 75 W	As of the coming into force of the Regulation
		With one or more additional sockets: total electrical power ≤ 100 W	
Category 4: Household appliances			
1. Freezers, refrigerators and refrigerator-freezers			
1. Household freezer that has a capacity of 850 L or less,	CAN/CSA C300-15, Energy performance and capacity of household refrigerators,	Refrigerators and refrigerator-freezers with a manual or semi-automatic defrost (1): Eannual ≤ 0.282 AV + 225.0	As of the coming into

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household refrigerator or household refrigerator-freezer, as the case may be, that has a defrost system and a capacity of 1,100 L or less. Refrigerators that have an absorption refrigeration system are excluded.	refrigerator-freezers, freezers, and wine chillers The following adjustments must precede the testing of automatic icemakers: (a) the icemaker is on but not in the process of freeing or removing ice pieces; (b) there is no ice in the ice storage bin; (c)the level indicating arm is mechanically fixed in the ice full condition or, if the icemaker does not have a level indicating arm, it may be disabled by another means that only prevents it from freeing or removing ice pieces; (d) all other components are activated in the same manner as when the icemaker is on but not in the process of freeing or removing ice pieces; (e) the ice storage bin is maintained at a temperature consistent with normal operation of the equipment in the home when the icemaker is on but not in the process of freeing or removing ice pieces from the icemaker; (f) if the ice storage bin has a consumer-adjustable setting for multiple ice storage temperatures, it may be set at the lowest temperature setting. AV must be determined according to the method specified in Clauses 8.5.1, 9.4.1 and 10.11.1 of CAN/CSA standard C300-15	Refrigerators with manual defrost (1A): Eannual ≤ 0.240 AV + 193.6 Refrigerator-freezers with partial automatic defrost (2): Eannual ≤ 0.282 AV + 225.0 Refrigerator-freezers with automatic defrost and with a top-mounted freezer without through-the-door-ice service and all-refrigerators with automatic defrost (3): Eannual ≤ 0.285 AV + 233.7 Refrigerator-freezers with automatic defrost with a top-mounted freezer without an automatic icemaker (3-BI): Eannual ≤ 0.323 AV + 264.9 Refrigerator-freezers with automatic defrost and with a top-mounted freezer with an automatic icemaker without through-the-door-ice service (3I): Eannual ≤ 0.25 AV + 317.7 Built-in refrigerator-freezers with automatic defrost and with a top-mounted freezer without an automatic icemaker (3I-BI): Eannual ≤ 0.323 AV + 348.9 All-refrigerators with automatic defrost (3A): Eannual ≤ 0.25 AV + 201.6 Built-in all-refrigerators with automatic defrost (3A-BI): Eannual ≤ 0.283 AV + 228.5 Refrigerator-freezers with automatic defrost and with a side-mounted freezer without through-the-door-ice service (4): Eannual ≤ 0.301 AV + 297.8 Built-in refrigerator-freezers with automatic defrost and with a side-mounted freezer without an automatic icemaker (4 BI): Eannual ≤ 0.361 AV + 357.4 Refrigerator-freezers with automatic defrost and with a side-mounted freezer with an automatic icemaker without through-the-door ice service (4I): Eannual ≤ 0.301 AV + 381.8 Built-in refrigerator-freezers with automatic defrost and with a side-mounted freezer with an automatic icemaker without through-the-door ice service (4I-BI): Eannual ≤ 0.361 AV + 441.4 Refrigerator-freezers with automatic defrost and with a bottom-mounted freezer, without an automatic icemaker through-the-door-ice service (5): Eannual ≤ 0.312 AV + 317.0 Refrigerator-freezers with automatic defrost and with a bottom-mounted freezer, with through-the-door-ice service (5A): Eannual ≤ 0.327 AV + 475.4 Built-in refrigerator-freezers with automatic defrost and with a bottom-mounted freezer, without an automatic icemaker (5-BI): Eannual ≤ 0.332 AV + 336.9	force of the Regulation

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		Refrigerator-freezers with automatic defrost and with a bottom-mounted freezer, with an automatic icemaker without through-the-door ice service (5I): Eannual ≤ 0.312 AV + 401.0	
		Built-in refrigerator-freezers with automatic defrost and with a bottom-mounted freezer, with an automatic icemaker without through-the-door ice service (5I-BI): Eannual ≤ 0.332 AV + 420.9	
		Built-in refrigerator-freezers with automatic defrost and with a bottom-mounted freezer, with through-the-door-ice service (5A-BI): Eannual ≤ 0.347 AV + 499.9	
		Refrigerator-freezers with automatic defrost and with a top-mounted freezer, with through-the-door-ice service (6): Eannual ≤ 0.297 AV + 385.4	
		Refrigerator-freezers with automatic defrost and with a side-mounted freezer with through-the-door-ice service (7): annual ≤ 0.302 AV + 432.8	
		Built-in refrigerator-freezers with automatic defrost and with a side-mounted freezer with through-the-door-ice service (7-BI): Eannual ≤ 0.362 AV + 502.6	
		Upright freezers with manual defrost (8): Eannual ≤ 0.197 AV + 193.7	
		Upright freezers with automatic defrost (9): Eannual ≤ 0.305 AV + 228.3	
		Upright freezers with automatic defrost with an automatic icemaker (9I): Eannual ≤ 0.305 AV + 312.3	
		Built-in upright freezers with automatic defrost without an automatic icemaker (9-BI): Eannual ≤ 0.348 AV + 260.9	
		Built-in upright freezers with automatic defrost with an automatic icemaker (9I-BI): Eannual ≤ 0.348 AV + 344.9	
		Chest freezers and other freezers (10): Eannual ≤ 0.257 AV + 107.8	
		Chest freezers with automatic defrost (10A): Eannual ≤ 0.362 AV + 148.1	
		Compact refrigerators and refrigerator-freezers with manual or semi-automatic defrost (11): Eannual ≤ 0.319 AV + 252.3	
		Compact refrigerators with manual defrost (11A): Eannual ≤ 0.277 AV + 219.1	
		Compact refrigerator-freezers with partial automatic defrost (12): Eannual ≤ 0.209 AV + 335.8	
		Compact refrigerator-freezers with automatic defrost and with a top-mounted freezer, and compact all-refrigerators with automatic defrost (13): Eannual ≤ 0.417 AV + 339.2	

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		Compact refrigerator-freezers with automatic defrost and with a top-mounted freezer with an automatic icemaker (13I): Eannual ≤ 0.417 AV + 423.2	
		Compact all-refrigerators with automatic defrost (13A): Eannual ≤ 0.324 AV + 259.3	
		Compact refrigerator-freezers with automatic defrost and with a side-mounted freezer (14): Eannual ≤ 0.241 AV + 456.9	
		Compact refrigerator-freezers with automatic defrost and with a side-mounted freezer with an automatic icemaker (14I): Eannual ≤ 0.241 AV + 540.9	
		Compact refrigerator-freezers with automatic defrost and with a bottom-mounted freezer (15): Eannual ≤ 0.417 AV + 339.2	
		Compact refrigerator-freezers with automatic defrost and with a bottom-mounted freezer with an automatic icemaker (15I): Eannual ≤ 0.417 AV + 423.2	
		Compact upright freezers with manual defrost (16): Eannual ≤ 0.306 AV + 225.7	
		Compact upright freezers with automatic defrost (17): Eannual ≤ 0.359 AV + 351.9	
		Compact chest freezers and other compact freezers (18): Eannual ≤ 0.327 AV + 136.8	
		Wine chillers with manual defrost (19): Eannual ≤ 0.485 AV + 267	
		Wine chillers with automatic defrost (20): Eannual ≤ 0.616 AV + 344	
2. Commercial refrigerators			
1. Self-contained commercial freezer, refrigerator or refrigerator-freezer that has one or more compartments and that is designed for freezing or storing food, beverages or ice and that has a self-contained refrigeration source that requires an energy input.	CSA C657-15, Energy performance standard for commercial refrigeration equipment	Self-contained commercial refrigerators that do not have transparent doors: Edaily ≤ 0.00353 × Vr + 2.04	As of the coming into force of the Regulation
		Self-contained commercial refrigerators with transparent doors without pull-down temperature reduction capability: Edaily ≤ 0.00424 × Vr + 3.34	
		Self-contained commercial freezers that do not have transparent doors: Edaily ≤ 0.01413 × Vf + 1.38	
		Self-contained commercial freezers with transparent doors: Edaily ≤ 0.02649 × Vf + 4.10	
		Self-contained commercial refrigerator-freezers that do not have transparent doors: Edaily ≤ the higher of 0.70 and (0.009534 × adjusted volume (in litres) – 0.71), where the adjusted volume = Vr + 1.63 × Vf	
2. Self-contained commercial freezer, refrigerator or refrigerator-freezer that	CSA C657-15, Energy performance standard for commercial refrigeration equipment	Vertical open, remote condensing unit and designed for storage at medium temperature (VOP.RC.M): Edaily ≤ 8.826 × TDA + 4.07	As of 27 March 2017

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is not equipped with doors and that is designed for freezing or storing food, beverages or ice and that has a self-contained refrigeration source that requires an energy input.		Vertical open, remote condensing unit and designed for storage at low temperature (VOP.RC.L): Edaily ≤ 24.434 × TDA + 6.85	
		Semi-vertical open, remote condensing unit and designed for storage at medium temperature (SVO.RC.M): Edaily ≤ 8.934 × TDA + 3.18	
		Semi-vertical open, remote condensing unit and designed for storage at low temperature (SVO.RC.L): Edaily ≤ 24.434 × TDA + 6.85	
		Horizontal open, remote condensing unit and designed for storage at medium temperature (HZO.RC.M): Edaily ≤ 3.767 × TDA + 2.88	
		Horizontal open, remote condensing unit and designed for storage at low temperature (HZO.RC.L): Edaily ≤ 6.135 × TDA + 6.88	
		Vertical closed transparent, remote condensing unit and designed for storage at medium temperature (VCT.RC.M): Edaily ≤ 2.368 × TDA + 1.95	
		Vertical closed transparent, remote condensing unit and designed for storage at low temperature (VCT.RC.L): Edaily ≤ 6.028 × TDA + 2.61	
		Horizontal closed transparent, remote condensing unit and designed for storage at medium temperature (HCT.RC.M): Edaily ≤ 1.722 × TDA + 0.13	
		Horizontal closed transparent, remote condensing unit and designed for storage at low temperature (HCT.RC.L): Edaily ≤ 3.66 × TDA + 0.26	
		Vertical closed solid, remote condensing unit and designed for storage at medium temperature (VCS.RC.M): Edaily ≤ 3.885 × (Vf or Vr) + 0.26	
		Vertical closed solid, remote condensing unit and designed for storage at low temperature (VCS.RC.L): Edaily ≤ 8.122 × (Vf or Vr) + 0.54	
		Horizontal closed solid, remote condensing unit and designed for storage at medium temperature (HCS.RC.M): Edaily ≤ 3.885 × (Vf or Vr) + 0.26	
		Horizontal closed solid, remote condensing unit and designed for storage at low temperature (HCS.RC.L): Edaily ≤ 8.125 × (Vf or Vr) + 0.54	
		Service over counter, remote condensing unit and designed for storage at medium temperature (SOC.RC.M): Edaily ≤ 5.49 × TDA + 0.11	
		Service over counter, remote condensing unit and designed for storage at low temperature (SOC.RC.L): Edaily ≤ 11.625 × TDA + 0.22	
		Vertical open, self-contained and designed for storage at medium temperature (VOP.SC.M): Edaily ≤ 18.729 × TDA + 4.71	
		Vertical open, self-contained and designed for storage at low temperature (VOP.SC.L): Edaily ≤ 47.038 × TDA + 11.82	

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		Semi-vertical open, self-contained and designed for storage at medium temperature (SVO.SC.M): Edaily ≤ 18.622 × TDA + 4.59	
		Semi-vertical open, self-contained and designed for storage at low temperature (SVO.SC.L): Edaily ≤ 46.715 × TDA + 11.51	
		Horizontal open, self-contained and designed for storage at medium temperature (HZO.SC.M): Edaily ≤ 8.288 × TDA + 5.55	
		Horizontal open, self-contained and designed for storage at low temperature (HZO.SC.L): Edaily ≤ 20.667 × TDA + 7.08	
		Vertical open, remote condensing unit and designed for the storage of ice cream (VOP.RC.I): Edaily ≤ 31.108 × TDA + 8.7	
		Semi-vertical open, remote condensing unit and designed for the storage of ice cream (SVO.RC.I): Edaily ≤ 31.108 × TDA + 8.7	
		Horizontal open, remote condensing unit and designed for the storage of ice cream (HZO.RC.I): Edaily ≤ 7.75 × TDA + 8.74	
		Vertical closed transparent, remote condensing unit and designed for the storage of ice cream (VCT.RC.I): Edaily ≤ 7.104 × TDA + 3.05	
		Horizontal closed transparent, remote condensing unit and designed for the storage of ice cream (HCT.RC.I): Edaily ≤ 4.306 × TDA + 0.31	
		Vertical closed solid, remote condensing unit and designed for the storage of ice cream (VCS.RC.I): Edaily ≤ 9.535 × (Vf or Vr) + 0.63	
		Horizontal closed solid, remote condensing unit and designed for the storage of ice cream (HCS.RC.I): Edaily ≤ 9.535 × (Vf or Vr) + 0.63	
		Service over counter, remote condensing unit and designed for the storage of ice cream (SOC.RC.I): Edaily ≤ 13.562 × TDA + 0.26	
		Vertical open, self-contained and designed for the storage of ice cream (VOP.SC.I): Edaily ≤ 59.74 × TDA + 15.05	
		Semi-vertical open, self-contained and designed for the storage of ice cream (SVO.SC.I): Edaily ≤ 59.417 × TDA + 14.63	
		Horizontal open, self-contained and designed for the storage of ice cream (HZO.SC.I): Edaily ≤ 26.264 × TDA + 9	
		Vertical closed transparent, self-contained and designed for the storage of ice cream (VCT.SC.I): Edaily ≤ 7.212 × TDA + 3.29	
		Horizontal closed transparent, self-contained and designed for the storage of ice cream (HCT.SC.I): Edaily ≤ 6.028 × TDA + 0.43	

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		Vertical closed solid, self-contained and designed for the storage of ice cream (VCS.SC.I): Edaily ≤ 13.42 × (Vf or Vr) + 0.88	
		Horizontal closed solid, self-contained and designed for the storage of ice cream (HCS.SC.I): Edaily ≤ 13.42 × (Vf or Vr) + 0.88	
		Service over counter, self-contained and designed for the storage of ice cream (SOC.SC.I): Edaily ≤ 18.944 × TDA + 0.36	
3. Ranges			
1. Natural gas or propane range with an electrical power source.	N/A	Must not be equipped with a continuously burning pilot light	As of the coming into force of the Regulation
2. Household built-in or free-standing electric range with at least one surface element and one or more ovens.	CAN/CSA C358-03, Energy Consumption Test Methods for Household Electric Ranges	Eannual ≤ 2.0 × oven volume in litres + 458	As of the coming into force of the Regulation
3. Household integrated electric range with at least one surface element and no oven.	CAN/CSA C358-03, Energy Consumption Test Methods for Household Electric Ranges	Eannual ≤ 258	As of the coming into force of the Regulation
4. Household built-in or wall-mounted electric range with one or more ovens and no surface element.	CAN/CSA C358-03, Energy Consumption Test Methods for Household Electric Ranges	Eannual ≤ 2.0 × oven volume in litres + 200	As of the coming into force of the Regulation
4. Dehumidifiers			
1. Household factory-assembled electric dehumidifier mechanically refrigerated and whose water removal capacity is 87.5 L/d or less.	CAN/CSA C749-15, Energy performance of dehumidifiers	Cr ≤ 16.6: EF ≥ 1.35 L/kWh	As of the coming into force of the Regulation
		Cr > 16.6 and ≤ 21.3: EF ≥ 1.50 L/kWh	
		Cr > 21.3 and ≤ 25.5: EF ≥ 1.60 L/kWh	
		Cr > 25.5 and ≤ 35.5 : EF ≥ 1.70 L/kWh	
		Cr > 35.5: EF ≥ 2.50 L/kWh	
5. Vending machines			
1. Self-contained machine for dispensing, after accepting payment, packages of solid non-refrigerated food and bottled, canned or other sealed refrigerated beverages.	ASHRAE 32.1-2010, Methods of Testing for Rating Vending Machines for Sealed Beverages The ambient temperature must be 23.9°C ± 1°C	Class A automatic vending machine: Edaily ≤ 0.00194 × refrigerated volume in litres + 2.56	As of the coming into force of the Regulation
		Class B automatic vending machine: Edaily ≤ 0.00258 × refrigerated volume in litres + 3.16	
6. Clothes washers			
1. Household standard or compact electrically-operated clothes washer, top or front-loaded, that has an internal control system that regulates the water temperature without the need for user	CAN/CSA C360-13, Energy performance, water consumption, and capacity of household clothes washers	Compact, capacity of less than 45 L and vertical axis: modified energy performance ≥ 24.35 L/kWh/cycle and integrated water factor ≤ 1.92 L/cycle/L	From the coming into force of the Regulation to 31 December 2017
		Compact, capacity of less than 45 L and horizontal axis: modified energy performance ≥ 32 L/kWh/cycle and integrated water factor ≤ 1.11 L/cycle/L	

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intervention after the initiation of machine operation and that does not require fastening to a floor or wall.			
		Standard, capacity of 45 L or more and vertical axis: modified energy performance ≥ 36.53 L/kWh/cycle and integrated water factor ≤ 1.12 L/cycle/L	
		Standard, capacity of 45 L or more and horizontal axis: modified energy performance ≥ 52.10 L/kWh/cycle and integrated water factor ≤ 0.63 L/cycle/L	
	CAN/CSA C360-13, Energy performance, water consumption, and capacity of household clothes washers	Compact, capacity of less than 45 L and vertical axis: modified energy performance ≥ 32.56 L/kWh/cycle and integrated water factor ≤ 1.6 L/cycle/L	As of 1 January 2018
		Compact, capacity of less than 45 L and horizontal axis: modified energy performance ≥ 32 L/kWh/cycle and integrated water factor ≤ 0.87 L/cycle/L	
		Standard, capacity of 45 L or more and vertical axis: modified energy performance ≥ 44.46 L/kWh/cycle and integrated water factor ≤ 1.12 L/cycle/L	
		Standard, capacity of 45 L or more and horizontal axis: modified energy performance ≥ 52.10 L/kWh/cycle and integrated water factor ≤ 0.63 L/cycle/L	
2. Electrically-operated clothes washer designed for use by more than one family (for example: washers in common laundry rooms in immovables lodging a number of families, in coin-operated laundromats, hotels, or any other commercial use), top or front-loaded, that has an internal control system that regulates the water temperature without the need for user intervention after the initiation of machine operation and that does not require fastening to a floor or wall.	CAN/CSA C360-13, Energy performance, water consumption, and capacity of household clothes washers	Vertical axis: modified energy performance ≥ 45.31 L/kWh/cycle and water factor ≤ 1.13 L/cycle/L	From the coming into force of the Regulation to 31 December 2017
		Horizontal axis: modified energy performance ≥ 56.63 L/kWh/cycle and water factor ≤ 0.73 L/cycle/L	
	CAN/CSA C360-13, Energy performance, water consumption, and capacity of household clothes washers	Vertical axis: modified energy performance ≥ 38.23 L/kWh/cycle and integrated water factor ≤ 1.18 L/cycle/L	As of 1 January 2018
		Horizontal axis: modified energy performance ≥ 56.63 L/kWh/cycle and integrated water factor ≤ 0.55 L/cycle/L	
7. Integrated clothes washer-dryers			
1. Household integrated clothes washer-dryer, combination or not, powered by a single power source and having a single control panel.	For the washer function: CAN/CSA C360-13, Energy performance, water consumption, and capacity of household clothes washers	For the washer function, refer to the energy performance requirements applicable to washers	From the coming into force of the Regulation to 31 December 2017
			As of 1 January 2018
	For the dryer function: CAN/CSA C361-12, Test method for measuring energy	For the dryer function, refer to the energy performance requirements applicable to dryers	As of the coming into

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	consumption and drum volume of electrically operated household tumble-type clothes dryers		force of the Regulation
8. Dishwashers			
1. Electrically-operated automatic standard or compact household dishwasher.	CAN/CSA C373-14, Energy performance and water consumption of household dishwashers	Compact: energy consumption ≤ 222 kWh/year and water consumption ≤ 13.25 L/cycle	As of the coming into force of the Regulation
		Standard: energy consumption ≤ 307 kWh/year and water consumption ≤ 18.93 L/cycle	
9. Icemakers			
1. Automatic icemaker that may produce in batches.	CAN/CSA C742-15, Energy performance of automatic icemakers and ice storage bins	Water-cooled and Hm < 136 kg/d: energy consumption (kJ/kg) ≤ 546.04 – 0.962 × Hm	As of 28 January 2018
		Water-cooled and Hm ≥ 136 kg/d and < 386 kg/d: energy consumption (kJ/kg) ≤ 460.33 – 0.334 × Hm	
		Water-cooled and Hm ≥ 386 kg/d and < 680 kg/d: energy consumption (kJ/kg) ≤ 350.80 – 0.049 × Hm	
		Water-cooled and Hm ≥ 680 kg/d and < 1,134 kg/d: energy consumption (kJ/kg) ≤ 317.47	
		Water-cooled and Hm ≥ 1,134 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 317.47	
		Air-cooled and Hm < 136 kg/d: energy consumption (kJ/kg) ≤ 793.66 – 2.157 × Hm	
		Air-cooled and Hm ≥ 136 kg/d and < 363 kg/d: energy consumption (kJ/kg) ≤ 559.53 – 0.437 × Hm	
		Air-cooled and Hm ≥ 363 kg/d and < 680 kg/d: energy consumption (kJ/kg) ≤ 440.48 – 0.110 × Hm	
		Air-cooled and Hm ≥ 680 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 365.88	
		Remote condensing unit and integrated compressor, air-cooled and Hm ≥ 23 kg/d and < 454 kg/d: energy consumption (kJ/kg) ≤ 632.55 – 0.598 × Hm	
		Remote condensing unit and integrated compressor, air-cooled and Hm ≥ 454 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 361.12	
		Remote condensing unit and remote compressor, air-cooled and Hm < 427 kg/d: energy consumption (kJ/kg) ≤ 632.55 – 0.598 × Hm	
		Remote condensing unit and remote compressor, air-cooled and Hm ≥ 427 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 376.99	

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		Packaged, water-cooled and Hm < 91 kg/d: energy consumption (kJ/kg) ≤ 753.98 – 3.324 × Hm	
		Packaged, water-cooled and Hm ≥ 91 kg/d and < 1,134 kg/d: energy consumption (kJ/kg) ≤ 452.39	
		Packaged, water-cooled and Hm ≥ 1,134 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 452.39	
		Packaged, air-cooled and Hm < 50 kg/d: energy consumption (kJ/kg) ≤ 1173.83 – 8.206 × Hm	
		Packaged, air-cooled and Hm ≥ 50 kg/d and < 91 kg/d: energy consumption (kJ/kg) ≤ 985.73 – 4.432 × Hm	
		Packaged, air-cooled and Hm ≥ 91 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 583.34	
2. Automatic icemaker that may produce in a continuous process.	CAN/CSA C742-15, Energy performance of automatic icemakers and ice storage bins	Water-cooled and Hm < 363 kg/d: energy consumption (kJ/kg) ≤ 514.29 – 0.467 × Hm	As of 28 January 2018
		Water-cooled and Hm ≥ 363 kg/d and < 1,134 kg/d: energy consumption (kJ/kg) ≤ 344.45	
		Water-cooled and Hm ≥ 1,134 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 344.45	
		Air-cooled and Hm < 141 kg/d: energy consumption (kJ/kg) ≤ 729.38 – 1.101 × Hm	
		Air-cooled and Hm ≥ 141 kg/d and < 372 kg/d: energy consumption (kJ/kg) ≤ 653.19 – 0.560 × Hm	
		Air-cooled and Hm ≥ 372 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 445.25	
		Remote condensing unit and integrated compressor, air-cooled and Hm < 363 kg/d and < 454 kg/d: energy consumption (kJ/kg) ≤ 769.85 – 1.015 × Hm	
		Remote condensing unit and integrated compressor, air-cooled and Hm ≥ 363 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 401.59	
		Remote condensing unit and remote compressor, air-cooled and Hm < 363 kg/d : energy consumption (kJ/kg) ≤ 785.73 – 1.015 × Hm	
		Remote condensing unit and remote compressor, air-cooled and Hm ≥ 363 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 417.47	
		Self-contained, water-cooled and Hm < 408 kg/d: energy consumption (kJ/kg) ≤ 603.18 – 0.528 × Hm	

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		Self-contained, water-cooled and Hm ≥ 408 kg/d and < 1,134 kg/d: energy consumption (kJ/kg) ≤ 387.31	
		Self-contained, water-cooled and Hm ≥ 1,134 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 387.31	
		Self-contained, air-cooled and Hm < 91 kg/d: energy consumption (kJ/kg) ≤ 1,128,59 – 5.249 × Hm	
		Self-contained, air-cooled and Hm ≥ 91 kg/d and < 318 kg/d: energy consumption (kJ/kg) ≤ 751.6 – 1.092 × Hm	
		Self-contained, air-cooled and Hm ≥ 318 kg/d and < 1,814 kg/d: energy consumption (kJ/kg) ≤ 404.77	
3. Ice storage bin.	CAN/CSA C742-15, Energy performance of automatic icemakers and ice storage bins	Ice storage bin capacity < 70 kg: storage effectiveness ≥ 60%	As of 28 January 2018
		Ice storage bin capacity ≥ 70 kg and < 100 kg: storage effectiveness ≥ 70%	
		Ice storage bin capacity ≥ 100 kg and ≤ 200 kg: storage effectiveness ≥ 75%	
		Ice storage bin capacity > 200 kg: storage effectiveness ≥ 80%	
10. Clothes dryers			
1. Electrically-operated compact or standard household tumble-type clothes dryer, designed for a 60 Hz alternating current supply with a nominal voltage of 120, 120/240 or 120/208 V.	CAN/CSA C361-12, Test method for measuring energy consumption and drum volume of electrically operated household tumble-type clothes dryers	Conventional standard: combined energy factor (kg/kWh) ≥ 1.69	As of the coming into force of the Regulation
		Conventional compact, 120 V: combined energy factor (kg/kWh) ≥ 1.64	
		Conventional compact, 240 V: combined energy factor (kg/kWh) ≥ 1.48	
		Ventless compact, 240 V: combined energy factor (kg/kWh) ≥ 1.16	
		Ventless combination washer-dryer: combined energy factor (kg/kWh) ≥ 0.94	
Category 5: Electronic devices			
1. Digital television adapters			
1. Device that is a type of terrestrial set-top box whose primary function is to receive an Advanced Television Systems Committee terrestrial television broadcast and to demodulate, decode and convert it into an analog television format.	CAN/CSA C380-11, Test procedure for the measurement of energy consumption of set-top boxes (STBs)	Capable of automatically entering in standby mode and capable of entering in the following modes: - an on mode with a power consumption ≤ 8 W; - a standby mode with a power consumption ≤ 1 W.	As of the coming into force of the Regulation

PART 1

2. Video products			
1. Household electronic device encased in a single housing, that has an integral power supply, is connected to a mains power source and is designed primarily to produce or record, or both, audio and video signals, to or from digital or analog media. Cameras are excluded.	CAN/CSA C62301:11, Household electrical appliances – Measurement of standby power Video products must be tested at 115 V regardless of their nominal voltage	Capable of entering in one of the following modes, or more if applicable: - a standby mode with display active and a power consumption ≤ 1 W; - a standby mode with display inactive and a power consumption ≤ 0.5 W; - a standby mode without display and power consumption ≤ 0.5 W; - an off mode with a power consumption ≤ 0.5 W.	As of the coming into force of the Regulation
3. External power supplies			
1. Power supply device that is designed to convert line voltage ac input into lower voltage dc or ac output, is able to convert to only one dc or ac output voltage at a time, is designed to be used with a household or office end-use product that constitutes the primay load, is encased in an enclosure separated from that end-use product and is connected to that product by an electrical connection and has a nominal power of 250 W or less. Any device: (a) that powers the charger of a detachable battery pack of an end-use product, (b) that charges the battery of an end-use product that is fully or primarily motor-operated, (c) that is an accessory to a medical device within the meaning of section 1 of the Medical Devices Regulations (DORS/98-282), (d) that is a power sourcing equipment within the meaning of IEEE standard IEEE 802.3 – 2008, Standard for Information Technology — Telecommunications and Information Exchange Between Systems - Specific requirements Part 3, is excluded.	CAN/CSA C381.1-08, Test method for calculating the energy efficiency of single-voltage external ac-dc and ac-ac power supplies	Minimum average efficiency at the highest or lowest nominal output power setting: - nominal output power < 1 W: 0.5 × nominal output power; - nominal output power ≥ 1 W and ≤ 51 W : 0.09 × ln (nominal output power) + 0.5; - nominal output power > 51 W : 0.85; - for a device other than a security external power supply: no load power ≤ 0.5 W.	As of the coming into force of the Regulation

PART 1

4. Compact audio products			
1. Product consisting of an amplifier and terrestrial tuner encased in a single housing, with attached or separable speakers, including a product that can produce sound from another media that uses mains power as at least one means of power. Clock radios are excluded.	CAN/CSA C62301:11, Household electrical appliances – Measurement of standby power. Compact video products must be tested at 115 V regardless of their nominal voltage.	With display active: consumption in a standby mode ≤ 1 W and consumption in an off mode ≤ 0.5 W	As of the coming into force of the Regulation
		With display inactive: consumption in a standby mode ≤ 0.5 W and consumption in an off mode ≤ 0.5 W	
		Without display: consumption in a standby mode ≤ 0.5 W and consumption in an off mode ≤ 0.5 W	
2. Clock radio.	CAN/CSA C62301:11, Household electrical appliances – Measurement of standby power Clock radios must be tested at 115 V regardless of their nominal voltage.	With display active: consumption in a standby mode ≤ 2 W and consumption in an off mode ≤ 1 W	As of the coming into force of the Regulation
5. Televisions			
1. Analog or digital device designed primarily for the display and reception of a terrestrial, satellite, cable, Internet Protocol TV (IPTV) or other broadcast or recorded transmission of analog or digital video and audio signals, including the following: (a) a household television monitor, namely a device without an internal tuner, receiver or playback device, (b) a combination television, namely a system in which a television and an additional device or devices, including a DVD player or VCR are combined into a single unit in which the additional devices are included in the television casing, (c) a component television, namely a television composed of two or more separate components marketed and sold as a television under one model or system designation. A computer monitor, namely an analog or digital device designed primarily for the display of computer generated signals and that is not marketed for use as a television is excluded.	For a consumption in an off mode and a standby mode: CAN/CSA C62301:11, Household electrical appliances – Measurement of standby power For a consumption in an on mode and the power factor: CAN/CSA C382-11, Energy performance of televisions and displays Televisions must be tested at 115 V regardless of their nominal voltage.	For all televisions, capable of entering in one of the following modes, or more if applicable: - in a standby mode with display active and a power consumption ≤ 1 W; - in a standby mode with display inactive and a power consumption ≤ 0.5 W; - in a standby mode without display with a power consumption ≤ 0.5 W; - in an off mode with a power consumption ≤ 0.5 W. and	As of the coming into force of the Regulation
		Consumption in an on mode ≤ 0.019 W/cm^2 x A + 25 W where A is the screen surface in cm^2 and	As of the coming into force of the Regulation
		Must automatically enter in a standby mode after a maximum of 15 minutes without audio or video signal in the input mode selected and	As of 1 January 2017
		When turned off by remote control or by a key or an integrated switch, must enter in the operating mode in which the television is connected to the power supply but produces no sound or image, does not exchange data, does not receive data from an internal source and may be switched into another mode with the remote control or an internal signal.	As of 1 January 2017
		For models whose power is < 100 W: power factor ≥ 0.4	As of the coming into force of the Regulation
		For models whose power is ≥ 100 W: power factor ≥ 0.9	As of 1 July 2017

PART 1

Category 6: Electric motors			
1. Machine that converts electrical power into rotational mechanical power, including a machine incorporated into another product, whether or not that other product is an energy-using product, that is rated for continuous duty operation and is an electric three-phase induction design, a cage or squirrel-cage design, a NEMA design A, B or C with NEMA T or U frame dimensions or IEC design N or H, is designed to operate at a single speed, has a nominal output power of not less than 0.746 kW (1 HP), and not more than 375 kW (500 HP), has a nominal voltage of not more than 600 volts AC and a nominal frequency of 50/60 Hz or 60 Hz, a two, four, six or eight pole construction, and has an IP code from 00 to 66 and is of open or enclosed construction. NEMA design C motors of more than 150 kW (200 HP) and IEC design H motors of more than 150 kW (200 HP) are excluded.	CAN/CSA C390-10, Test methods, marking requirements, and energy efficiency levels for three-phase induction motors	See Part 2 of this Schedule	As of the coming into force of the Regulation
Category 7: Dry-type transformers			
1. Single-phase or three-phrase transformer, self-contained or part of a larger assembly, 60 Hz, natural cooling, with a nominal power of 15 to 833 kVA for single-phase models and 15 to 7,500 kVA for three-phase models.	CAN/CSA C802.2-12, Minimum efficiency values for dry-type transformers	See Part 3 of this Schedule	As of the coming into force of the Regulation

PART 2

Category 6: Electric motors								
Energy efficiency standard: CAN/CSA C390-10, Test methods, marking requirements, and energy efficiency levels for three-phase induction motors								
Energy efficiency requirements for 60 Hz (percentage) fire pumps								
Power		Open			Enclosed			
(HP)	(kW)	2 poles	4 poles	6 poles	2 poles	4 poles	6 poles	
1	0.75	77	85.5	82.5	77	85.5	82.5	
1.5	1.1	84	86.5	86.5	84	86.5	87.5	
2	1.5	85.5	86.5	87.5	85.5	86.5	88.5	
3	2.2	85.5	89.5	88.5	86.5	89.5	89.5	
5	3.7	86.5	89.5	89.5	88.5	89.5	89.5	
7.5	5.5	88.5	91	90.2	89.5	91.7	91	
10	7.5	89.5	91.7	91.7	90.2	91.7	91	
15	11	90.2	93	91.7	91	92.4	91.7	
20	15	91	93	92.4	91	93	91.7	
25	19	91.7	93.6	93	91.7	93.6	93	
30	22	91.7	94.1	93.6	91.7	93.6	93	
40	30	92.4	94.1	94.1	92.4	94.1	94.1	
50	37	93	94.5	94.1	93	94.5	94.1	
60	45	93.6	95	94.5	93.6	95	94.5	
75	55	93.6	95	94.5	93.6	95.4	94.5	
100	75	93.6	95.4	95	94.1	95.4	95	
125	90	94.1	95.4	95	95	95.4	95	
150	110	94.1	95.8	95.4	95	95.8	95.8	
200	150	95	95.8	95.4	95.4	96.2	95.8	
250	185	95	95.8	95.4	95.8	96.2	95.8	
300	225	95.4	95.8	95.4	95.8	96.2	95.8	
350	260	95.4	95.8	95.4	95.8	96.2	95.8	
400	300	95.8	95.8	95.8	95.8	96.2	95.8	
450	340	95.8	96.2	96.2	95.8	96.2	95.8	
500	375	95.8	96.2	96.2	95.8	96.2	95.8	

Categorie 6: Electric motors									
Energy efficiency standard: CAN/CSA C390-10, Test methods, marking requirements, and energy efficiency levels for three-phase induction motors									
Energy efficiency requirements for all other 60 Hz (percentage) motors									
Power		Open				Enclosed			
(HP)	(kW)	2 poles	4 poles	6 poles	8 poles	2 poles	4 poles	6 poles	8 poles
1	0.75	77	85.5	82.5	75.5	77	85.5	82.5	75.5
1.5	1.1	84	86.5	86.5	77.0	84	86.5	87.5	78.5
2	1.5	85.5	86.5	87.5	86.5	85.5	86.5	88.5	84.0
3	2.2	85.5	89.5	88.5	87.5	86.5	89.5	89.5	85.5
5	3.7	86.5	89.5	89.5	88.5	88.5	89.5	89.5	86.5
7.5	5.5	88.5	91	90.2	89.5	89.5	91.7	91	86.5
10	7.5	89.5	91.7	91.7	90.2	90.2	91.7	91	89.5
15	11	90.2	93	91.7	90.2	91	92.4	91.7	89.5
20	15	91	93	92.4	91.0	91	93	91.7	90.2
25	19	91.7	93.6	93	91.0	91.7	93.6	93	90.2
30	22	91.7	94.1	93.6	91.7	91.7	93.6	93	91.7
40	30	92.4	94.1	94.1	91.7	92.4	94.1	94.1	91.7
50	37	93	94.5	94.1	92.4	93	94.5	94.1	92.4
60	45	93.6	95	94.5	93.0	93.6	95	94.5	92.4
75	55	93.6	95	94.5	94.1	93.6	95.4	94.5	93.6
100	75	93.6	95.4	95	94.1	94.1	95.4	95	93.6
125	90	94.1	95.4	95	94.1	95	95.4	95	94.1
150	110	94.1	95.8	95.4	94.1	95	95.8	95.8	94.1
200	150	95	95.8	95.4	94.1	95.4	96.2	95.8	94.5
250	185	95	95.8	95.8	95.0	95.8	96.2	95.8	95.0
300	225	95.4	95.8	95.8	-	95.8	96.2	95.8	-
350	260	95.4	95.8	95.8	-	95.8	96.2	95.8	-
400	300	95.8	95.8	-	-	95.8	96.2	-	-
450	340	96.2	96.2	-	-	95.8	96.2	-	-
500	375	96.2	96.2	-	-	95.8	96.2	-	-

PART 2

Category 7: Transformers				
Energy efficiency standard: CAN/CSA C802.2-12, Minimum efficiency values for dry-type transformers				
Energy efficiency requirements for single-phase transformers				
Power	Performance in %, nominal power per unit of 0.35	Performance in %, nominal power per unit of 0.5		
(kVA)	Class = 1.2 kV	Class > 1.2 kV		
		20 - 45 kV	> 45 - 95 kV	> 95 - 199 kV
15	97.7	98.1	97.86	97.6
25	98	98.33	98.12	97.9
37.5	98.2	98.49	98.3	98.1
50	98.3	98.6	98.42	98.2
75	98.5	98.73	98.57	98.53
100	98.6	98.82	98.67	98.63
167	98.7	98.96	98.83	98.8
250	98.8	99.07	98.95	98.91
333	98.9	99.14	99.03	98.99
500	-	99.22	99.12	99.09
667	-	99.27	99.18	99.15
833	-	99.31	99.23	99.2

Category 7: Transformers				
Energy efficiency standard: CAN/CSA C802.2-12, Minimum efficiency values for dry-type transformers				
Energy efficiency requirements for three-phase transformers				
Power	Performance in %, nominal power per unit of 0.35	Performance in %, nominal power per unit of 0.5		
(kVA)	Class = 1.2 kV	Class > 1.2 kV		
		20 - 45 kV	> 45 - 95 kV	> 95 - 199 kV
15	97	97.5	97.18	96.8
30	97.5	97.9	97.63	97.3
45	97.7	98.1	97.86	97.6
75	98	98.33	98.12	97.9
112.5	98.2	98.49	98.3	98.1
150	98.3	98.6	98.42	98.2
225	98.5	98.73	98.57	98.53
300	98.6	98.82	98.67	98.63
500	98.7	98.96	98.83	98.8
750	98.8	99.07	98.95	98.91
1,000	98.9	99.14	99.03	98.99
1,500	-	99.22	99.12	99.09
2,000	-	99.27	99.18	99.15
2,500	-	99.31	99.23	99.2
3,000	-	99.34	99.26	99.24
3,750	-	99.38	99.3	99.28
5,000	-	99.42	99.35	99.33
7,500	-	99.48	99.41	99.39

PART 3

Category 7: Transformers				
Energy efficiency standard: CAN/CSA C802.2-12, Minimum efficiency values for dry-type transformers				
Energy efficiency requirements for single-phase transformers				
Power	Performance in %, nominal power per unit of 0.35	Performance in %, nominal power per unit of 0.5		
(kVA)	Class = 1.2 kV	Class > 1.2 kV		
		20 - 45 kV	> 45 - 95 kV	> 95 - 199 kV
15	97.7	98.1	97.86	97.6
25	98	98.33	98.12	97.9
37.5	98.2	98.49	98.3	98.1
50	98.3	98.6	98.42	98.2
75	98.5	98.73	98.57	98.53
100	98.6	98.82	98.67	98.63
167	98.7	98.96	98.83	98.8
250	98.8	99.07	98.95	98.91
333	98.9	99.14	99.03	98.99
500	-	99.22	99.12	99.09
667	-	99.27	99.18	99.15
833	-	99.31	99.23	99.2

Category 7: Transformers				
Energy efficiency standard: CAN/CSA C802.2-12, Minimum efficiency values for dry-type transformers				
Energy efficiency requirements for three-phase transformers				
Power	Performance in %, nominal power per unit of 0.35	Performance in %, nominal power per unit of 0.5		
(kVA)	Class = 1.2 kV	Class > 1.2 kV		
		20 - 45 kV	> 45 - 95 kV	> 95 - 199 kV
15	97	97.5	97.18	96.8
30	97.5	97.9	97.63	97.3
45	97.7	98.1	97.86	97.6
75	98	98.33	98.12	97.9
112.5	98.2	98.49	98.3	98.1
150	98.3	98.6	98.42	98.2
225	98.5	98.73	98.57	98.53
300	98.6	98.82	98.67	98.63
500	98.7	98.96	98.83	98.8
750	98.8	99.07	98.95	98.91
1,000	98.9	99.14	99.03	98.99
1,500	-	99.22	99.12	99.09
2,000	-	99.27	99.18	99.15
2,500	-	99.31	99.23	99.2
3,000	-	99.34	99.26	99.24
3,750	-	99.38	99.3	99.28
5,000	-	99.42	99.35	99.33
7,500	-	99.48	99.41	99.39

102680

Draft regulation

Health Insurance Act
(chapitre A-29)

Application regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Health Insurance Act, the text of which appears hereafter, may be made by the Government upon the expiry of 45 days following this publication.

The proposed amendment is aimed at increasing the coverage for ultrasonography by insuring this service outside a facility maintained by an institution which operate a hospital centre, if the service is rendered by a radiologist.

Furthermore, the amendment aims to insure optical tomography of the ocular globe and confocal scanning laser ophthalmoscopy of the optic nerve rendered as part of an intravitreal injection of an antiangiogenic drug for treatment of macular edema caused by vein occlusion, diabetic macular edema, retinopathy of prematurity, malignant myopia, neovascular glaucoma or neovascular diabetic retinopathy.

This draft regulation has no impact on enterprises, specifically small or medium-sized enterprises.

Further information concerning this draft regulation may be obtained by contacting Julie Goulet, Direction des relations professionnelles avec les fédérations médicales, Ministère de la Santé et des Services sociaux, 1005, chemin Sainte-Foy, 4e étage, Québec (Québec) G1S 4N4, by phone at 418 266-8437, by fax at 418 266-8444 or by email at julie.goulet@msss.gouv.qc.ca

Persons wishing to comment on this draft regulation may write, before the expiry of the 45-day period mentioned above, to the undersigned, the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15e étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the application of the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 69, 1st par., subpars. *b* and *b*.1)

1. The Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by replacing subparagraph *q* of section 22 by the following subparagraph:

"*(q)* ultrasonography, except in one or the other of the following cases:

i. this service is rendered in a facility maintained by an institution which operates a hospital centre;

ii. this service is rendered by a radiologist;

iii. this service is rendered, for obstetrical reasons, in a facility maintained by an institution which operates a local community service centre referred to in Schedule D;".

2. That Regulation is amended by adding, at the end of subparagraph *q*.3 of section 22, the following:

", macular edema caused by vein occlusion, diabetic macular edema, retinopathy of prematurity, malignant myopia, neovascular glaucoma or neovascular diabetic retinopathy".

3. This Regulation comes into force on the 15th day following the date of its publication in the *Gazette officielle du Québec*.

102682

Draft Regulation

Mining Act
(chapter M-13.1)

Petroleum, natural gas and underground reservoirs — 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 petroleum, natural gas and underground reservoirs, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation updates the conditions, obligations and technical requirements associated with the well drilling, completion and conversion licences, the authorizations to close temporarily or permanently a well and the restoration and rehabilitation of sites. It will increase the safety of persons and property and protect the environment.

Study of the matter shows that the draft Regulation will have an impact on enterprises that hold an exploration licence for petroleum, natural gas and underground reservoirs who will have to send more information to the Minister of Energy and Natural Resources both for applications for a licence or an authorization and for reports at the end of the work. The additional requirements do not represent a significant burden. There is no impact on the public and on other enterprises.

Further information on the draft Regulation may be obtained by contacting MarieEve Bergeron, Director, Bureau des hydrocarbures, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A-422, Québec (Québec) G1H 6R1; telephone: 418 6276385, extension 8131; toll free: 1 800 363-7233, extension 8131; fax: 418 644-1445; email: marieeve.bergeron@mern.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Luce Asselin, Associate Deputy Minister for Energy, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A-407, Québec (Québec) G1H 6R1.

PIERRE ARCAND,
Minister of Energy and Natural Resources and Minister responsible for the Plan Nord

Regulation to amend the Regulation respecting petroleum, natural gas and underground reservoirs

Mining Act
(chapter M-13.1, s. 306, pars. 2, 5, 15, 16, 26.1 and 26.2)

1. The Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1) is amended in section 1

(1) by striking out the definitions of "drilling rig", "mechanical packer", "wireline log", "pump and plug method", "injection well", "enhanced recovery", "intermediate casing" and "production tubing";

(2) by inserting the following definition in alphabetical order:

""fracturing" means an operation that creates fractures in the geological formation by injecting a fluid under pressure through wells;".

2. Section 15 is amended

(1) by replacing "proposed drilling" at the end of subparagraph 1 of the second paragraph by "collar of the proposed drilling and the downhole";

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

"(2.1) a site preparation and infrastructure plan;";

(3) by replacing subparagraphs 3 to 6 of the second paragraph by the following:

"(3) a drilling program certified by an engineer indicating

(a) the type of drilling rig that will be used to carry out the operations and its specifications;

(b) a process diagram describing material flows and equipment used in the drilling process with their data sheets;

(c) a chronological description of the technical operations to be carried out during drilling;

(d) a graphic projection of the formation pressure to the total planned depth;

(e) a graphic projection of the deviation and the drilling angle to the total planned depth;

(f) a longitudinal section indicating the proposed mechanical conditions of the well;

(g) the technical demonstration that the equipment, components or casings can resist any bursting, crushing, tension and any other physical stress to which they may be subjected;

(h) the technical demonstration that the depth of the installation of the surface casing allows it to resist stress encountered;

(i) the technical demonstration that the casings and their cementation prevent the communication of fluids from one geological horizon to another;

(j) a casing cementation program providing in particular the installation method used, the type of cement, the setting time, the quantity of cement including the calculation of the excess, the additives and the method used to verify the application of the cement;

(k) a test program to ensure tightness of equipment, components and casings during their installation;

(l) the method used to verify the tightness of the drilling following cementation;

(m) the method used to demonstrate that all geological horizons, faults and fractures encountered containing water, petroleum or gas are isolated and prevent the communication of fluids from one geological horizon to another;

(n) the method used to ensure maintenance of the borepath or the path of re-entry including the frequency and interval of path deviation surveys;

(o) the demonstration that the technical aspects take into account the presence of wells already drilled, the local and regional geology and the separation distances provided for in the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(p) a gas sampling and analysis program during the drilling to establish a link between the characteristics of the gases, the geological formations and the depths;

(q) the list of the logs planned during and after the work;

(r) the list of analyses planned on cores and cuttings;

(s) the technical demonstration that the proposed work complies with the best practices generally recognized to ensure the safety of persons and property, the protection of the environment and the optimum recovery of the resource;

(t) the names and contact information of the person responsible for the drilling work and of the engineer charged with supervising the work; and

(u) an estimate of the cost of the proposed work;

"(4) a geological projection, certified by a geologist or an engineer, including

(a) a stratigraphic column showing the projected horizons and their thickness;

(b) the description of the geological model and anticipated hydrocarbons; and

(c) an interpreted seismic profile indicating the top of geologic formations, the shotpoint corresponding to the drilling location, the projected drilling deviation to its total depth, and the location of projected objectives of primary and secondary hydrocarbons;

"(5) a program of evaluation of the well certified by an engineer indicating the nature of the gas detecting system, the different core zones and the drill-stem test program;

"(6) a mitigation plan showing that the proposed work takes into account the harmonization of land use and minimizes disturbances for local communities and the environment;

"(7) a schedule of the road traffic caused by the proposed work, including the volume of heavy trucking and the period in which it will take place and a map showing the planned routes;

"(8) an assessment of the risks associated with the proposed work and a plan for the management of those risks;

"(9) an emergency measures plan indicating the prevention and intervention measures in case of an accident or fire;

"(10) a communication plan for local communities covering the whole period of the work;

"(11) any other information deemed necessary by the Minister; and

"(12) payment of the fee in the amount of $4,393.";

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

"The electronic version of the documents must also be sent to the Minister.".

3. Section 16 is amended by striking out "; however, it may not be less than $5,000 or more than $150,000" in the portion preceding paragraph 1.

4. Section 17 is replaced by the following:

"**17.** The application must be submitted with a certified copy of the following insurance policies:

(1) a civil liability insurance policy in the amount of $2,000,000 for any damage caused by the work or the equipment;

(2) a pollution insurance policy in the amount of $2,000,000;

(3) a well control insurance policy in the amount of $10,000,000;

(4) an umbrella insurance policy in the amount of $8,000,000.".

5. The following is inserted after section 17:

"**17.1.** The well drilling licensee must immediately notify the Minister where one of the following events occurs as part of the drilling:

(1) damage to the integrity of the well;

(2) an unexpected drop of pressure;

(3) any other incident likely to have an impact on the safety of persons or property or on the protection of the environment.

The notice must indicate the corrective measures taken or those planned and their schedule.".

6. Section 18 is amended

(1) by replacing "the liability insurance policy required" in the first paragraph by "the insurance policies required";

(2) by replacing the second, third and fourth paragraphs by the following:

"The amount of the performance guarantee is revised upon an application for a well completion licence and an application for a well conversion licence to take into account the new work. Where the amount of the guarantee provided under section 16 is less than the revised amount, an additional guarantee must be submitted with the application for a well completion licence and the application for a well conversion licence.".

7. Section 19 is amended by adding the following paragraph at the end:

"Drilling work commences when the activities concerning the installation of the initial casing begin.".

8. Section 20 is amended by replacing "thereof in writing" at the end of the second paragraph by "in writing of the new commencement date or of the licensee's intention not to proceed with the work".

9. Section 21 is amended by replacing "the drilling engineer responsible for carrying out the operations" in the second paragraph by "an engineer".

10. Section 22 is amended

(1) by striking out ", any dwelling or public building" in paragraph 1;

(2) by replacing paragraph 2 by the following:

"(2) less than 100 m from a cemetery, a national park or a protected area;";

(3) by inserting the following after paragraph 3:

"(3.1) less than 160 m from a wind turbine, an electrical tower or a telecommunication infrastructure;

"(3.2) less than 180 m from a high-capacity dam as defined in the Dam Safety Act (chapter S-3.1.01);

"(3.3) less than 500 m from any dwelling or building;

"(3.4) less than 600 m on either side of the grinding zone of the Jupiter fault located on île d'Anticosti;";

(4) by adding the following after paragraph 7:

"(8) in an area where ground movement is likely to occur.".

11. Section 23 is amended

(1) by inserting "and maintaining" after "when drilling";

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

"The well drilling licensee must also use, for work carried out after the installation of the surface casing, a blowout prevention system including at least 3 different sealing mechanisms designed to resist to the various pressures projected in the drilling program.".

12. The following is inserted after section 23:

"**23.1.** In the case of petroleum or gas influx, the well drilling licensee must immediately so inform the Minister in writing and sample and analyze the hydrocarbons encountered.

In all cases, the analyses will have to quantify hydrogen sulphide. In the case of natural gas influx, the analyses will have to characterize in particular the carbon isotope ratio in the methane. In the case of petroleum influx, they will have to characterize in particular the viscosity and density.".

13. Sections 24 to 28 are revoked.

14. Section 29 is amended by adding the following paragraph at the end:

"The well drilling licensee must send a written notice to the Minister as soon as each cementation operation is completed. The notice must assess the quality of the cementation in relation to the integrity of the well and, in the case of failure, indicate corrective work that will be carried out.".

15. Sections 33 and 34 are revoked.

16. Section 37 is amended by replacing "and the section of the well sampled" in the second paragraph by ", the depth and geological formation they come from".

17. Section 38 is replaced by the following:

"**38.** A well drilling licensee must, for each core collected while drilling a well, analyze samples in order to determine its porosity and its permeability. The samples must be collected at an interval of at least 100 m in the targeted horizons and in the units associated with gas or petroleum influx.

"The well drilling licensee sends to the Minister the results of the sample analyses as soon as they are completed.".

18. Section 39 is replaced by the following:

"**39.** A well drilling licensee submits to the Minister at least half the core as soon as the sample analysis is completed or, otherwise, not later than 1 year after the end of the drilling.

The core must be cut lengthwise and the drilling licensee must indicate the name of the well, the interval and the geological formation it comes from and its top and basis.

The Minister may grant an additional time period for submitting the cores or exempt the licensee from doing so.".

19. Section 40 is revoked.

20. Section 43 is amended by adding the following paragraph at the end:

"The analysis of the sampled gas must include hydrogen sulphide (H_2S).".

21. Section 46 is amended

(1) by replacing paragraph 4 by the following:

"(4) a description of the activities carried out in chronological order and the time spent on them by the drilling crew;";

(2) by replacing paragraph 11 by the following:

"(11) the rate of penetration;";

(3) by inserting ", brine" after "oil" in paragraph 14;

(4) by inserting the following after paragraph 16:

"(16.1) the composition, concentration and detailed overview of all the products stored and used on the site, in particular the drilling mud;

"(16.2) the proposed work for the next 24 hours;

"(16.3) the burning activities and an estimate of the volume of burnt gas;";

(5) by adding the following subparagraph at the end of paragraph 18:

"*(i)* if applicable, the presence of freezing spray or any other operating condition likely to have an impact on the safety of property or persons or on the protection of the environment, and mitigation measures used.".

22. Section 47 is amended by replacing "once a week" by "every 48 hours".

23. Section 48 is amended

(1) by inserting "be signed by an engineer and" after "must" in the portion preceding subparagraph 1 of the first paragraph;

(2) by replacing subparagraphs 1 and 2 of the first paragraph by the following:

"(1) the name of the well and its number as it appears on the drilling licence;

"(1.1) the final coordinates of the drilling collar and the downhole;

"(1.2) a summary of the activities carried out during the work;

"(2) a technical description of the state of the well including a longitudinal section indicating the mechanical conditions of the well after the drilling;";

(3) by replacing subparagraphs 5 and 6 of the first paragraph by the following:

"(5) results of the well evaluation tests including in particular the analysis made in respect of the projected objectives of primary and secondary hydrocarbons;

"(6) a copy of the interpreted logs and results of the analyses and studies related to them. The log data must be recorded according to the Log ASCII standard format of logging information commonly called the LAS format;";

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

"The electronic version of the documents must also be sent to the Minister.".

24. Section 49 is replaced by the following:

"**49.** An application for a well completion licence must be submitted to the Minister at least 30 days before the date of commencement of the completion work using the form in Schedule III.

The application must be accompanied by the following documents:

(1) a cadastral map or, if none, a topographical map, scale 1:20 000, illustrating the location of the drilling collar and the downhole;

(2) a site preparation and infrastructure plan;

(3) a completion program certified by an engineer indicating

(a) the name of the well and its number as it appears on the well drilling licence;

(b) a description of the type of well;

(c) the type of equipment that will be used for the work and its specifications;

(d) a process diagram describing material flows and equipment used in the process with their data sheets;

(e) a technical description of the state of the well including a longitudinal section indicating the mechanical conditions of the well before completion and those expected after completion;

(f) the technical demonstration that the equipment, components or casings can resist any bursting, crushing, tension and any other physical stress to which they may be subjected;

(g) any casing cementation program providing in particular the installation method used, the type of cement, the setting time, the quantity of cement including the calculation of the excess, the additives and the method used to verify the application of the cement;

(h) a test program to ensure tightness of equipment, components and casings during their installation;

(i) a chronological description of the technical operations carried out during completion;

(j) perforation intervals, intervals that will be the subject of the completion work, their locations and their vertical depth;

(k) the demonstration that the techniques used will allow to maintain the integrity of the well;

(l) the demonstration that the technical aspects take into account the presence of wells already drilled and the local and regional geology;

(m) the list of logs planned during and after the work;

(n) a program for the verification and follow-up of the integrity of the well during and after the work;

(o) the demonstration that the work will comply with the best practices generally recognized to ensure the safety of persons and property, the protection of the environment and the optimum recovery of the resource;

(p) the names and contact information of the person responsible for the completion work and of the engineer in charge of supervising the work; and

(q) an estimate of the cost of the proposed work;

(4) a mitigation plan showing that the proposed work takes into account the harmonization of land use and minimizes disturbances for local communities and the environment;

(5) a schedule of the road traffic caused by the proposed work, including the volume of heavy trucking and the period in which it will take place and a map showing the planned routes;

(6) an assessment of the risks associated with the proposed work and a plan for the management of those risks;

(7) an emergency measures plan indicating the prevention and intervention measures in case of an accident or fire;

(8) a communication plan for local communities covering the whole period of the work;

(9) any other information deemed necessary by the Minister; and

(10) payment of the fee in the amount of $2,555.

Where the completion work covers the physical stimulation by hydraulic fracturing, the completion program must also include

(1) an injectivity test program allowing to establish the fracturing parameters or a demonstration that the program is not required;

(2) a work follow-up program including the total volumes injected and pressures used;

(3) the demonstration that the proposed work takes into account the separation distances provided for in the Water Withdrawal and Protection Regulation;

(4) stimulation intervals, the number of fracturing steps and their identification and the vertical depth of the intervals in the well;

(5) the composition, structure and geomechanical behaviour of the host rock body covered by the work and those that are underlying;

(6) a 3-D assessment of fracture propagation and the description of the method used for that assessment;

(7) an assessment of the induced seismicity risk and a description of the microseismic follow-up that will be performed stating the nature of the data that will be collected and the duration of the observation period and including a monitoring program and mitigation and intervention measures;

(8) the determination of operating parameters to be met during the work, the pressure and volume that must not be exceeded in particular to avoid damage to the equipment, well or geological formations by fracture propagation to a preferential fluid flow path;

(9) the name, volume, composition, concentration and function of all products stored and used on the site including the fluid injected and the proppant, and the safety data sheet for each product; and

(10) a plan for the management of the use of surface water, underground water and waste water concerning the transportation, storage, handling and disposal.

Where completion work concerns cleaning or stimulation by chemical processes, the completion program must also include

(1) a work follow-up program including the total volumes injected and the pressures used;

(2) the composition, structure and geomechanical behaviour of the geological formations concerned and those that are underlying;

(3) the determination of operating parameters to be met during the work, the pressure and volume that must not be exceeded in particular to avoid damage to the equipment, well or geological formations by fracture propagation to a preferential fluid flow path;

(4) the name, volume, composition, concentration and function of all products stored and used on the site including the safety data sheet for each product.

The electronic version of the documents must also be sent to the Minister.".

25. The following is inserted after section 50:

"**50.1.** A well completion licensee must immediately notify the Minister where one of the following events occurs as part of the completion:

(1) damage to the integrity of the well;

(2) an unexpected drop of the pressure generated by the fluids injected;

(3) any other incident likely to have an impact on the safety of persons or property or on the protection of the environment.

The notice must indicate the corrective measures taken or those planned with their schedule.".

26. Section 52 is replaced by the following:

"**52.** Where the well completion licensee is unable to meet the date for commencement of the operations as projected in the application for a well completion licence prescribed in Schedule III, the licensee must notify the Minister in writing, not less than 15 days prior to the projected date, of the delay and the reasons therefor.

The licensee must also, not less than 15 days prior to the new commencement date, inform the Minister in writing of the new commencement date or of the licensee's intention not to proceed with the work.

The well completion licensee must also inform the Minister in writing, not less than 15 days before commencing the maintenance work, of the projected date for the work and the nature of that work.".

27. The following is inserted after section 52:

"**52.1.** A well completion licensee must use, until the completion work is temporarily or permanently stopped, a blowout prevention system including at least 3 different sealing mechanisms or a wellhead designed to resist to the various pressures projected in the completion program.

"**52.2.** A well completion licensee must prepare and keep on the drilling site a daily report of drilling.

"**52.3.** The daily report under section 52.2 must contain all the information collected concerning operations carried out during the completion of the well, in particular

(1) the dates of the commencement and end of the completion work;

(2) the name of the contractor carrying out the completion;

(3) a description of the activities carried out in chronological order and the time spent by the completion crew on the activities;

(4) a summary of the working condition of the blowout prevention equipment;

(5) the type of pump used and its capacity;

(6) if applicable, the type of cement used, giving its density, the nature of its additives and the quantity used;

(7) mention of any trace of gas, oil or water in the well;

(8) results of pressure tests;

(9) if applicable, the reasons for the loss of any casing or other equipment in the well together with a description of fishing operations;

(10) a description of the well closing procedure used, where completion is stopped temporarily or permanently;

(11) the composition, concentration and detailed overview of all products stored and used on the site;

(12) the proposed work for the next 24 hours;

(13) if applicable, the burning activities and an estimate of the volume of burnt gas; and

(14) the assessment of fracture propagation based on the observations and measures made related with the projections, the integrity of the well and, in the case of failures, the corrective work proposed.

The electronic version of the documents must also be sent to the Minister.

"**52.4.** A well completion licensee must, every 48 hours, submit to the Minister a copy of each daily report completed until the completion work is stopped temporarily or permanently.".

28. Sections 53 and 54 are revoked.

29. The following is added after section 54:

"**54.1.** The report that the well completion licensee sends to the Minister under the second paragraph of section 162 of the Act must be signed by an engineer and contain

(1) the name of the well and its number as it appears in the completion licence;

(2) a summary of the activities related to the work;

(3) a description of the state of the well including a longitudinal section indicating the mechanical conditions of the well after completion;

(4) a copy of the interpreted logs and results of the analyses and studies related to them. The log data must be recorded according to the Log ASCII standard format of logging information commonly called the LAS format;

(5) analyses of gas, oil or water recovered;

(6) data collected during completion activities, including the mapping of any microseismic events recorded and the interpretation of all the data;

(7) if applicable, the follow-up of incidents that have been reported under section 50.1; and

(8) a comparison of the results obtained following completion in relation to those anticipated and the analysis made.

The electronic version of the documents must also be sent to the Minister.".

30. Sections 56 and 57 are replaced by the following:

"**56.** Application for a well conversion licence must be submitted to the Minister at least 30 days before the date on which conversion work is to commence.

The application must be accompanied by

(1) a cadastral map or, if none, a topographical map, scale 1:20 000, illustrating the location of the drilling collar and the downhole;

(2) a site preparation and infrastructure plan;

(3) a conversion program certified by an engineer indicating

(a) the name of the well and its number as it appears on the well drilling licence;

(b) a description of the type of well;

(c) the type of equipment that will be used for the work and its specifications;

(d) a description of the conversion activities and the reasons therefor;

(e) a process diagram describing material flows and equipment used in the process with their data sheets;

(f) a description of the state of the well including a longitudinal section indicating the mechanical conditions of the well existing before the conversion and those expected after;

(g) the technical demonstration that the equipment, components or casings can resist any bursting, crushing, tension and any other physical stress to which they may be subjected;

(h) if applicable, a casing cementation program providing in particular the installation method used, the type of cement, the setting time, the quantity of cement including the calculation of the excess, the additives and the method used to verify the application of the cement;

(i) a test program to ensure tightness of equipment, components and casings during their installation;

(j) a chronological description of the technical operations performed during the conversion;

(k) the intervals that will be the subject of conversion work, their locations and their vertical depth;

(l) the demonstration that the techniques used will allow to maintain the integrity of the well;

(m) the demonstration that the technical aspects take into account the presence of wells already drilled and the local and regional geology;

(n) the list of logs planned during and after the work;

(o) a program for the verification and follow-up of the integrity of the well during and after the work;

(p) the demonstration that the work will comply with the best practices generally recognized to ensure the safety of persons and property, the protection of the environment and the optimum recovery of the resource;

(q) the names and contact information of the person responsible for the conversion work and of the engineer charged with supervising the work; and

(r) an estimate of the cost of the proposed work;

(4) a mitigation plan showing that the proposed work takes into account the harmonization of land use and minimizes disturbances for local communities and the environment;

(5) a schedule of the road traffic caused by the proposed work, including the volume of heavy trucking and the period in which it will take place and a map showing the planned routes;

(6) an assessment of the risks associated with the proposed work and a plan for the management of those risks;

(7) an emergency measures plan indicating the prevention and intervention measures in case of an accident or fire;

(8) a communication plan for local communities covering the whole period of the work;

(9) any other information deemed necessary by the Minister; and

(10) payment of the fee in the amount of $2,043.

The electronic version of the documents must also be sent to the Minister.

"**57.** A well conversion licensee must comply with the well conversion program required under section 56.

The licensee may modify the well conversion program by submitting to the Minister, beforehand, a supplementary agreement certified by an engineer, stating the nature of the modification as well as the reasons therefor.".

31. The following is inserted after section 57:

"**57.1.** A well conversion licensee must immediately notify the Minister where one of the following events occurs as part of the conversion:

(1) damage to the integrity of the well;

(2) an unexpected drop of the pressure generated by the fluids injected;

(3) any other incident likely to have an impact on the safety of persons or property or on the protection of the environment.

The notice must indicate the corrective measures taken or those planned and their schedule.

"**57.2.** Where the well conversion licensee is unable to meet the date for commencement of the operations as projected in the application for a well conversion licence, the licensee must inform the Minister in writing, not less than 15 days prior to the projected date, of the delay and the reasons therefor.

The licensee must also, not less than 15 days prior to the new commencement date, inform the Minister in writing of the new date or of the licensee's intention not to proceed with the work.

The well conversion licensee must also inform the Minister in writing, not less than 15 days before commencing the maintenance work, of the projected date for the work and the nature of that work.

"**57.3.** A well conversion licensee must use, until the conversion work is temporarily or permanently stopped, a blowout prevention system including at least 3 different sealing mechanisms or a wellhead designed to resist to the various pressures projected in the conversion program.

"**57.4.** A well conversion licensee must prepare and keep on the work site a daily report of the work.

"**57.5.** The daily report mentioned in section 57.4 must contain all the information collected concerning the operations performed during the conversion of the well, in particular

(1) the dates of the commencement and end of the conversion work;

(2) the name of the contractor carrying out the conversion work;

(3) a description of the activities carried out in chronological order and the time spent by the conversion crew on those activities;

(4) a summary of the working condition of the blowout prevention equipment;

(5) the type of pump used and its capacity;

(6) if applicable, the type of cement used by specifying its density, the nature of the additives and the quantity used;

(7) mention of any trace of gas, oil or water in the well;

(8) results of pressure tests;

(9) if applicable, the reasons for the loss of any casing or other equipment in the well together with a description of fishing operations;

(10) a description of the well closing procedure used, where conversion is stopped temporarily or permanently;

(11) the composition, concentration and detailed overview of all the products stored and used on the site;

(12) the proposed work for the next 24 hours; and

(13) if applicable, the burning activities and an estimate of the volume of burnt gas;

The electronic version of the documents must also be sent to the Minister.

"**57.6.** A well conversion licensee must, every 48 hours, submit to the Minister a copy of each daily report completed until the conversion work is stopped temporarily or permanently.

"**57.7.** The report that a well conversion licensee sends to the Minister under the second paragraph of section 162 of the Act must be signed by an engineer and contain

(1) the name of the well and its number as it appears on the conversion licence;

(2) a summary of the activities related to the work;

(3) a description of the state of the well including a longitudinal section indicating the mechanical conditions of the well after the conversion;

(4) a copy of the interpreted logs and results of the analyses and studies related to them. The log data must be recorded according to the Log ASCII standard format of logging information commonly called the LAS format;

(5) analyses of the gas, oil or water recovered;

(6) if applicable, the follow-up of incidents that have been reported under section 57.1; and

(7) a comparison of the results obtained following the conversion in relation to those anticipated and the analysis made.

The electronic version of the documents must also be sent to the Minister.

"**57.8.** A well conversion licensee must, where conversion work is temporarily or permanently stopped, comply with the well closing conditions provided for in Division IV.".

32. Section 59 is amended

(1) by striking out "and be accompanied by the closing program signed by an engineer who can prove training or experience in drilling" at the end of the first paragraph;

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

"The application must be accompanied by

(1) a cadastral map or, if none, a topographical map, scale 1:20 000, illustrating the location of the drilling collar and the downhole;

(2) a site preparation and infrastructure plan;

(3) a closing program certified by an engineer indicating

(a) the name of the well and its number as it appears on the well drilling licence;

(b) a description of the type of well;

(c) the type of equipment that will be used to carry out the work and its specifications;

(d) a description of the state of the well including a longitudinal section indicating the mechanical conditions of the well existing before the closing and those expected after the closing;

(e) the technical demonstration that the equipment, components or casings can resist any bursting, crushing, tension and any other physical stress to which they may be subjected;

(f) a casing cementation program providing in particular the installation method used, the type of cement, the setting time, the quantity of cement including the calculation of the excess, the additives and the method used to verify the application of the cement;

(g) a test program to ensure tightness of equipment, components and casings during their installation;

(h) a chronological description of the technical operations performed during the closing;

(i) the intervals that will be the subject of the closing work;

(j) the well parameters used to establish the closing method, the analysis of it and a description of the method used to close the well;

(k) the method used to measure the flow at the vent and the study of gas migration;

(l) the list of logs planned during and after the work;

(m) a program for the verification and follow-up of the integrity of the well during and after the work;

(n) the demonstration that the work will comply with the best practices generally recognized to ensure the safety of persons and property and the protection of the environment;

(o) the names and contact information of the person responsible for the closing work and of the engineer who is charged with supervising the work; and

(p) an estimate of the cost of the proposed work;

(4) a mitigation plan showing that the proposed work takes into account the harmonization of land use and minimizes disturbances for local communities and the environment;

(5) a schedule of the road traffic caused by the proposed work, including the volume of heavy trucking and the period in which it will take place and a map showing the planned routes;

(6) an assessment of the risks associated with the proposed work and a plan for the management of those risks;

(7) an emergency measures plan indicating the prevention and intervention measures in case of an accident or fire;

(8) a communication plan for local communities covering the whole period of the work; and

(9) any other information deemed necessary by the Minister.

In the case of an application for the authorization to close temporarily a well, the application must also be accompanied by

(1) a follow-up and inspection program covering the entire period of closing, including in particular photographs of the site, of the grading cellar and the wellhead as well as a description of the verifications and measures that will be used to assess the integrity of the well and its safety; and

(2) a demonstration that, prior to the work to close temporarily a well, the following conditions were met:

(a) at the casing vent:

i. the stabilized flow must be less than 150 cubic metres per day (m^3/day);

ii. if there is an emanation, it must be composed only of gas;

iii. if the emanation contains hydrogen sulphide (H_2S), the concentration of the contaminant must be less than 6 ug/m^3 for a duration of 4 minutes;

(b) the emanation must not come form a failure of an O ring or a casing;

(c) the emanation must not constitute a risk for the safety of persons or property and the protection of the environment;

(d) the stabilized closing pressure must be less than half the pressure in the open hole at the elevation of the shoe of the surface casing shoe or 11 kPa/m multiplied by the depth of the surface casing in metres;

(e) there is no migration of gas or the migration does not constitute a risk to the safety of persons and property and the protection of the environment.

In the case of an application for the authorization to close permanently a well, the application must also be accompanied by the demonstration that, prior to the permanent closing work, there is no emanation at the surface vent and no migration of gas or the migration does not constitute a risk to the safety of persons and property and the protection of the environment. If the flow at the surface casing vent is assessed by a bubble point test, the test must be conducted in accordance with the following procedure:

(1) ensure that there is no gas leak on the fittings and welds of the surface casing vent and that the valves on the vent pipe are open;

(2) connect a pipe whose inside diameter is at least 6 mm and not more than 12 mm with the required fittings on the surface casing vent to direct gas flow in a container of water of a volume between 500 mL and 1 litre;

(3) submerge the pipe into the container of water at 2.5 cm under the surface of the water;

(4) observe for 10 minutes and, if there is presence of bubbles, determine the gas flow and stabilized pressure at the vent.";

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

"The electronic version of the documents must also be sent to the Minister.".

33. The following is inserted after section 59:

"**59.1.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must inform the Minister in writing of the date of the well closing work at least 15 days before the work commences.

"**59.2.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, when closing a well, comply with the well closing program provided for in section 59.

The licensee or lessee may modify the well closing program by submitting to the Minister, beforehand, a supplementary agreement certified by an engineer stating the nature of the modification as well as the reasons therefor.

"**59.3.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, when closing a well, use, as long as there are risks of fluid inflow, a blowout prevention system including at least 3 different sealing mechanisms designed to resist to the various pressures projected in the detailed work program.

"**59.4.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, when closing a well, prepare and keep on the work site a daily report of the work.

"**59.5.** The daily report mentioned in section 59.4 must contain all the information collected concerning the operations carried out when closing a well, in particular

(1) the dates of the commencement and end of the closing work;

(2) the name of the contractor carrying out the closing work;

(3) a description of the activities carried out in chronological order and the time the closing crew spent on the activities;

(4) a summary of the working condition of the blowout prevention equipment;

(5) the type of pump used and its capacity;

(6) the type of cement used by specifying its density, the nature of its additives and the quantity used;

(7) mention of any trace of gas, oil or water in the well;

(8) results of pressure tests;

(9) if applicable, the reasons for the loss of any casing or other equipment in the well together with a description of fishing operations;

(10) the composition, concentration and detailed overview of all products stored and used on the site;

(11) the proposed work for the next 24 hours; and

(12) if applicable, the burning activities and an estimate of the volume of burnt gas.

The electronic version of the documents must also be sent to the Minister.

"**59.6.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, every 48 hours, submit to the Minister a copy of each daily report completed until the closing work is stopped temporarily or permanently.

"**59.7.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, in the year following the end of the well closing work, send to the Minister a report signed by an engineer and containing

(1) the name of the well and its number as it appears on the closing authorization;

(2) a summary of the activities related to the work;

(3) a comparison of the results obtained following the closing in relation to those anticipated and the analysis made;

(4) a description of the state of the well including an assessment of its integrity and a longitudinal section indicating the mechanical conditions of the well after the closing;

(5) a copy of the interpreted logs and results of the analyses and studies related to them. The log data must be recorded according to the Log ASCII standard format of logging information commonly called the LAS format; and

(6) the type of cement used for the cementation activities by specifying its density, the nature of its additives and the quantity used.

The electronic version of the documents must also be sent to the Minister.

"**59.8.** Where a well is closed temporarily, an exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must inspect the well once a year and submit to the Minister, on 31 December of each year, a report indicating the state of the wellhead, of the fence or shelter protecting the well and of all the work performed for maintaining the closing conditions pertaining in particular to the integrity of the well and the general safety of the site. The report must contain photographs of the well and of the whole site.".

34. Sections 60 and 61 are replaced by the following:

"**60.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, as soon as the work for temporary closing is completed, take the following measures:

(1) if a well is onshore, indicate and protect the wellhead using a fence or a shelter and secure the site;

(2) if a well is in a water-covered area, install a device on the wellhead that enables it to be easily located.

"**61.** An exploration licensee or production lessee for petroleum and natural gas, or for an underground reservoir must, as soon as the work for permanent closing is completed, indicate the well using a steel plate, 15 cm wide and 30 cm high, bearing, in relief printing, the name of the well and its geographical coordinates. The plate must be installed 1.5 m from the ground using a steel rod. Where the rod is not welded to the outside casing, the plate must also indicate in which direction and at which distance the well is located.".

35. Section 71 is amended

(1) by inserting "includes the period of return of reflux water. It" after "extraction and" in the portion preceding subparagraph 1 of the first paragraph;

(2) by adding the following after subparagraph 5 of the third paragraph:

"(6) a mitigation plan showing that the proposed tests takes into account the harmonization of land use and minimizes disturbances for local communities and the environment;

"(7) a schedule of the road traffic caused by the proposed work tests, including the volume of heavy trucking and the period in which it will take place and a map showing the planned routes;

"(8) an assessment of the risks associated with the proposed tests and a plan for the management of those risks;

"(9) an emergency measures plan indicating the prevention and intervention measures in case of an accident or fire;

"(10) a communication plan for local communities covering the whole period of the work; and

"(11) any other information deemed necessary by the Minister.";

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

"The electronic version of the documents must also be sent to the Minister.".

36. Section 71.1 is amended by adding the following paragraph at the end:

"It also includes

(1) the composition, concentration and detailed overview of all the products extracted, stored and used on the site;

(2) the proposed work for the next 24 hours; and

(3) the burning activities and an estimate of the volume of burnt gas.".

37. Section 73 is amended by inserting the following before subparagraph 1 of the first paragraph:

"(0.1) a summary of the activities related to the tests;".

38. The following is inserted after section 118:

"**CHAPTER VI.1**
"REHABILITATION AND RESTORATION MEASURES

"**118.1.** In this Chapter, "stratigraphical survey" means the operations for collecting data on a geological formation, using in particular samples and their analyses as well as technical surveys, carried out as part of the preliminary investigation work to eventually locate, design and develop a drilling site intended for the exploration for or production of petroleum, natural gas or brine, or the exploration for or operation of an underground reservoir and the well or wells that will be found there.

"**118.2.** The exploration work referred to in subparagraph 1 of the first paragraph of section 232.1 of the Act are

(1) seismic reflection surveys on land;

(2) stratigraphical surveys;

(3) well drilling;

(4) well completion;

(5) well conversion;

(6) temporary or permanent closing of wells;

(7) well extraction tests;

(8) underground reservoir use tests; and

(9) storage of hydrocarbons.

"**118.3.** The mining operations referred to in subparagraph 2 of the first paragraph of section 232.1 of the Act are

(1) seismic reflection surveys on land;

(2) stratigraphical surveys;

(3) well drilling;

(4) well completion;

(5) well conversion;

(6) temporary or permanent closing of wells;

(7) well production tests;

(8) underground reservoir use tests;

(9) hydrocarbon treatment;

(10) storage of hydrocarbons; and

(11) use of a pumping system.

"**118.4.** Every person referred to in section 232.1 of the Act must provide a guarantee covering the anticipated cost of completing the work required under the rehabilitation and restoration plan.

"**118.5.** The person referred to in subparagraph 1 of the first paragraph of section 232.1 of the Act must provide the Minister with the guarantee required under section 232.4 of the Act before commencement of the exploration work.

The person referred to in subparagraph 2 of the first paragraph of section 232.1 of the Act must provide the Minister with the guarantee determined under section 232.4 of the Act in accordance with the following rules:

(1) the guarantee must be submitted in 3 payments;

(2) the first payment must be made within 90 days following receipt of approval of the plan;

(3) each subsequent payment must be made on the anniversary date of approval of the plan;

(4) the first payment represents 50% of the total amount of the guarantee and the second and third payments, 25% each.

"**118.6.** Despite sections 118.4 and 118.5, the persons referred to in those sections, who must provide more than one guarantee during a given year, may provide during that year a single guarantee covering the total amount of the guarantees, provided that the description of the guarantees included in the various rehabilitation and restoration plans is the same as regards the form of guarantees.

Payment of the guarantee covering the total amount of guarantees must be made on the first of the dates on which, during the given year, the guarantees had to be provided.

"**118.7.** The person referred to in section 232.1 of the Act must submit a guarantee to the Minister in one of the following forms or in a combination thereof:

(1) a cheque made out to the Minister of Finance of Québec;

(2) bonds issued or guaranteed by Québec or another province of Canada, by Canada or by a municipality in Canada and having a market value at least equal to the amount of the guarantee exigible. Registered bonds must be submitted with a power of attorney on behalf of the Minister of Finance and, where applicable, with a resolution authorizing the person who signs the power of attorney;

(3) guaranteed investment certificates or term deposit certificates, in Canadian dollars, issued on behalf of the Minister of Finance by a bank, a savings and credit union or a trust company. Such certificates must have a term of at least 12 months, are automatically renewable until the issue of the certificate of release provided for in section 232.10 of the Act and must not include any restriction in respect of redemption during its term;

(4) an irrevocable and unconditional letter of credit issued on behalf of the Gouvernement du Québec by a bank, a savings and credit union or a trust company;

(5) ecurity or a guarantee policy issued on behalf of the Gouvernement du Québec by a legal person legally empowered to act in that quality;

(6) a trust constituted in accordance with the provisions of the Civil Code and meeting the following requirements:

(a) the purpose of the trust is to ensure completion of the work provided for in the rehabilitation and restoration plan under sections 232.1 to 232.10 of the Act;

(b) the Minister of Finance and the person referred to in section 232.1 of the Act are joint beneficiaries of the trust;

(c) the trustee is a bank, a savings and credit union or a trust company;

(d) the trust patrimony is comprised only of sums in cash, or of bonds or certificates of the same type as those referred to in subparagraphs 2 and 3 of the first paragraph of this section.

The financial institutions referred to in subparagraphs 3, 4 and 6 of the first paragraph must be empowered by law to carry on the activities provided for in those subparagraphs.

"**118.8.** In the case of a trust, interest yielded by the trust patrimony belongs to the trust. Interest kept as part of the trust patrimony are not to be used as payment of the guarantee.

"**118.9.** The guarantees referred to in subparagraphs 1 to 3 of the first paragraph of section 118.7 are received on deposit by the Minister of Finance pursuant to the Deposit Act (chapter D-5).

"**118.10.** Where a guarantee is provided under subparagraph 3 or 6 of the first paragraph of section 118.7, the contract that constitutes the guarantee must include the following conditions:

(1) the purpose of the guarantee is to ensure completion of the work provided for in the rehabilitation and restoration plan under sections 232.1 to 232.10 of the Act;

(2) no person may make withdrawals or be reimbursed without having obtained the certificate of release provided for in section 232.10 of the Act or a reduction in the guarantee under section 232.7 of the Act. That prohibition also applies to any form of compensation that may be made by the bank, the savings and credit union, the trust company or the trustee;

(3) where section 232.8 of the Act applies, payment of the guarantee is exigible at the Minister's request;

(4) the bank, the savings and credit union, the trust company or the trustee provides the Minister with the information it possesses concerning the contract;

(5) in case of dispute, the courts of Québec are the sole competent courts;

(6) in the case of a trust:

(a) the trustee must be domiciled in Québec;

(b) the trustee must see to the management of the trust at the expense of the settlor or of the person referred to in section 232.1 of the Act;

(c) the trust terminates when the Minister

i. issues the certificate of release provided for in section 232.10 of the Act or the trust is replaced by another guarantee that complies with the requirements of this Regulation;

ii. acts on the condition provided for in subparagraph 3 of the first paragraph of this section.

The person referred to in section 232.1 of the Act submits to the Minister a certified copy of the original contract.

"**118.11.** The purpose of the irrevocable and unconditional letter of credit provided for in subparagraph 4 of the first paragraph of section 118.7, of the security or guarantee policy provided for in subparagraph 5 of the first paragraph of that section is to guarantee payment of the cost of the work where the requirements of sections 232.1 to 232.10 of the Act are not met. The contract must have a term of at least 12 months and must include clauses providing that

(1) in the case of non-renewal, termination, revocation or cancellation, the guarantor notifies the Minister at least 60 days before the date fixed for the expiry, termination, revocation or cancellation of the guarantee;

(2) in the case of non-renewal, termination, revocation or cancellation, the guarantor remains responsible, where the requirements of sections 232.1 to 232.10 of the Act are not met, for the payment of the cost of the work involved in mining operations carried out before the date of expiry, termination, non-renewal or revocation up to the amount covered by the letter of credit, the security or guarantee policy. That responsibility holds until the issue of a certificate of release provided for in section 232.10 of the Act, unless the person in question has deposited an alternative guarantee or the guarantor has deposited the amount covered by the letter of credit, the security or guarantee policy in a trust that complies with this Regulation where the Minister of Finance and the guarantor are joint beneficiaries;

(3) where applicable, the obligation is solidary, with a waiver of the benefits of discussion and division;

(4) the guarantor consents to the Minister's being able at any time after the sending of a notice of 60 days to make changes to the rehabilitation and restoration plan and waives pleading against the Minister any ground of defence pertaining to the content of the plan;

(5) where section 232.8 of the Act applies, payment of the guarantee is exigible at the Minister's request;

(6) in case of dispute, the courts of Québec are the sole competent courts.

The person referred to in section 232.1 of the Act must submit to the Minister a certified copy of the original contract.

"**118.12.** The guarantee given may be replaced at any time by another guarantee that complies with the requirements of this Regulation.

"**118.13.** For all forms of guarantees, the guarantee is exigible at the Minister's request in accordance with section 232.8 of the Act.

"**118.14.** A guarantee is kept in force until the issue of a certificate of release provided for in section 232.10 of the Act.".

39. Section 123 of the Regulation is amended by replacing "2, 15, 18, 58, 71, 71.1, 71.2, 74, 75, 81, 82, 84, 85, 86 and 112" by "4 to 7, 10 to 13, 18, 20 to 23.1, 29 to 32, 36 to 39, 41 to 43, 45, 47 to 48.1, 50 to 52.2, 52.4, 54.1, 57 to 57.6, 58, 59.1 to 59.8, 60, 61, 66, 71 to 71.2, 77, 83, 88, 89, 91 to 95, 102 to 104 and 115 to 118".

40. Schedule IV is struck off.

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

102683

Draft Regulation

Professional Code
(chapter C-26)

Chartered administrators
— Diplomas giving access to permits
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.27 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2), which lists the diplomas giving access to the permit issued by the Ordre des administrateurs agréés du Québec and the educational institutions awarding the diplomas, in particular to add ten diplomas.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and to the Ordre des administrateurs agréés du Québec for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and other bodies concerned.

Further information may be obtained by contacting Simon Denault, director of professional affairs and secretary, Ordre des administrateurs agréés du Québec, 1050, côte du Beaver Hall, bureau 360, Montréal (Québec) H2Z 0A5; telephone: 514 499-0880, extension 235, or 1 800 465-0880; fax: 514 499-0892; email: sdenault@adma.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Chair of the Office des professions du Québec, Jean Paul Dutrisac, 800, place D'Youville, 10e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Ordre des administrateurs agréés du Québec and to interested persons and bodies.

STÉPHANIE VALLÉE,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(chapter C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended in section 1.27:

(1) by inserting, respectively, "Master of Science (M. Sc.) in Finance, Master of Science (M. Sc.) in Marketing," and ", Master in Investment Management (M.I.M.)" after "in Administration," and "(M.B.A.)" in paragraph *b*;

(2) by replacing, respectively, "Baccalauréat ès sciences" and "Maîtrise ès sciences (M. Sc.) de la gestion" in paragraph *c* by "Baccalauréat en sciences" and "Maîtrise en administration (M. Adm.), Maîtrise ès sciences (M. Sc.) en sciences de la gestion, Maîtrise ès sciences (M. Sc.) en informatique de gestion";

(3) by inserting ", including such a diploma obtained upon completion of the program offered by extension at the Université du Québec en Abitibi-Témiscamingue," after "(M.B.A.)" in paragraph *c*;

(4) by inserting "Baccalauréat ès arts (B.A.) en Sécurité publique, cheminement en gestion, Maîtrise en administration (M. Adm.)," after "(B.A.A.)," in paragraph *d*;

(5) by replacing "and Maîtrise ès sciences (M. Sc.) en gestion des organisations" in paragraph *e* by ", Maîtrise ès sciences (M. Sc.) en gestion des organisations, including such a diploma obtained upon completion of the program offered by extension at the Université du Québec en Abitibi-Témiscamingue, and Doctorat en management de projets (D.M.P.)";

(6) by inserting "Maîtrise ès sciences (M. Sc.) en économie financière," after "(M.B.A.)," in paragraph *g*;

(7) by replacing "and Maîtrise en gestion de projet (M.G.P.)" in paragraph *g* by ", Maîtrise en gestion de projet (M.G.P.) and Doctorat en administration des affaires (D.B.A.)";

(8) by striking out "Baccalauréat ès sciences (B. Sc.) en administration," in paragraph *k*.

2. Paragraph k of section 1.27, amended by paragraph 8 of section 1 of this Regulation, remains applicable to persons who, on (insert the date of coming into force of this Regulation), hold a Baccalauréat ès sciences (B. Sc.) en administration from the École des Hautes Études Commerciales de Montréal, awarded by the Université de Montréal.

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

102681

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