

Gazette
officielle
DU Québec

Part

2

No. 33

17 August 2016

Laws and Regulations

Volume 148

Summary

Table of Contents

Acts 2016

Regulations and other Acts

Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2016

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

NOTICE TO USERS

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

Part 2 – LAWS AND REGULATIONS

Internet

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

www.publicationsduquebec.gouv.qc.ca

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

Contents

Part 2 contains:

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

French edition

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

Rates*

1. Annual subscription:

	Printed version
Partie 1 “Avis juridiques”:	\$494
Partie 2 “Lois et règlements”:	\$676
Part 2 “Laws and Regulations”:	\$676
2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.57 per copy.
3. Publication of a notice in Partie 1: \$1.70 per agate line.
4. Publication of a notice in Part 2: \$1.12 per agate line. A minimum rate of \$247 is applied, however, in the case of a publication of fewer than 220 agate lines.

* Taxes not included.

General conditions

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

For information concerning the publication of notices, please call:

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

Subscriptions

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

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

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

Table of Contents

Page

Acts 2016

88 An Act respecting development of the small-scale alcoholic beverage industry	3193
List of Bills sanctioned (26 May 2016).	3191

Regulations and other Acts

725-2016 Method for assessing the annual royalty and method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee (Amend.)	3203
Terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee (Amend.)	3206

PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 26 MAY 2016

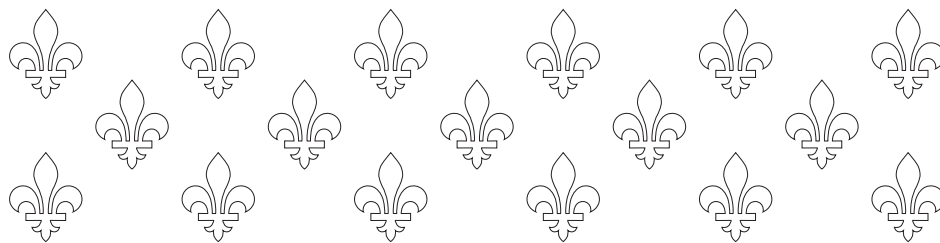
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 26 May 2016

This day, at fifty minutes past eleven o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

88 An Act respecting development of the small-scale alcoholic beverage industry

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 88
(2016, chapter 9)

An Act respecting development of the small-scale alcoholic beverage industry

Introduced 3 December 2015
Passed in principle 12 April 2016
Passed 26 May 2016
Assented to 26 May 2016

**Québec Official Publisher
2016**

EXPLANATORY NOTES

This Act authorizes small-scale production permit holders to sell and deliver alcoholic beverages they make, other than alcohol and spirits, to grocery permit holders.

Under the Act, small-scale beer producer's permit holders may sell their products at the place where they are produced, for consumption elsewhere.

An artisan producers cooperative permit is created. The permit authorizes holders to make and bottle, on behalf of small-scale production permit holders who are members of the cooperative, the alcohol and spirits the latter are authorized to make.

The Act stipulates that small-scale production permit holders may not offer the alcohol and spirits they make for sale without first having them analyzed by the Société des alcools du Québec or a laboratory recognized by it to confirm their safety and quality and without having sent the analysis report to the Régie des alcools, des courses et des jeux.

The Regulation respecting use of raw materials by holders of a small-scale wine producer's permit is enacted to set out the proportions of the raw materials composing the wine made by such permit holders. In particular, the regulation provides that, from the vintage year 2022, these permit holders must make their wine from grapes that are 100% Québec grown, with at least 50% from the permit holders' own grapes.

Finally, the Act removes the requirement that table wines bottled in Québec under exclusive brand names and sold in grocery stores have no indication of origin or type of grape.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting offences relating to alcoholic beverages (chapter I-8.1);
- Act respecting liquor permits (chapter P-9.1);
- Act respecting the Société des alcools du Québec (chapter S-13).

REGULATION AMENDED BY THIS ACT:

- Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit (chapter S-13, r. 6).

REGULATION ENACTED BY THIS ACT:

- Regulation respecting use of raw materials by holders of a small-scale wine producer's permit (2016, chapter 9, section 18).

Bill 88

AN ACT RESPECTING DEVELOPMENT OF THE SMALL-SCALE ALCOHOLIC BEVERAGE INDUSTRY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

1. Section 24 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting “, an artisan producers cooperative permit” after “small-scale production permit” in the introductory clause of the first paragraph.

2. Section 24.1 of the Act is amended

(1) by adding “and, if the permit authorizes him to make alcohol and spirits, to distil” at the end of subparagraph 1 of the first paragraph;

(2) in the second paragraph,

(a) by replacing “he makes only as follows” in the introductory clause by “referred to in the subparagraphs below, but only as provided for”;

(b) by inserting “the alcoholic beverages he makes,” after “(1)” in subparagraph 1;

(c) by inserting “, other than alcohol and spirits,” after “alcoholic beverages” in subparagraph 2;

(d) by inserting “the alcoholic beverages he makes, other than alcohol and spirits,” after “(3)” in subparagraph 3;

(3) by adding the following sentence at the end of the third paragraph: “He may also sell and deliver the alcoholic beverages he makes to the holder of a grocery permit issued under the Act respecting liquor permits (chapter P-9.1), if the beverages meet the following conditions:

(1) they are not alcohol or spirits;

(2) they are obtained by alcoholic fermentation.”;

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

“The holder of a small-scale production permit may transport the alcoholic beverages he makes to the establishment of the holder of an artisan producers cooperative permit so that the latter may make alcohol or spirits on his behalf; the small-scale production permit holder may transport the alcohol or spirits from that establishment to his own.

The holder of a small-scale production permit may not offer the alcoholic beverages he makes for sale that are ready for marketing without first having them analyzed by the Société or a laboratory recognized by it to confirm their safety and quality and without having sent the analysis report to the Régie des alcools, des courses et des jeux.”;

(5) by replacing “paragraph” in the last paragraph by “and third paragraphs”;

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

“For the application of this section, if alcohol or spirits are made by the holder of an artisan producers cooperative permit for the holder of a small-scale production permit, the latter is deemed to have made them in his establishment.”

3. The Act is amended by inserting the following section after section 24.1:

“24.1.1. The artisan producers cooperative permit authorizes the holder, in accordance with the regulations, to make and bottle, on behalf of members of the cooperative, the alcohol and spirits specified in the respective permits of those members.

The holder of an artisan producers cooperative permit may not sell the alcohol and spirits he makes.

The holder of an artisan producers cooperative permit may transport the alcoholic beverages made by the members of the cooperative from their establishment to his so as to make alcohol or spirits on their behalf; he may transport the alcohol or spirits made from his establishment to theirs.

Only an artisan producers cooperative constituted pursuant to the Cooperatives Act (chapter C-67.2) and composed exclusively of holders of small-scale production permits whose permit authorizes them to make alcohol and spirits may hold an artisan producers cooperative permit.”

4. Section 24.2 of the Act is amended by replacing the second paragraph by the following paragraph:

“Unless he ships them outside Québec, the holder of a small-scale beer producer’s permit may sell the alcoholic beverages he makes only if he sells them at the place where they are produced, for consumption on the premises or for consumption elsewhere, and if he is the holder of a permit, issued under

the Act respecting liquor permits (chapter P-9.1), authorizing alcoholic beverages to be sold for consumption on the premises.”

5. Section 26 of the Act is amended by adding the following paragraph at the end:

“No holder of a distiller’s permit may hold a small-scale production permit authorizing him to make alcohol or spirits.”

6. Section 28 of the Act is amended by striking out “weak” in the last sentence of the second paragraph.

7. Section 33.2 of the Act is amended, in the first paragraph,

(1) by inserting “, pursuant to the second paragraph of section 24.2” after “24.1” in the first sentence;

(2) by inserting “or a small-scale beer producer’s permit” after “small-scale production permit” in the second sentence.

8. Section 34 of the Act is amended by inserting “an artisan producers cooperative permit, a” after “production permit,” in subparagraph 1 of the first paragraph.

9. Section 34.1 of the Act is amended by replacing “Minister of Economic Development, Innovation and Export Trade” by “Minister of Finance”.

10. Section 37 of the Act is amended, in the first paragraph,

(1) by replacing “Minister of Economic Development, Innovation and Export Trade” in the introductory clause by “Minister of Finance”;

(2) by inserting “small-scale production,” after “brewer’s,” in subparagraph 7.

11. Section 53 of the Act is amended by adding the following paragraph at the end:

“In the case of the holder of an artisan producers cooperative permit, the beverages must be turned over to the members on whose behalf they were made.”

12. Section 61 of the Act is amended

(1) by replacing “30.1 to 35.3” by “30.1 to 34, 35 to 35.3”;

(2) by striking out “, and with the exception of the other provisions of Divisions III and IV which come under the jurisdiction of the Minister of Economic Development, Innovation and Export Trade”.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

13. Section 83 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended

(1) by replacing “or from the permit holder” in paragraph 5 by “, from the small-scale production permit holder or from a grocery permit holder”;

(2) by inserting “from the permit holder or” after “directly” in paragraph 6.

14. Section 91 of the Act is amended by inserting “or of an artisan producers cooperative” after “wine or cider maker” in paragraph *h*.

15. Section 93 of the Act is amended by inserting “, a small-scale beer producer’s permit” after “a small-scale production permit” in subparagraph *e* of the first paragraph.

16. Section 108 of the Act is amended by inserting the following subparagraph after subparagraph 3 of the first paragraph:

“(3.1) which is an artisan producers cooperative permit issued under the Act respecting the Société des alcools du Québec (chapter S-13), makes alcohol and spirits other than those he is authorized to make or sells alcoholic beverages;”.

ACT RESPECTING LIQUOR PERMITS

17. Section 72.1 of the Act respecting liquor permits (chapter P-9.1) is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) in the establishment of a reunion permit holder, the presence of alcoholic beverages supplied by the holder of one of the following permits:

(a) a grocery permit or cider seller’s permit;

(b) a small-scale production permit or small-scale beer producer’s permit issued under the Act respecting the Société des alcools du Québec;”.

REGULATION RESPECTING USE OF RAW MATERIALS BY HOLDERS OF A SMALL-SCALE WINE PRODUCER’S PERMIT

18. The Regulation respecting use of raw materials by holders of a small-scale wine producer’s permit, the text of which appears below, is enacted.

“REGULATION RESPECTING USE OF RAW MATERIALS BY
HOLDERS OF A SMALL-SCALE WINE PRODUCER’S PERMIT

1. The proportions of the raw materials composing the wine made by a small-scale production permit holder must be as follows:

- (1) at least 50%: the permit holder’s own grapes, fresh or processed;
- (2) no more than 15%: fresh or processed grapes, grape juice or grape must concentrate that may come from outside Québec;
- (3) the remainder may consist of fresh or processed grapes produced by another Québec farm producer.

However, from the vintage year 2022, the permit holder must make his wine from fresh or processed grapes that are 100% Québec grown, of which at least 50% comes from the permit holder’s own fresh or processed grapes.”

REGULATION RESPECTING THE TERMS OF SALE OF ALCOHOLIC
BEVERAGES BY HOLDERS OF A GROCERY PERMIT

19. Section 2 of the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit (chapter S-13, r. 6) is amended

- (1) by striking out “without indication of origin and without indication of the type of grape,” in paragraph 3;
- (2) by adding the following paragraph at the end:

“(7) the alcoholic beverages described in the third paragraph of section 24.1 of the Act respecting the Société des alcools du Québec sold and delivered to him by a small-scale production permit holder.”

20. Section 8 of the Regulation is amended by inserting “, other than those referred to in paragraph 7 of section 2,” after “permitted alcoholic beverages”.

TRANSITIONAL AND FINAL PROVISIONS

21. Holders of a distiller’s permit issued under the Act respecting the Société des alcools du Québec (chapter S-13) who, not later than (*insert the date that is two years after the date of coming into force of section 5 of this Act*), abandon their permit to obtain a small-scale production permit authorizing them to make alcohol and spirits may sell off any remaining reserves of alcohol and spirits they had made previously. The rules applicable to the original permit apply to the sale of such alcohol and spirits.

22. This Act comes into force on the date or dates to be set by the Government.

Regulations and other Acts

Gouvernement du Québec

O.C. 725-2016, 9 August 2016

Sustainable Forest Development Act
(chapter A-18.1)

Method for assessing the annual royalty and method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee

Regulation to amend the Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee

WHEREAS, under section 126 of the Sustainable Forest Development Act (chapter A-18.1), the Government may, by regulation, determine the methods and frequency according to which the timber marketing board must assess the market value of timber purchased under a timber supply guarantee, and determine the method according to which the timber marketing board must assess the annual royalty to be paid by the holder of a timber supply guarantee;

WHEREAS the Government made the Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee (chapter A-18.1, r. 6);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee was published in Part 2 of the *Gazette officielle du Québec* of 17 February 2016 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the publication period has expired and it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee

Sustainable Forest Development Act
(chapter A-18.1, s. 126)

1. The Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee (chapter A-18.1, r. 6) is amended in section 1:

(1) by inserting the following after paragraph 1:

“(1.1) “merchantable timber” means all logs or parts of logs greater than 9 cm in diameter.”;

(2) by inserting the following after paragraph 2:

“(2.1) “special development plan” means a special development plan within the meaning of section 60 of the Sustainable Forest Development Act (chapter A-18.1);”;

(3) by replacing paragraph 3 by the following:

“(3) “billed volume of timber” means all merchantable timber from forests in the domain of the State that is billed to the holder of a timber supply guarantee by the timber marketing board, except timber acquired on the open market.”.

2. Section 2 is amended by replacing “January” in the second paragraph by “February”.

3. Sections 3 and 4 are replaced by the following:

“**3.** If the volume of timber billed to a guarantee holder during the reference period is equal to or greater than 10% of the volume of timber specified in the holder’s timber supply guarantee, the first annual royalty instalment is assessed using the following method:

$$RAVBG^1 = VBG^2 [18\% (VMBSPP^3 / VBF^4)]$$

$$RAAR1F^5 = \{(VBG^2 - VBR1^6) [18\% (VMBSPP^3 / VBF^4)]\}$$

$$RA1F^7 = 50\% RAAR1F^5$$

If, however, the annual royalty after waiver used to determine the first billing is less than 50% of the annual royalty according to the volumes of timber specified in the holder’s timber supply guarantee, the first annual royalty instalment is assessed using the following method:

$$RA1F^7 = 50\% RAVBG^1 50\%$$

¹ the annual royalty according to the volume of timber specified in the holder’s timber supply guarantee

² the volume of timber specified in the holder’s timber supply guarantee

³ the amount calculated on the basis of the market value of the standing timber related to the volume of timber billed to the holder during the reference period

⁴ the volume of timber billed to the holder during the reference period

⁵ the annual royalty after waiver used to determine the first billing

⁶ the volume of timber waived or deemed to have been waived by the holder at the time the sales contract for the standing timber purchased pursuant to the holder’s timber supply guarantee was made

⁷ the annual royalty to be paid on the first billing

The second annual royalty instalment is assessed using the following method:

$$RAAR2F^8 = \{(VBG^2 - VBR1^6 - 50\% VBR2^9 - VBR2PAS^{10}) [18\% (VMBSPP^3 / VBF^4)]\}$$

$$RA2F^{11} = RAAR2F^8 - RA1F^7$$

If, however, the annual royalty after waiver used to determine the second billing is less than 50% of the annual royalty according to the volumes of timber specified in the holder’s timber supply guarantee, the second annual royalty instalment is assessed using the following method:

$$RA2F^{11} = (50\% RAVBG^1) - RA1F^7$$

⁸ the annual royalty after waiver used to determine the second billing

⁹ the volume of timber, not under a special development plan, waived by the holder between the time the sales contract for the standing timber purchased pursuant to the holder’s timber supply guarantee is made and 15 August of the current harvest year

¹⁰ the volume of timber, under a special development plan, waived by the holder between the time the sales contract for the standing timber purchased pursuant to the holder’s timber supply guarantee is made and 15 August of the current harvest year

¹¹ the annual royalty to be paid on the second billing

At the end of the harvest year, the holder of a timber supply guarantee is entitled, for the timber under a special development plan waived by the holder between 16 August and 31 March of the harvest year concerned, to be reimbursed for a portion of the annual royalty, assessed using the following method:

$$RAARA2F^{12} = RAAR2F^8 - (VBRA2FPAS^{13}) [18\% (VMBSPP^3 / VBF^4)]$$

$$PRAR^{14} = (VBRA2FPAS^{13}) [18\% (VMBSPP^3 / VBF^4)]$$

If, however, the annual royalty after waiver following the second billing is less than 50% of the annual royalty according to the volumes of timber specified in the holder’s timber supply guarantee, the reimbursed portion of the annual royalty is assessed using the following method:

$$PRAR^{14} = (RA1F^7 + RA2F^{11}) - (50\% RAVBG^1)$$

¹² the annual royalty after waiver following the second billing

¹³ the volume of timber, under a special development plan, waived by the holder between 16 August and 31 March of the harvest year concerned

¹⁴ the reimbursed portion of the annual royalty

“4. If the volume of timber billed to a guarantee holder during the reference period is less than 10% of the volume of timber specified in the holder’s timber supply guarantee, the first annual royalty instalment is assessed using the following method:

$$\text{RAVBG}^1 = \Sigma e^2 \{(\text{VBGe}^3) [18\% (\text{VMTBSPFe}^4 / \text{VBTFe}^5)]\}$$

$$\text{RAAR1F}^6 = \Sigma e^7 \{(\text{VBGe}^3 - \text{VBR}e1^8) [18\% (\text{VMTBSPFe}^4 / \text{VBTFe}^5)]\}$$

$$\text{RA1F}^9 = 50\% \text{RAAR1F}^6$$

If, however, the annual royalty after waiver used to determine the first billing is less than 50% of the annual royalty according to the volumes of timber specified in the holder’s timber supply guarantee, the first annual royalty instalment is assessed using the following method:

$$\text{RA1F}^9 = 50\% \text{RAVBG}^1 - 50\%$$

¹ the annual royalty according to the volume of timber specified in the holder’s timber supply guarantee

² the sum of the operation performed for each annual royalty for the species or group of species concerned, as specified in the holder’s timber supply guarantee

³ the volume of the species or group of species concerned, as specified in the holder’s timber supply guarantee

⁴ the amount calculated on the basis of the total market value of the standing timber related to the volume of timber billed to all the holders during the reference period for the species or group of species concerned

⁵ the total volume billed to all the holders during the reference period for the species or group of species concerned

⁶ the annual royalty after waiver used to determine the first billing

⁷ the sum of the operation performed for each annual royalty for the species or group of species concerned, as specified in the holder’s timber supply guarantee after waiver

⁸ the volume of the species or group of species concerned, as specified in the holder’s timber supply guarantee, waived or deemed to have been waived by the holder at the time the sales contract for the standing timber purchased pursuant to the holder’s timber supply guarantee was made

⁹ the annual royalty to be paid on the first billing

The second annual royalty instalment for the species or groups of species specified in the holder’s timber supply guarantee is assessed using the following method:

$$\text{RAAR2F}^{10} = \Sigma e^{11} \{(\text{VBGe}^3 - \text{VBR}e1^8 - 50\% \text{VBR}e2^{12} - \text{VBR}e2\text{PAS}^{13}) [18\% (\text{VMTBSPFe}^4 / \text{VBTFe}^5)]\}$$

$$\text{RA2F}^{14} = \text{RAAR2F}^{10} - \text{RA1F}^9$$

If, however, the annual royalty after waiver used to determine the second billing is less than 50% of the annual royalty according to the volumes of timber specified in the holder’s timber supply guarantee, the second annual royalty instalment is assessed using the following method:

$$\text{RA2F}^{14} = (50\% \text{RAVBG}^1) - \text{RA1F}^9$$

¹⁰ the annual royalty after waiver used to determine the second billing

¹¹ the sum of the operation performed for each annual royalty for the species or group of species concerned, as specified in the holder’s timber supply guarantee after waiver

¹² the volume of the species or group of species concerned, as specified in the holder’s timber supply guarantee, not under a special development plan, waived by the holder between the time the sales contract for the standing timber purchased pursuant to the holder’s timber supply guarantee is made and 15 August of the current harvest year

¹³ the volume of the species or group of species concerned, as specified in the holder’s timber supply guarantee, under a special development plan, waived by the holder between the time the sales contract for the standing timber purchased pursuant to the holder’s timber supply guarantee is made and 15 August of the current harvest year

¹⁴ the annual royalty to be paid on the second billing

At the end of the harvest year, the holder of a timber supply guarantee is entitled, for the timber under a special development plan waived by the holder between 16 August and 31 March of the harvest year concerned, to be reimbursed for a portion of the annual royalty, assessed using the following method:

$$\text{RAARA2F}^{15} = \text{RAAR2F}^{10} - \Sigma e^{11} (\text{VBR}e\text{A2FPAS}^{16}) [18\% (\text{VMTBSPFe}^4 / \text{VBTFe}^5)]$$

$$\text{PRAR}^{17} = \Sigma e^{11} (\text{VBR}e\text{A2FPAS}^{16}) [18\% (\text{VMTBSPFe}^4 / \text{VBTFe}^5)]$$

If, however, the annual royalty after waiver following the second billing is less than 50% of the annual royalty according to the volumes of timber specified in the holder’s timber supply guarantee, the reimbursed portion of the annual royalty is assessed using the following method:

$$\text{PRAR}^{17} = (\text{RA1F}^9 + \text{RA2F}^{14}) - (50\% \text{RAVBG}^1)$$

¹⁵ the annual royalty after waiver following the second billing

¹⁶ the volume of the species or group of species concerned, as specified in the holder’s timber supply guarantee, under a special development plan, waived by the holder between 16 August and 31 March of the harvest year concerned

¹⁷ the reimbursed portion of the annual royalty

“4.1. If the Minister cancels a timber supply guarantee pursuant to subparagraph 3 of the first paragraph of section 109 of the Sustainable Forest Development Act (chapter A-18.1), or terminates a timber supply guarantee pursuant to paragraph 1 of section 112 of that Act and, following the cancellation, the sales contract for the standing timber purchased pursuant to that guarantee is cancelled, the Minister is to reimburse the holder of the cancelled guarantee for the portion of the annual royalty corresponding to the volume of timber remaining harvestable by the holder before cancellation of the standing timber sales contract.

A holder granted a timber supply guarantee by the Minister in the course of the harvest year must pay, for that year, an annual royalty corresponding to the proportion of the volumes of timber the holder could purchase before the end of the harvest year. In addition, if the plant for which the guarantee is granted was or had already been operated under a guarantee and the guarantee was cancelled within 12 months of the date on which the guarantee granted took effect, the rate of the annual royalty to be paid by such a holder is the rate that applied to the holder of the cancelled guarantee at the time of the cancellation.”

4. This Regulation applies to the 2016-2017 and subsequent harvest years.

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

102717

M.O., 2016

Order number AM 2016-004 of the Minister of Forests, Wildlife and Parks dated 17 June 2016

Sustainable Forest Development Act
(chapter A-18.1)

ORDER CONCERNING the Regulation to amend the Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING section 116 of the Sustainable Forest Development Act (chapter A-18.1), which provides that the Minister may, by regulation, determine the terms and schedules for the payment of the annual royalty and the timber purchased by the guarantee holder under the timber supply guarantee;

CONSIDERING the making of the Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee (chapter A-18.1, r. 6.1);

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee was published in Part 2 of the *Gazette officielle du Québec* of 24 February 2016 with a notice that it could be made by the Minister of Forests, Wildlife and Parks on the expiry of 45 days following that publication;

CONSIDERING that the 45-day period has expired and it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee, attached hereto, is hereby made.

Québec, 17 June 2016

LAURENT LESSARD,
Minister of Forests, Wildlife and Parks

Regulation to amend the Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee

Sustainable Forest Development Act
(chapter A-18.1, s. 116)

1. The Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee (chapter A-18.1, r. 6.1) is amended by replacing section 1 by the following:

“1. The annual royalty that must be paid by the holder of a timber supply guarantee granted under the Sustainable Forest Development Act (chapter A-18.1) is payable in 2 instalments before 1 May and 1 October of the year for which the royalty is assessed. Each of the instalments is required on the date of billing.

However, where the timber supply guarantee is granted in the course of the year, each of the instalments is required on the date of billing and payable within 30 days as of that date.

The amount of the 2 instalments of the annual royalty that must be paid by guarantee holders is calculated according to the method provided for in the Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee (chapter A-18.1, r. 6).”

2. Despite the first paragraph of section 1 of the Regulation respecting the terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee (chapter A-18.1, r. 6.1), made by section 1 of this Regulation, the first instalment on the annual royalty that must be paid by holders of a timber supply guarantee that is not granted in the course of the year is, for the harvest year 2016-2017, payable before 15 September 2016.

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

102716

Index

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

	Page	Comments
Development of the small-scale alcoholic beverage industry, An Act respecting... (2016, Bill 88)	3193	
Liquor permits, An Act respecting..., amended (2016, Bill 88)	3193	
List of Bills sanctioned (26 May 2016).	3191	
Method for assessing the annual royalty and method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee. (Sustainable Forest Development Act, chapter A-18.1)	3203	M
Offences relating to alcoholic beverages, An Act respecting..., amended (2016, Bill 88)	3193	
Société des alcools du Québec, An Act respecting the..., amended (2016, Bill 88)	3193	
Sustainable Forest Development Act — Method for assessing the annual royalty and method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee. (chapter A-18.1)	3203	M
Sustainable Forest Development Act — Terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee. (chapter A-18.1)	3206	M
Terms of payment of the annual royalty and timber purchased by guarantee holders pursuant to their timber supply guarantee (Sustainable Forest Development Act, chapter A-18.1)	3206	M
Terms of sale of alcoholic beverages by holders of a grocery permit, Regulation respecting the..., amended (2016, Bill 88)	3193	
Use of raw materials by holders of a small-scale wine producer's permit, Regulation respecting..., enacted. (2016, Bill 88)	3193	

