Gazette officielle du Québec

Part 2

No. 43
25 October 2017

Laws and Regulations

Volume 149

Summary

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec

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 is available at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

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

Contents

Part 2 contains:

(1) Acts assented to;

(2) proclamations and Orders in Council for the coming into force of Acts;

(3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;

(4) Orders in Council, decisions of the Conseil du trésor and minister's orders whose publication is required by law or by the Government;

(5) regulations made by courts of justice and quasi-judicial tribunals;

(6) drafts of the texts referred to in paragraphs 3 and 5 whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and

(7) any other document whose publication is required by the Government.

Rates*

1. Annual subscription:

	Printed version
Partie 1 "Avis juridiques":	$500
Partie 2 "Lois et règlements":	$685
Part 2 "Laws and Regulations":	$685

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: $10.71 per copy.

3. Publication of a notice in Partie 1: $1.72 per agate line.

4. Publication of a notice in Part 2: $1.14 per agate line. A minimum rate of $250 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 paper version of the *Gazette officielle du Québec*, please 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 2017

Regulations and other Acts

Draft Regulations

Erratum

PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 21 SEPTEMBER 2017

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 21 September 2017

This day, at twenty-five minutes past one o'clock in the afternoon, the Honourable the Administrator of Québec was pleased to assent to the following bill:

121 An Act to increase the autonomy and powers of Ville de Montréal, the metropolis of Québec

To this bill the Royal assent was affixed by the Honourable the Administrator of Québec.

NATIONAL ASSEMBLY

FIRST SESSION FORTY-FIRST LEGISLATURE

Bill 121
(2017, chapter 16)

An Act to increase the autonomy and powers of Ville de Montréal, the metropolis of Québec

Introduced 8 December 2016
Passed in principle 16 May 2017
Passed 21 September 2017
Assented to 21 September 2017

Québec Official Publisher
2017

EXPLANATORY NOTES

This Act proposes various legislative amendments respecting Ville de Montréal.

The title of the Charter of Ville de Montréal is changed to "Charter of Ville de Montréal, Metropolis of Québec" and a preamble is added to the Charter.

Under the Act, the mayor may designate the chair and vice-chair of the executive committee, and that committee is granted new powers in connection with granting subsidies and acquiring and alienating immovables.

The quorum of the city council is set at the majority of its members, including the mayor, and the use of technological means to convene special sittings is authorized. The borough councils must now make certain reports to citizens, as was already the case for the city council.

The Act removes provisions from the Charter of Ville de Montréal that expressly create certain advisory bodies, but maintains the city's power to keep these bodies. The city may apply for the constitution of a non-profit body dedicated to developing and managing parking and a network of electric vehicle recharging stations.

The city contributes, in compliance with government policy directions and policies and through the support services it offers in its territory, to the full participation of immigrants, in French, in the community life of the metropolis and to consolidating harmonious intercultural relations.

The city is granted all the powers required to carry out the duties and obligations imposed on it by an agreement it enters into with the Gouvernement du Québec or the Government of Canada, to the extent that the powers required to carry out those duties are powers the Gouvernement du Québec may delegate to a municipality. It may adopt business assistance programs, which may include compensation for income losses due to municipal work, including work carried out before the coming into force of the Act but after 31 December 2015, and its powers regarding commercial development associations are broadened.

Under the Act, the city council may, despite a borough by-law, authorize a project involving an establishment with a floor area greater than 15,000 m² rather than 25,000 m². In addition, the city may exercise, under certain conditions, a pre-emptive right to acquire any immovable for sale in its territory and may take measures to promote the construction of affordable or family housing units. The Act also further clarifies certain powers allowing the city to intervene with respect to the maintenance of deteriorated buildings.

The entire urban agglomeration will have jurisdiction, previously limited to the city, over towing and vehicle service.

The Act modifies the role of the public safety committee set out in the Charter of Ville de Montréal by removing provisions such as those requiring the city council to obtain the advice of the committee before exercising certain powers. It also removes the city's obligation to reserve at least 1% of its budget for unexpected expenditures, claim settlements, and payments entailed by court sentences.

The Act enables the city's electrical services commission to exercise its powers with respect to certain underground conduits situated in the territory of a reconstituted municipality.

Under the Act, the city may implement housing programs without the authorization or approval of the Société d'habitation du Québec.

The city is granted the power to apply, provided it enters into a delegation agreement with the Minister of Culture and Communications, the policy to integrate the arts with the architecture and environment of government buildings and sites. In addition, the Cultural Heritage Act is amended to allow the city to exercise some of that minister's authorization powers under that Act.

Lastly, the city may determine, in its territory, legal periods of admission applicable to commercial establishments, including during special events, as well as hours of use for permits authorizing alcoholic beverages to be sold or served for consumption on the premises.

LEGISLATION AMENDED BY THIS ACT:

– Charter of Ville de Montréal (chapter C-11.4);

– Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001);

– Act respecting hours and days of admission to commercial establishments (chapter H-2.1);

– Act respecting the Ministère de la Culture et des Communications (chapter M-17.1);

– Cultural Heritage Act (chapter P-9.002);

– Act respecting liquor permits (chapter P-9.1);

– Act respecting the Société d'habitation du Québec (chapter S-8).

Bill 121

AN ACT TO INCREASE THE AUTONOMY AND POWERS OF VILLE DE MONTRÉAL, THE METROPOLIS OF QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE MONTRÉAL

1. The title of the Charter of Ville de Montréal (chapter C-11.4) is replaced by the following title:

"CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC".

2. The Charter is amended by inserting the following before "**CHAPTER I**":

"AS the Government intends to establish the "Montréal Reflex", that is, to add a "Montréal chapter" in all policies affecting the metropolis, and to ensure that the characteristics specific to Ville de Montréal due to its special metropolis status are taken into account in the drafting of laws, regulations, programs, policies and directives that concern the metropolis, and as the Government intends to consult the city in a timely manner for that purpose;

AS Ville de Montréal's economic, social and cultural attributes bestow on it the status of metropolis of Québec and enable it to play its special role as such at the national and international levels on behalf of all of Québec;

AS Ville de Montréal, with nearly two-thirds of Québec's exporting businesses, some 60 international organizations, including certain UN organizations, and more than 80 foreign consulates, is the second largest consular city in North America and the main centre for international commerce and dialogue within Québec;

AS Ville de Montréal must see to it that quality affordable, social or family housing is available to all its residents, in particular to young families, modest-income households and newcomers;

AS Ville de Montréal, as a cosmopolitan metropolis and crucible of intercultural relations, faces unique challenges in Québec with respect to the reception, integration and francization of the immigrant population;

AS a large part of the heritage property in the territory of Ville de Montréal bears witness to its rich history and its decisive role in Québec's past, present and future development;".

3. Section 23 of the Charter is amended by replacing "council" by "mayor" and by striking out "on the recommendation of the mayor".

4. Section 34.1 of the Charter is amended

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

"(2) granting a subsidy or any other form of assistance the amount or value of which does not exceed $150,000;";

(2) by replacing "$25,000" in subparagraph 3 of the first paragraph by "$150,000".

5. Divisions X to XIII of Chapter II of the Charter, comprising sections 83.1 to 83.22, are repealed.

6. Section 89 of the Charter is amended by replacing "25,000" in subparagraph 3 of the first paragraph by "15,000".

7. Sections 116, 117 and 122 of the Charter are repealed.

8. Section 144.7 of the Charter is replaced by the following section:

"**144.7.** At a regular sitting of the borough council held in June, the borough mayor shall make a report to the citizens on the highlights of the borough's financial results and, if applicable, the chief auditor's report and the external auditor's report if they contain elements relating to the borough.

The mayor's report shall be disseminated in the territory of the borough in the manner determined by the borough council."

9. Schedule C to the Charter is amended by inserting the following section after section 10:

"**10.1.** To support economic development, the city may, by by-law, adopt a business assistance program.

The assistance may be granted in any form, including subsidies, tax credits, suretyships or the transfer or rental of an immovable.

A program adopted under the first paragraph must be consistent with the city's economic development plan.

The Municipal Aid Prohibition Act (chapter I-15) does not apply to assistance granted under a program adopted under the first paragraph, to the extent that the assistance

(1) results from joint planning by the city and the Minister of Economic Development, Innovation and Export Trade;

(2) does not contravene the trade agreements to which Québec has declared itself bound;

(3) is not intended for the transfer of activities carried on in the territory of another local municipality in Québec; and

(4) is paid to a person who, in the territory of the city, operates a business and is the owner or occupant of an immovable.

A by-law under the first paragraph determines the total value of the assistance that may be granted under the program.

Such a by-law, and any by-law or resolution adopted under section 92.1 of the Municipal Powers Act (chapter C-47.1), must be approved by the eligible voters of the city if the annual average of the total value of the assistance that may be granted exceeds 1% of the total appropriations provided for in the budget for its operating expenses for the fiscal year during which the by-law or resolution is adopted. If the average exceeds 5% of the total appropriations, the by-law or the resolution must also be approved by the Minister. To determine the average, the total value of the assistance that may be granted in accordance with the adopted by-law or resolution is taken into account, along with that of the assistance that may be granted in accordance with any other by-law adopted under the first paragraph or under section 92.1 of the Municipal Powers Act, if it is or will soon be in force, and any resolution adopted under the second paragraph of that section since the beginning of the fiscal year during which the by-law or resolution is adopted."

10. Schedule C to the Charter is amended by inserting the following sections after section 12.1:

"**12.2.** Within the limits prescribed by law and in compliance with the policy directions and policies of the Gouvernement du Québec regarding immigration, the city contributes, through the support services it offers in its territory, to the full participation of immigrants, in French, in the community life of the metropolis and to consolidating harmonious intercultural relations.

"**12.3.** The city has all the powers required to fulfil its duties and obligations under any agreement between the city and the Gouvernement du Québec or any of its departments, agencies or mandataries, or the Government of Canada or any of its departments or agencies in the case of an agreement exempt from the application of the Act respecting the Ministère du Conseil

exécutif (chapter M-30), to the extent that the powers required for carrying out the duties are included in those the Gouvernement du Québec may delegate to a municipality."

11. Section 38 of Schedule C to the Charter is repealed.

12. Schedule C to the Charter is amended by inserting the following section after section 40:

"**40.1.** Despite section 40 and section 323 of the Cities and Towns Act (chapter C-19), the notice of meeting for a special council meeting may also be notified to the council members by a technological means in accordance with articles 133 and 134 of the Code of Civil Procedure (chapter C-25.01), with the necessary modifications."

13. Section 50.2 of Schedule C to the Charter is amended by adding the following paragraph at the end:

"No notice of deterioration may be registered with respect to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)."

14. Schedule C to the Charter is amended by inserting the following section after section 50.5:

"**50.6.** The city may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register at least 60 days previously, on which the work required in the notice has not been carried out and whose dilapidated state entails a risk for the health or safety of persons. Such an immovable may then be alienated to any person by onerous title or to any person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19) by gratuitous title."

15. Schedule C to the Charter is amended by inserting the following subdivision after section 79:

"§7.1. — *Commercial development associations*

"**79.1.** The city may, by by-law, define the limits of a zone within which a single district may be formed and provide for the establishment of a commercial development association having jurisdiction in that district. Such an association must mainly promote the economic development of its district in a manner consistent with all economic development strategies adopted by the city.

"**79.2.** The establishment, dissolution and merger of associations, as well as modifications to the limits of a zone or a district, are carried out on the city's initiative or at the request of the persons described in section 79.3.

Any initiative or request referred to in the first paragraph must be submitted for consultation, through a register and, if applicable, a poll, to the operators or occupants of a taxable business establishment or the owners of a taxable non-residential immovable located in the district concerned. The city shall send those persons a notice informing them that a register will be open and, if applicable, that a poll will be held.

"**79.3.** A person who, in an association's district, operates or occupies a taxable business establishment within the meaning of the Act respecting municipal taxation (chapter F-2.1) or owns a taxable immovable entered on the property assessment roll as a non-residential immovable may be a member of the association.

"**79.4.** The city may, by by-law,

(1) determine the classes of business establishments or immovables whose operators, occupants or owners, as applicable, are required to be members of the association;

(2) set the minimum number of establishments or immovables by district;

(3) determine the activities an association may carry on;

(4) prescribe any particulars concerning the formalities for establishing, dissolving, modifying and merging associations;

(5) prescribe any particulars concerning the composition of an association's board of directors, the respective responsibilities of the general meeting of the members and of the board of directors and any matter relating to the organization, operation or dissolution of an association, in particular the distribution of the association's assets in the case of dissolution; and

(6) prescribe any other matter relating to the association, including the terms governing exemption from or the establishment, collection and repayment of assessments, the transitional rules applicable where the territory in which the association exercises its jurisdiction is modified, and the rules of succession if a member must be replaced during the fiscal year.

"**79.5.** The city shall approve the association's internal management rules and authorize any loan to finance a project involving capital expenditures that exceed the percentage of the association's budget prescribed by a by-law of the city. The city may, by by-law, determine the nature of any other project for which financing by loan requires such authorization.

"**79.6.** For collection purposes, an assessment ordered under this subdivision from a business establishment is deemed to be a special business tax, while an assessment ordered under this subdivision from an owner entered on the property assessment roll is deemed to be a property tax. In that respect, the clerk and the treasurer have all the powers vested in them by this Act, the

Cities and Towns Act (chapter C-19) and the Act respecting municipal taxation (chapter F-2.1). The assessments collected, minus collection costs, and the list of the members who have paid them must be remitted to the association.

"**79.7.** Despite the Municipal Aid Prohibition Act (chapter I-15), the city may, on the conditions it determines, grant subsidies to an association established under section 79.1.

"**79.8.** This subdivision applies in lieu of subdivision 14.1 of Division XI of the Cities and Towns Act (chapter C-19), except sections 458.5, 458.7 to 458.10, 458.13 to 458.18, 458.21, 458.23 and 458.25, the first paragraph of section 458.26, and sections 458.27, 458.28, 458.33 to 458.35, 458.38, 458.40, 458.41, 458.43 and 458.44 of that Act, which apply with the necessary modifications."

16. Section 80 of Schedule C to the Charter is amended

(1) by replacing the first occurrence of "by-law" in the first paragraph by "resolution";

(2) by inserting ", which may be increased to take into account any reasonable accessory expenses incurred by the city and made necessary by an intervention under the first paragraph," after "The expense" in the second paragraph;

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

"The city may not exercise its power under the first paragraph with respect to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)."

17. Section 94 of Schedule C to the Charter is repealed.

18. Section 144 of Schedule C to the Charter is amended by striking out the fifth paragraph.

19. Schedule C to the Charter is amended by inserting the following subdivision after section 151:

"§15.1. — *Pre-emptive right*

"**151.1.** In accordance with the provisions of this subdivision, the city may, in all or part of its territory as determined by the by-law provided for in section 151.2, exercise a pre-emptive right to acquire any immovable, excluding immovables owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The city's pre-emptive right may only be exercised to acquire an immovable for which a notice of the city's pre-emptive right has been registered.

"**151.2.** The city shall determine, by by-law, the territory in which its pre-emptive right may be exercised and the municipal purposes for which immovables may be acquired in this manner.

"**151.3.** The notice of the city's pre-emptive right must identify the immovable concerned and describe the purpose for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for a period of 10 years from the registration date.

"**151.4.** The owner of an immovable for which a notice of the city's pre-emptive right has been issued may not, on pain of nullity, alienate the immovable for the benefit of a person other than a person to whom the owner is related within the meaning of the Taxation Act (chapter I-3) if the owner has not notified a notice to the city of the owner's intention to alienate the immovable.

The owner's notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is to be alienated, in whole or in part, for non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

"**151.5.** The city may, not later than 60 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The city may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours' prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the city does not notify the notice provided for in the first paragraph to the owner within that 60-day period, it is deemed to have decided not to exercise its pre-emptive right.

If the city decides not to exercise its pre-emptive right and the proposed alienation comes into effect, the city must have the notice of its pre-emptive right removed from the land register.

"**151.6.** If the city exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the city cannot pay the amount to the owner, it may deposit it, on the owner's behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the city becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the city will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the price has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

"**151.7.** If the city exercises its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation."

20. Schedule C to the Charter is amended by inserting the following section after section 204:

"**204.1.** If a reconstituted municipality of the urban agglomeration of Montréal manifests, by a resolution of its council, its intention to transfer responsibility to the commission for any existing or proposed underground conduit situated in its territory, the commission may, by resolution, accept that responsibility.

On the date the commission adopts its resolution accepting the transfer, the city becomes the owner of the existing underground conduits covered by the resolution of the council of the reconstituted municipality. The city is also the owner of any conduit built by the commission in accordance with a resolution of the council of such a municipality identifying it as a proposed conduit or in accordance with the third paragraph to connect a building to an existing conduit.

Once the conduits described in this section have been built or in order to build them, the commission shall exercise the jurisdiction and powers conferred on it by this chapter, with the necessary modifications. The commission is not, however, authorized to extend such conduits, except to connect a building to them.

In addition, with the owner's consent and to ensure that those conduits are fully functional, the commission may carry out any operation on an adjacent installation."

21. Schedule C to the Charter is amended by inserting the following section after section 220.3:

"**220.4.** The city may apply for the constitution of a non-profit body dedicated to developing and managing, in the territory of the city, parking and a network of electric vehicle charging stations.

The body may carry on commercial activities related to the purposes mentioned in the first paragraph and may grant subsidies for the same purposes."

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

22. The Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended by inserting the following section after section 118.83:

"**118.83.1.** Section 19 is modified by inserting the following paragraph after paragraph 3:

"(3.1) road service and vehicle towing and impounding;"."

23. The Act is amended by inserting the following after section 118.85:

"**118.85.1.** The following division is inserted after Division III of Chapter II of Title III:

"**DIVISION III.1**

"ROAD SERVICE AND VEHICLE TOWING AND IMPOUNDING

"**24.2.** The central municipality's exclusive jurisdiction over road service and vehicle towing and impounding consists in exercising, in addition to the powers provided for in sections 123 to 128 of the Charter of Ville de Montréal (chapter C-11.4) or that constitute acts inherent or accessory to the exercise of an urban agglomeration power, the powers provided for in section 154 of Schedule C to the Charter and sections 80 and 81 of the Municipal Powers Act (chapter C-47.1).""

ACT RESPECTING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

24. Section 3.1 of the Act respecting hours and days of admission to commercial establishments (chapter H-2.1) is amended by inserting "4.2," after "4.1," in the first paragraph.

25. The Act is amended by inserting the following section after section 4.1:

"**4.2.** Ville de Montréal may, by by-law and with respect to commercial establishments situated in its territory, prescribe legal periods of admission that are different from any period prescribed in section 2, 3 or 3.1 or in a regulation made under section 4.1. Such periods may vary according to the time of year, by category of establishment or by part of the city's territory.

On the occasion of a special event, the city may also, for any commercial establishment and for the period the city determines by resolution, prescribe legal periods of admission that are different from those described in the first paragraph or those prescribed by a by-law adopted by the city under the first paragraph."

26. Section 14 of the Act is amended by inserting "Except in the territory of Ville de Montréal," before "The Minister".

27. Section 37 of the Act is amended

(1) by inserting ", including the provisions of a regulation or resolution made under this Act," after the first occurrence of "Act";

(2) by inserting "other" after "over any".

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS

28. Section 13 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended

(1) by replacing "with architecture and with the environment" in the first paragraph by "with the architecture and environment";

(2) by inserting "or Ville de Montréal" after "Québec" in the third paragraph.

CULTURAL HERITAGE ACT

29. Section 164 of the Cultural Heritage Act (chapter P-9.002) is amended by replacing "the Conseil du patrimoine de Montréal, established under section 83.11 of the Charter of Ville de Montréal (chapter C-11.4), exercises the functions of the local heritage council" in the second paragraph by "the functions of the local heritage council set out in this chapter are to be exercised by the council for cultural heritage matters that is referred to in section 45 of the Act to increase the autonomy and powers of Ville de Montréal, the metropolis of Québec (2017, chapter 16) or by a council for cultural heritage matters that is under its authority".

30. The heading of Chapter VI.1 of the Act is amended by adding "AND VILLE DE MONTRÉAL" at the end.

31. Section 179.1 of the Act, as amended by section 186 of chapter 13 of the statutes of 2017, and section 179.2 of the Act are amended by inserting "and Ville de Montréal" after every occurrence of "Ville de Québec", with the necessary modifications.

32. Section 179.3 of the Act is amended

(1) by inserting "and Ville de Montréal" after the first occurrence of "Ville de Québec";

(2) by replacing "apply to Ville de Québec, with the necessary modifications, including replacing "Government" and "Minister" by "Ville de Québec"" by "apply to Ville de Québec and Ville de Montréal, with the necessary modifications, including replacing "Government" and "Minister" by "Ville de Québec" or "Ville de Montréal", as applicable".

33. Section 179.4 of the Act is amended

(1) by inserting "and Ville de Montréal" after "Ville de Québec" in the first paragraph, with the necessary modifications;

(2) by inserting "or Ville de Montréal" after "Ville de Québec" in the second paragraph, with the necessary modifications.

34. Section 179.5 of the Act is amended by adding the following paragraph at the end:

"If Ville de Montréal files such an application with the Commission, the same applies in the case of any council for cultural heritage matters that is referred to in the second paragraph of section 164 of this Act."

35. Section 179.6 of the Act is amended

(1) by replacing "may, by by-law and to the extent it determines, delegate to the city's executive committee the exercise of all or some of the powers provided for in this Act that the city exercises" in the first paragraph by "and the council of Ville de Montréal may, by by-law and to the extent they determine, delegate to their respective executive committees the exercise of all or some of the powers provided for in this Act that each city exercises";

(2) by replacing "it" and "section 179.5" in the second paragraph by "the council of Ville de Québec" and "the first paragraph of section 179.5", respectively.

36. Section 179.7 of the Act is amended

(1) by inserting "and Ville de Montréal" after "Ville de Québec" in the first paragraph, with the necessary modifications;

(2) by inserting "and Ville de Montréal" after "Ville de Québec" in the second paragraph, with the necessary modifications.

37. Section 179.8 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: "The same applies in the case of Ville de Montréal, not later than 21 September 2020 and subsequently every five years.";

(2) by replacing "the report" in the second paragraph by "the reports".

38. Section 261.1 of the Act is amended by replacing "submitted to the Minister before 9 June 2017" by ", submitted to the Minister before 9 June 2017 to the extent that that section applies to Ville de Québec, or before 21 September 2018 to the extent that it applies to Ville de Montréal,".

39. Section 261.1.1 of the Act is replaced by the following section:

"**261.1.1.** Ville de Québec and Ville de Montréal may not, under the powers conferred on them by Chapter VI.1, issue an authorization for an intervention for which authorization was denied by the Minister on or after 9 June 2012 in the case of Ville de Québec, or on or after 21 September 2012 in the case of Ville de Montréal, or for which authorization was denied under section 261.1."

40. Section 261.2 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

"Ville de Québec and Ville de Montréal are responsible for the administration of sections 180, 183 to 192, 195 to 197, 201, 202 and 261 in relation to an authorization referred to in section 261.1 or an authorization issued by the Minister before 9 June 2017 in the case of Ville de Québec, or before 21 September 2018 in the case of Ville de Montréal, for an intervention referred to in section 179.1. The same applies in the case of contraventions of section 49, 64 or 65 that occurred or began before those dates and that concern interventions referred to in section 179.1.";

(2) by replacing "the city" in the second paragraph by "the cities";

(3) by inserting "in the case of Ville de Québec, or on 21 September 2018 in the case of Ville de Montréal," after "9 June 2017" in the third paragraph.

ACT RESPECTING LIQUOR PERMITS

41. Section 61 of the Act respecting liquor permits (chapter P-9.1) is amended by inserting "Subject to section 61.1," at the beginning.

42. The Act is amended by inserting the following section after section 61:

"**61.1.** Ville de Montréal may, by by-law and with respect to any permit referred to in the first paragraph of section 59 that is used in its territory, fix hours of use that are different from those prescribed in that paragraph. Such hours may vary according to the time of year, by category of permit or by part of the city's territory.

The city may also, by resolution, exercise in its territory the power provided for in section 61 with respect to the hours of use specified in the first paragraph of section 59 or the hours it fixes under the first paragraph."

ACT RESPECTING THE SOCIÉTÉ D'HABITATION DU QUÉBEC

43. The Act respecting the Société d'habitation du Québec (chapter S-8) is amended by inserting the following subdivision after section 56.3:

"§1.1. — *Municipal programs specific to Ville de Montréal*

"**56.4.** Ville de Montréal may, without the Société's authorization or approval, prepare, adopt by by-law and implement in its territory a housing program to promote the development of dwellings to be made available to persons or families of low or moderate income and to allow the improvement of existing dwellings.

"**56.5.** Despite any inconsistent provision of any other Act, Ville de Montréal may, without the Minister's authorization, grant a loan guarantee in the administration of a program under section 56.4."

44. Section 94.5 of the Act is amended by adding the following paragraph at the end:

"The first paragraph also applies to Ville de Montréal in the administration of a program under section 56.4."

TRANSITIONAL PROVISIONS

45. The Conseil interculturel de Montréal, Conseil du patrimoine de Montréal, Conseil des Montréalaises and Conseil jeunesse de Montréal, established by provisions repealed by section 5, are continued in their current form as long as the city council does not modify or dissolve them.

46. For the purposes of section 10.1 of Schedule C to the Charter of Ville de Montréal (chapter C-11.4), enacted by section 9, an assistance program may, if the assistance it provides for is intended for persons who suffer a substantial loss of income because of construction or infrastructure repair work carried out by or for the city, cover work carried out before the coming into force of this section to the extent that the work was carried out after 31 December 2015.

A program that covers only work that meets the conditions set out in the first paragraph is not subject to the condition set out in the third paragraph of

section 10.1 of Schedule C to the Charter. In addition, the fourth paragraph of that section may apply to the assistance granted because of that work even if the assistance does not meet the condition set out in subparagraph 1 of that paragraph.

47. A commercial development association established under subdivision 14.1 of Division XI of the Cities and Towns Act (chapter C-19) and having jurisdiction in a commercial district in the territory of Ville de Montréal remains subject to that subdivision as long as it is not dissolved in accordance with sections 458.17 to 458.18 of that Act or on the initiative of Ville de Montréal in accordance with subdivision 7.1 of Division II of Chapter III of Schedule C to the Charter of Ville de Montréal, enacted by section 15.

48. A regulatory provision, in force on 20 September 2017, adopted by a council of a related municipality of the urban agglomeration of Montréal under, as applicable, section 154 of Schedule C to the Charter of Ville de Montréal or sections 80 and 81 of the Municipal Powers Act (chapter C-47.1), continues to apply until the urban agglomeration council of Ville de Montréal adopts a by-law under the jurisdiction assigned to it over road service and vehicle towing and impounding by sections 22 and 23.

FINAL PROVISION

49. This Act comes into force on 21 September 2017, except sections 31 to 35 and 37 to 40, which come into force on 21 September 2018.

Regulations and other Acts

M.O., 2017

Order number 3861 of the Minister of Justice dated 5 October 2017

Civil Code of Québec
(Civil Code)

Regulation respecting the publication of a notice of marriage or civil union

THE MINISTER OF JUSTICE,

CONSIDERING the first paragraph of article 369 of the Civil Code of Québec, which provides that the publication sets forth the name and domicile of each of the intended spouses, the year and place of their birth, the scheduled solemnization date and the name of the officiant. It also provides that the correctness of these particulars is confirmed by a witness of full age. Lastly, it provides that the other rules governing publication of the marriage are determined by the Minister of Justice;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 21 June 2017, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation respecting the publication of a notice of marriage or civil union with a notice that it could be made by the undersigned on the expiry of 45 days following that publication;

ORDERS AS FOLLOWS:

The Regulation respecting the publication of a notice of marriage or civil union, attached to this Order, is hereby made.

Québec, October 5, 2017

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the publication of a notice of marriage or civil union

Civil Code of Québec
(Civil Code, art. 369, 1st par.)

DIVISION I
APPLICATION FOR NOTICE OF PUBLICATION

1. An application for a notice of publication of the marriage or civil union submitted to the registrar of civil status must be made by the officiant and contain

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the date scheduled for the solemnization of the marriage or civil union and the address of the place of solemnization;

(3) the name, domicile address, or work address in the case of the officiant, the telephone number and email address, if applicable, of each of the intended spouses, of the officiant and of the witness who confirms the correctness of the particulars;

(4) the confirmation of the witness;

(5) the date and place of birth of each of the intended spouses;

(6) the names of the parents of each of the intended spouses;

(7) the quality of the officiant and his or her registration number in the register of officiants issued by the registrar of civil status; and

(8) the date on which publication is to take place.

An application for a notice of publication submitted outside the business days and hours of the offices of the registrar of civil status is deemed to be made at the time of opening on the next business day.

DIVISION II
NOTICE OF PUBLICATION

2. In addition to what is provided for in article 369 of the Civil Code, the notice of publication of the marriage or civil union must set out

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the quality of the officiant; and

(3) the address where the marriage or civil union will be solemnized.

DIVISION III
DISPENSATION FROM PUBLICATION

3. An application for a dispensation from the notice of publication of the marriage or civil union submitted to the registrar of civil status may be made by the intended spouses and by the officiant and must contain

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the serious reasons in support of the application;

(3) the date scheduled for the solemnization of the marriage or civil union and the address of the place of solemnization;

(4) the name, domicile address, or work address in the case of the officiant, the telephone number and email address, if applicable, of each of the intended spouses and of the officiant;

(5) the date and place of birth of each of the intended spouses;

(6) the names of the parents of each of the intended spouses; and

(7) the quality of the officiant and the registration number in the register of officiants issued by the registrar of civil status.

4. This Regulation comes into force on the date of coming into force of section 3, paragraph 1 of section 6 and sections 8 and 11 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

103161

M.O., 2017

Order number 3862 of the Minister of Justice dated 5 October 2017

Civil Code of Québec
(Civil Code)

Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions

THE MINISTER OF JUSTICE,

CONSIDERING the first paragraph of article 376 of the Civil Code of Québec, which provides that clerks and deputy clerks, notaries and persons designated by the Minister of Justice solemnize marriages according to the rules prescribed by the Minister of Justice;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 21 June 2017, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions with a notice that it could be made by the undersigned on the expiry of 45 days following that publication;

ORDERS AS FOLLOWS:

The Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions, attached to this Order, is hereby made with amendments.

Québec, October 5, 2017

STÉPHANIE VALLÉE,
Minister of Justice

Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions

Civil Code of Québec
(Civil Code, art. 376)

1. The Rules respecting the solemnization of civil marriages and civil unions (chapter CCQ, r. 3) are amended by revoking section 1.

2. Section 4 is amended by replacing "the notice of" by "the notice of publication of the".

3. Section 5 is amended by replacing "the notice of" by "the notice of publication of the".

4. Section 10 is amended

(1) by inserting "of the judgment authorizing a minor's marriage," in the first paragraph after "copy";

(2) by replacing "the notice of" in the first paragraph by "the notice of publication of the";

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

"If the officiant is not a clerk or deputy clerk of the Superior Court, a notary, a mayor, a member of a municipal or borough council or a municipal officer, the copy of the documents required in the first paragraph must be sent to the registrar of civil status not later than the day on which the declaration of marriage or civil union is sent.";

(3) by adding the following paragraph after the second:

"If the officiant is a clerk or deputy clerk of the Superior Court, a notary, a mayor, a member of a municipal or borough council or a municipal officer, the officiant must send a copy of the judgment authorizing a minor's marriage to the registrar of civil status not later than the day on which the declaration of marriage or civil union is sent.".

5. Schedule I is revoked.

6. Schedule II is revoked.

7 This Regulation comes into force on the date of coming into force of section 3, paragraph 1 of section 6 and sections 8 and 11 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

103162

Draft Regulations

Draft Regulation

Environment Quality Act
(chapter Q-2)

Mandatory reporting of certain emissions of contaminants into the atmosphere — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and sections 2.2 and 46.2 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere, appearing below, may be made by the Minister of Sustainable Development, the Environment and the Fight Against Climate Change on the expiry of 45 days following this publication.

The draft Regulation provides a number of adjustments related to the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) published in the *Gazette officielle du Québec* of 31 August 2017, in particular as regards emitters who register for the cap-and-trade system without being required to do so.

The draft Regulation also amends certain requirements applicable to fuel distributors, particularly concerning their obligation to submit a report on the verification of their annual report where the quantity of fuel distributed falls below the threshold set out in the Regulation.

The draft Regulation specifies the category of emitters required to report their emissions resulting from activities involving electricity produced outside Québec, that is, the acquisition, sale or trade in Québec for consumption, trade or sale. A number of changes are made to the terminology in Schedule A.2 following the amendment.

The draft Regulation also provides clarifications regarding new facilities, in particular elements that will have to be reported for those facilities.

Lastly, the draft Regulation provides for various technical adjustments, corrections to the methods of calculation of greenhouse gas emissions and an updating of the table concerning the default greenhouse gas emission factors related to electricity for Canadian provinces and for certain North American markets.

Study of the matter has shown no major cost associated to the amendments proposed by the draft Regulation.

Further information may be obtained by contacting Vicky Leblond, Direction générale de la réglementation carbone et des données d'émission, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques; telephone: 418 521-3813, extension 4386; email: vicky.leblond@mddelcc.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to France Delisle, Director General, Direction générale de la réglementation carbone et des données d'émission, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddelcc.gouv.qc.ca

ISABELLE MELANÇON,
Minister of Sustainable Development, the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere

Environment Quality Act
(chapter Q-2, ss. 2.2 and 46.2)

1. The Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15) is amended in section 6.1

(1) by replacing "operating an enterprise that purchases electricity produced outside Québec for its own consumption or for sale in Québec" in the second paragraph by "operating an enterprise that acquires, sells or trades in Québec, for consumption, trade or sale in Québec, electricity produced outside Québec";

(2) by replacing "if the enterprise ceases its activities" in the third paragraph by "if it ceases to distribute such fuels";

(3) by replacing "the second and third paragraphs" in the fourth paragraph by "the second paragraph".

2. Section 6.2 is amended

(1) in the first paragraph,

(a) by replacing "establishment in subparagraph 2.1 by "enterprise";

(b) by replacing "operating an enterprise that purchases electricity produced outside Québec for its own consumption or for sale in Québec" in subparagraph 2.2 by "operating an enterprise that acquires, sells or trades in Québec, for consumption, trade or sale in Québec, electricity produced outside Québec";

(c) in subparagraph 8

i. by inserting "if applicable," at the beginning of subparagraph *a*;

ii. by replacing subparagraph *b* by the following:

"*(b)* the total greenhouse gas emissions for each type of emission, and, if applicable, for each benchmark unit, excluding the emissions referred to in the second paragraph of section 6.6 and the emissions calculated in accordance with protocols QC.17 and QC.30 of Schedule A.2, namely:

i. the annual fixed process CO_2 emissions, in metric tons;

ii. the annual greenhouse gas combustion emissions, in metric tons CO_2 equivalent;

iii. the annual other category greenhouse gas emissions, in metric tons CO_2 equivalent;

iii. by inserting the following after subparagraph *b*:

"*(c)* for a new facility in accordance with paragraph 11 of section 3 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1), the total greenhouse gas emissions for each type of emission, and, if applicable, for each benchmark unit, excluding the emissions referred to in the second paragraph of section 6.6 and the emissions calculated in accordance with protocols QC.17 and QC.30 of Schedule A.2, namely:

i. the annual fixed process CO_2 emissions, in metric tons;

ii. the annual greenhouse gas combustion emissions, in metric tons CO_2 equivalent;

iii. the annual other category greenhouse gas emissions, in metric tons CO_2 equivalent.".

3. Section 6.6 is amended

(1) by inserting "or in section 2.1" after "section 2" in the first paragraph;

(2) by replacing subparagraph 3 of the second paragraph by the following:

"(3) CO_2, CH_4 and N_2O emissions, referred to in protocol QC.27 of Schedule A.2, attributable to mobile equipment on the site of an establishment;";

(3) by replacing "establishment" in subparagraph 3 of the third paragraph by "emitter";

(4) by replacing "must have the emitter's annual report verified until such time as the emitter's greenhouse gas emissions fall below the threshold determined in the first or" in the fourth paragraph by "referred to in the first or second paragraph of section 6.1 must have the emitter's annual report verified until such time as the emitter's greenhouse gas emissions fall below the threshold determined in the first paragraph or subparagraph 1 of the";

(5) by inserting the following after the fourth paragraph:

"An emitter referred to in the third paragraph of section 6.1 must have the emitter's annual report verified until such time as the fuel distributed falls below the threshold determined in subparagraph 2 of the second paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances for 1 year, even if there is cessation of the distribution activities referred to in QC.30.1 of protocol QC.30 in Schedule A.2.

An emitter referred to in section 2.1 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances must have the emitter's annual report verified until such time as the emitter is bound to cover emissions under section 19.0.1 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances.".

4. The following is added after section 6.6:

"**6.6.1.** In addition to the verification requirement provided for in the first paragraph of section 6.6, a person or municipality referred to in section 2.1 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) that registers for the system in accordance with sections 7.1 and 7.2 of

that Regulation must, at the time of registration, send to the Minister, in accordance with section 6.6, a verification report on the emissions report for the year preceding the year in which the person or municipality intends to register.".

5. Section 6.7 is amended by inserting "referred to in the first paragraph of section 6.1 or the enterprise referred to in the second or third paragraph of section 6.1" after "establishment" in subparagraph 1 of the first paragraph.

6. Section 6.8 is amended by inserting "referred to in the first paragraph of section 6.1 or the enterprise referred to in the second or third paragraph of section 6.1," after "establishment" in subparagraph 2 of the first paragraph.

7. Section 6.9 is amended by replacing "by the emitter of electricity produced outside Québec for its own consumption or for sale in Québec" in paragraph 7.4 by ", sale or trade by the emitter, for consumption, trade or sale in Québec, of electricity produced outside Québec".

8. Section 6.10 is amended by replacing "from the establishment," in subparagraph *a* of subparagraph 3 of the first paragraph by "from an enterprise, establishment".

9. The following is inserted after section 6.10:

"**6.11.** The Minister may determine the quantity of greenhouse gas emissions of an emitter referred to in section 2 or 2.1 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) who has not reported them within the period prescribed or whose report cannot be satisfactorily verified. The Minister must, where applicable, take into account

(1) the methods provided for in Division D of Part II of Schedule C of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances;

(2) the number of hours during which the establishment or facility emits greenhouse gas;

(3) the previous reports of the emitter concerned and the verification reports related to them; and

(4) the quantity of matter, as a mass or volume, that the equipment of the establishment or facility is able to process or produce in a given time.

The verifier of the enterprise, establishment or facility and the emitter concerned must provide to the Minister, at the Minister's request, any information allowing the Minister to determine the quantity of greenhouse gas emissions of that emitter.".

10. Schedule A.2 is amended

(1) by inserting the following paragraph after subparagraph 3 of the second paragraph of QC.3.6.1 in protocol QC.3:

"The slope or the overvoltage coefficient calculated following the performance tests conducted in the cases provided for in subparagraph 1 of the second paragraph must be used beginning on

(1) the date of the measurements; or

(2) 1 January immediately following the measurements.";

(2) in protocol QC.4,

(a) in QC.4.3.2, by replacing "entering" in factors CaO_{NCC} and MgO_{NCC} in equation 4-2 and in factors CaO_{NCD} and MgO_{NCD} of equation 4-3 by "before entering";

(b) in QC.4.4, by replacing "entering" in subparagraphs 4 and 7 of the first paragraph by "before entering";

(3) in protocol QC.6, by replacing subparagraph 2 of the first paragraph in QC.6.4 by the following:

"(2) determine the carbon content using either of the following methods:

(a) by collecting and analyzing samples of each type of feedstock consumed to measure the average carbon content using the methods specified in paragraph 5,

i. daily, for all feedstocks except natural gas, by collecting the sample from a location that provided samples representative of the feedstock consumed in the hydrogen production process;

ii. monthly, when natural gas is used as feedstock and not mixed with another feedstock prior to consumption;

(b) by using the carbon content indicated by the fuel supplier;";

(4) in protocol QC.17,

(a) in QC.17.1, by replacing ", a facility or en establishment that purchases electricity produced outside Québec for their own consumption or for sale in Québec" in the first paragraph by "that acquires, sells or trades in Québec, for consumption, trade or sale in Québec, electricity produced outside Québec";

(b) by replacing QC.17.2 by the following:

"**QC.17.2. Specific information to be reported concerning greenhouse gas emissions**

In accordance with subparagraph 3 of the first paragraph of section 6.2, the greenhouse gas emissions report must, in particular, include the following information:

(1) in the case of an enterprise that acquires, sells or trades in Québec, for consumption, trade or sale in Québec, electricity produced outside Québec,

(a) the annual quantity of electricity produced outside Québec that was acquired, sold or traded in Québec, in megawatt-hours;

(b) the annual greenhouse gas emissions attributable to the production of electricity referred to in subparagraph *a*, calculated in accordance with QC.17.3.1, in metric tons CO_2 equivalent;

(c) for each identifiable facility covered by a greenhouse gas emissions report made to Environment Canada under section 71 of the Canadian Environmental Protection Act (S.C. 1999, c. 33), to the U.S. Environmental Protection Agency (USEPA) under Part 75 of Title 40 of the Code of Federal Regulations, or to the organization The Climate Registry:

i. the name and address of the facility, the identification number assigned to it by the National Pollutant Release Inventory of Environment Canada, the U.S. Environmental Protection Agency (USEPA) or the organization The Climate Registry;

ii. the quantity of electricity acquired, sold or traded in Québec, in megawatt-hours;

iii. the transmission losses, in megawatt-hours;

iv. the facility's net annual electricity production, in megawatt-hours;

v. the annual greenhouse gas emissions attributable to the production by the facility of the electricity acquired, sold or traded in Québec, in metric tons CO_2 equivalent;

vi. the annual greenhouse gas emissions of the facility, in metric tons CO_2 equivalent;

(d) for each identifiable facility not covered by a greenhouse gas emissions report made to one of the organizations referred to in subparagraph *c*:

i. the information specified in subparagraphs *i* to *v* of subparagraph *c*, the identification number being required only if assigned;

ii. each fuel type used for electricity production and its heat value, that is:

— in gigajoules per metric ton, when the quantity of fuel is expressed as a mass;

— in gigajoules per kilolitre, when the quantity of fuel is expressed as a volume of liquid;

— in gigajoules per cubic metre, when the quantity of fuel is expressed as a volume of gas;

(e) for each identifiable facility for which the information needed to calculate greenhouse gas emissions using equation 17-1 or 17-2 provided for in QC.17.3.1 is not available, and for each unidentifiable facility:

i. the province or state from which the electricity is acquired, sold or traded;

ii. the quantity of electricity acquired, sold or traded, in megawatt-hours, for each province or state;

iii. the annual greenhouse gas emissions attributable to the electricity acquired, sold or traded, in metric tons CO_2 equivalent, by province or state;

(2) for the exportation of electricity:

(a) the quantity of electricity exported annually by the enterprise, facility or establishment, in megawatt-hours;

(b) the annual greenhouse gas emissions caused or avoided by the exportation of electricity, calculated in accordance with QC.17.3.2, in metric tons CO_2 equivalent;

(c) for each identifiable facility covered by a greenhouse gas emissions report in accordance with this Regulation, for each destination province or state:

i. the annual greenhouse gas emissions caused or avoided by the exportation of the electricity produced by the facility, in metric tons CO_2 equivalent;

ii. the quantity of electricity produced by the facility and exported annually, in megawatt-hours;

(d) for each identifiable facility not covered by a greenhouse gas emissions report in accordance with this Regulation, and for each unidentifiable facility, by destination province or state:

i. the annual greenhouse gas emissions caused or avoided by the exportation of the electricity produced by the facility, in metric tons CO_2 equivalent;

ii. the quantity of electricity produced by the facility and exported annually, in megawatt-hours.";

(c) in QC.17.3, by replacing "to the production of electricity acquired outside Québec and acquired by an enterprise, a facility or an establishment for its own consumption or for sale within Québec" by "to an enterprise that acquires, sells or trades in Québec, for consumption, trade or sale in Québec, electricity produced outside Québec";

(d) in QC.17.3.1,

i. by replacing "the production of electricity acquired outside Québec and sold or consumed within Québec" in the heading and in the portion before paragraph 1 by "the acquisition, sale or trade in Québec, for consumption, trade or sale in Québec, of electricity produced outside Québec";

ii. by replacing "of electricity acquired outside Québec and produced by the identifiable facility" in factor GHG of equations 17-1 and 17-2 by "by the identifiable facility of electricity acquired, sold or traded in Québec";

iii. by replacing "Total quantity of electricity acquired from the identifiable facility and consumed or sold annually in Québec" in factor MWhimp in equation 17-1 by "Annual quantity of electricity produced by the identifiable facility and acquired, sold or traded in Québec";

iv. by replacing "Quantity of electricity acquired from the identifiable facility and consumed or sold annually in Québec" in factor MWhimp in equation 17-2 by "Annual quantity of electricity produced by the identifiable facility and acquired, sold or traded in Québec";

v. by replacing "of electricity acquired outside Québec and produced by the identifiable or unidentifiable facility" in factor GHG in equation 17-3 by "by the identifiable or unidentifiable facility of electricity acquired, sold or traded in Québec";

vi. by replacing "Quantity of electricity acquired from the identifiable or unidentifiable facility and consumed or sold annually in Québec" in factor MWhimp in equation 17-3 by "Annual quantity of electricity produced by the identifiable or unidentifiable facility and acquired, sold or traded in Québec";

(e) in QC.17.3.2, in equation 17-4,

i. by striking out "total" in factor GHG_t;

ii. by striking out "total" in factor MWhexp;

(f) by replacing table 17-1 in QC.17.4 by the following:

"Table 17-1. Default greenhouse gas emission factors for Canadian provinces and certain North American markets, in metric tons CO2 equivalent per megawatt-hour
(QC.17.3.1 (3), QC.17.3.2 (1) and (2))

Canadian provinces and North American markets	Default emission factor (metric ton GHG/MWh)
Newfoundland and Labrador	0.032
Nova Scotia	0.604
New Brunswick	0.282
Québec	0.001
Ontario	0
Manitoba	0.004
Vermont	0.006
New England Independent System Operator (NE-ISO), including all or part of the following states:	
–Connecticut	
–Massachusetts	0.290
–Maine	
–Rhode Island	
–Vermont	
–New Hampshire	
New York Independant System Operator (NY-ISO)	0.236
Pennsylvania Jersey Maryland Interconnection Regional Transmission Organization (PJM-RTO), including all or part of the following states:	
–North Carolina	
–Delaware	
–Indiana	
–Illinois	
–Kentucky	
–Maryland	0.554
–Michigan	
–New Jersey	
–Ohio	

Canadian provinces and North American markets	Default emission factor (metric ton GHG/MWh)
– Pennsylvania	
– Tennessee	
– Virginia	
– West Virginia	
– District of Columbia	
Midwest Independent Transmission System Operator (MISO-RTO), including all or part of the following states:	
– Arkansas	
– North Dakota	
– South Dakota	
– Minnesota	
– Iowa	
– Missouri	
– Wisconsin	0.596
– Illinois	
– Michigan	
– Nebraska	
– Indiana	
– Montana	
– Kentucky	
– Texas	
– Louisiana	
– Mississippi	
Southwest Power Pool (SPP), including all or part of the following states:	
– Kansas	
– Oklahoma	
– Nebraska	
– New Mexico	0.566
– Texas	
– Louisiana	
– Missouri	
– Mississippi	
– Arkansas	

”;

(5) in protocol QC.29, in QC.29.2,

(a) by replacing “QC.29.3.10” in subparagraph *j* of subparagraph 3 of the first paragraph by “QC.29.3.11”;

(b) by inserting “or QC.29.3.8” after “QC.29.3.7” in subparagraph *a* of subparagraph 7 of the first paragraph;

(6) in protocol QC.30,

(a) in QC.30.1,

i. by replacing “aviation fuel or fuel oil for ships” by “fuel used in air or water navigation” in subparagraph 1 of the first paragraph;

ii. by adding “or to fuels in a sealed container of 1 litre or less” at the end of the third paragraph;

(b) in QC.30.2, by replacing “other than automotive gasolines or diesel” in subparagraph 1 of the first paragraph by “used”;

(c) in QC.30.3, by replacing “automotive gasolines or diesel” in factor QiG in equation 30-2 by “fuel”.

11. This Regulation comes into force on 1 January 2018.

12. The emitter referred to in the third paragraph of section 6.1 whose fuel distributed and reported for 2016 falls below the threshold determined in subparagraph 2 of the second paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances is not required to send a verification report on the emissions report for 2017.

103163

Erratum

Draft Regulation

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions
(2016, chapter 23)

Regulation

Gazette officielle du Québec, Part 2, July 5, 2017, Volume 149, No. 27, page 2003.

On page 2009, section 24, the table should read:

“

Vehicle’s electric range, in km	Number of credits
< 16 km	0
between 16 and 129 km	(0.01 x R x 0.6214) + 0.3
> 129 km	1.1

”.

103157

Index

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