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LAWS AND REGULATIONS

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Summary

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Act respecting industrial accidents
and occupational diseases
(chapter A-3.001)

Hearing devices and audiology services

Medical aid
— Amendment

Regulation respecting hearing devices and audiology services and Regulation to amend the Regulation respecting medical aid

WHEREAS, under paragraph 5 of section 189, section 198.1 and subparagraphs 3.1 and 4.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations

— determining the care, treatment, technical aid and costs forming part of the medical aid referred to in paragraph 5 of section 189 of the Act and specifying the cases in which, the conditions on which and up to what amount payments may be made as well as the prior authorizations to which such payments may be subject;

— determining, subject to the second paragraph of section 198.1 of the Act, the cost of the purchase, adjustment, repair and replacement of a prosthesis or orthesis referred to in the said section and specifying the cases in which, the conditions on which and up to what amount payments may be made as well as the prior authorizations to which such payments may be subject;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting hearing devices and audiology services and a draft Regulation to amend the Regulation respecting medical aid were published in Part 2 of the *Gazette officielle du Québec* of 11 March 2020 with a notice that they could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulations with amendments at its sitting of 22 April 2021;

WHEREAS, under the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases, every draft regulation made by the Commission under section 454 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulations;

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

THAT the Regulation respecting hearing devices and audiology services and the Regulation to amend the Regulation respecting medical aid, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting hearing devices and audiology services

Act respecting industrial accidents
and occupational diseases
(chapter A-3.001, s. 189, par. 5, s. 198.1
and s. 454, 1st par., subpars. 3.1 and 4.1)

DIVISION I
INTERPRETATION

1. In this Regulation,

"**account**" means an invoice, a bill of fees or a payment transaction by electronic link or other technological support; (*compte*)

"**border region**" means a part of the territory of Québec comprised within 80 km of any point along the border with Ontario, New Brunswick or Newfoundland; (*région frontalière*)

"**health worker**" means a member of the Ordre des audioprothésistes du Québec or an audiologist who is a member of the Ordre des orthophonistes et audiologistes du Québec; (*intervenant de la santé*)

"**professional service**" means an act performed by a health worker, other than care or treatment. (*service professionnel*)

DIVISION II
GENERAL

2. For the purposes of this Division, "hearing device" means a hearing device and its accessories and the other costs covered by this Regulation.

3. In addition to the medical aid to which a worker is entitled under the Regulation respecting medical aid (chapter A-3.001, r. 1), the professional services and hearing devices covered by this Regulation constitute medical aid to which a worker may be entitled, if the worker's condition requires such aid as a result of an employment injury.

4. This Regulation applies subject to section 198.1 of the Act.

5. The Commission assumes the cost of professional services and hearing devices received in Québec, in accordance with the conditions and amounts set out in this Regulation, if they were prescribed by the health professional in charge of the worker before they were received or before the expenditures for them were made.

In addition, every claim submitted to the Commission concerning the professional services or hearing devices must be accompanied by the health worker's recommendation, where applicable, and by vouchers detailing their cost. The health worker must keep the prescription in the worker's record and provide it to the Commission on request.

A claim relating to a hearing device must be accompanied by an audiogram performed by an audiologist or a health professional less than one year before the date of purchase of the device.

For the purposes of this Regulation, "audiogram performed by an audiologist" means an audiogram performed by an audiologist as part of an audiological evaluation.

6. The account for a cost covered by this Regulation must be sent to the Commission within 180 days after the date on which the service is provided or the hearing device is supplied. In the case of a report, the 180-day period begins to run from the date on which it becomes payable.

7. If the employment injury occurs in a border region of Québec, the Commission assumes the cost of the professional services and hearing devices received outside Québec, up to the amounts set by this Regulation and provided that the worker received prior authorization from the Commission.

8. Despite section 5, if the worker sustains an employment injury outside Québec, the Commission assumes the actual cost of the professional services listed in Schedule I, received outside Québec, on presentation of vouchers and a health professional's attestation as to necessity.

The Commission also assumes the cost of hearing devices up to the amounts and on the conditions set out in Division IV.

9. The amounts for a service or product covered by this Regulation include the travel costs of the health worker.

10. A claim submitted by an audiologist for a service covered by this Regulation is payable by the Commission only if it is submitted on the form prescribed by the Commission.

11. A claim submitted by a hearing-aid acoustician for a service or product covered by this Regulation is payable by the Commission only if it is submitted on the form prescribed by the Commission.

DIVISION III
PROFESSIONAL SERVICES

12. The Commission assumes the cost of the professional services listed in Schedule I, up to the amounts and on the conditions set out in the Schedule, if they are provided personally by a health worker.

The Commission also assumes the cost of professional services provided by a person other than a health worker insofar as Schedule I so provides.

13. If two or more health workers practise as a group on the same premises, the same group number assigned by the Commission must appear on their accounts.

Those health workers must inform the Commission in writing of the name of each person in the group, the address where payment is to be made and the name of the mandatary designated to receive payment from the Commission, as well as any subsequent change in that information.

14. The accounts of a health worker practising alone must state the supplier number assigned to the health worker by the Commission.

15. Subject to a prescription to the contrary from the health professional in charge of the worker, the Commission assumes, once every 30 months, the cost of an audiological evaluation listed in Schedule I, according to the amount set out in the Schedule and only if the evaluation is prescribed by a health professional.

The Commission also assumes the cost of an audio prosthetic evaluation, according to the amount and conditions set out in Schedule I, if the worker has not had an audiological evaluation in the 12 months preceding the claim and more than 12 months have elapsed since the date of the services for the purchase of the hearing device indicated on the form prescribed by the Commission.

16. The cost of an audiological evaluation is payable by the Commission only if the audiologist fills out the form prescribed by the Commission.

The form must be sent to the Commission and to the health professional in charge of the worker.

DIVISION IV
HEARING DEVICES, ACCESSORIES AND OTHER COSTS

§1. General rules

17. For the purposes of this Division, the conditions and payment limits are established having regard to the date of purchase of the hearing device indicated on the form prescribed by the Commission.

18. The Commission assumes, at the frequency determined in subdivision 2 of this Division, the cost of a hearing device that is not a continuous wear hearing aid, up to an amount of $700, if the hearing device is warranted for a minimum period of 2 years.

For the purposes of this Regulation, a hearing device appearing in a program administered by the Régie de l'assurance maladie du Québec is deemed to be under warranty for that period.

19. The Commission assumes the cost of a continuous wear hearing aid or a hearing device the amount of which exceeds $700 only if the Commission gave prior authorization for the purchase of it.

The Commission authorizes the purchase of such a hearing device if it has been demonstrated to the Commission that the worker's condition prevents the worker from operating or having another type of hearing device adequately adjusted.

To meet that condition, the worker must provide an attestation from a health professional holding a specialist's certificate relevant to the worker's condition.

The Commission assumes an amount up to $1,800 per year for each ear, but no other amount for products and services relating to a continuous wear hearing aid.

The Commission assumes an amount up to the manufacturer's cost for a hearing device other than a continuous wear hearing aid referred to in the first paragraph, according to the frequency determined in subdivision 2 of this Division.

20. The Commission assumes, at the frequency determined in subdivision 2 of this Division and up to an amount of $150, the cost of the purchase of one remote control if it is warranted for a minimum period of 30 months.

For the purposes of this Regulation, a remote control appearing in a program administered by the Régie de l'assurance maladie du Québec is deemed to be under warranty for that period.

21. The Commission assumes the cost, up to an amount of $800, for the purchase of a CROS or BiCROS system, including its programming at the time of purchase, if the Commission gave prior authorization for its purchase and the system is warranted for a minimum period of 2 years.

The Commission authorizes the purchase of such a system if it has been demonstrated to the Commission that the worker's condition is such that

(1) the particular anatomy of the worker's ear does not allow for the fitting of a hearing device;

(2) the worker is affected by recurring infections that preclude the fitting of a device; or

(3) the worker is totally deaf or has substantial discriminatory loss that precludes the fitting of a device in one ear.

To meet the condition, the worker must provide an attestation from the health professional in charge of the worker. The attestation must state that the wearing of a device is impossible in the worker's case and specify what the worker's condition is. In the case described in subparagraph 3, the worker may provide an audiological evaluation to that effect instead of an attestation.

For the purposes of this Regulation, a CROS or BiCROS system appearing in a program administered by the Régie de l'assurance maladie du Québec is deemed to be under warranty for the 2-year period.

22. When the Commission authorizes the purchase of a CROS or BiCROS system, it assumes the purchase cost of one hearing device only.

§2. Replacement and repair of hearing devices and their accessories

23. A worker may request the Commission to replace a hearing device the cost of which was assumed by the Commission if at least 5 years have elapsed since the date of purchase of the hearing device indicated on the form prescribed by the Commission and the full warranty for the hearing device has expired.

The worker must provide with the request,

(1) a prescription from the health professional in charge of the worker; and

(2) an audiogram performed within the past year by an audiologist or a health professional.

A worker who has a CROS or BiCROS system at the time the hearing device is replaced is also entitled to have the system replaced.

24. The Commission does not assume the replacement cost for a hearing device that has been lost, destroyed, stolen or used in a manner contrary to the manufacturer's recommendations.

Despite the foregoing, the Commission assumes, on the conditions set out in this Regulation, the cost of the adjustment, maintenance and repair of a device acquired by a worker to replace a device described in the first paragraph if it is compatible with the original device for which the Commission assumed the cost, where applicable. In such a case, the worker must provide the Commission with a voucher containing

(1) proof of purchase of the device;

(2) the date of purchase; and

(3) information on the make and model of the device.

A hearing device acquired by the worker is deemed to be warranted for a period of 2 years from the date of purchase.

25. The Commission assumes the replacement cost of a hearing device before the expiry of the time period referred to in section 23 if the Commission gave prior authorization for the purchase and one of the following conditions is met:

(1) the worker's auditory condition shows a new sensorineural hearing loss of at least 20 dB HL at not fewer than two frequencies between 500 Hz and 4000 Hz in the same ear since the audiogram referred to in section 5 was performed and the device cannot be adjusted to account for the hearing loss;

(2) the worker has a new medical condition preventing the worker from using the hearing device, even with a remote control;

(3) the hearing device has become so deteriorated that it can no longer be used, repaired or cleaned, including because of the worker's acidic perspiration, excess toxic fumes or pollution, such as dust, to which the device is exposed; or

(4) subject to section 113 of the Act, the device was unintentionally and accidentally damaged.

In the case described in subparagraph 1 of the first paragraph, a written document from a hearing aid acoustician explaining the reasons substantiating the fact that the device cannot be adjusted to the worker's auditory condition and an attestation from a health professional or an audiological evaluation showing the worker's loss of hearing must be provided to the Commission.

In the case described in subparagraph 2 of the first paragraph, an attestation from a health professional specifying the condition that prevents the worker from using the device must be provided to the Commission.

In the case described in subparagraph 3 of the first paragraph, a written document from the hearing aid acoustician describing the state of deterioration of the device and explaining the reason for the deterioration must be provided to the Commission. A hearing aid acoustician must keep the electroacoustic analysis and provide it to the Commission on request.

In the case described in subparagraph 4 of the first paragraph, the worker must provide a written explanation of the circumstances in which the device was damaged and the hearing aid acoustician must provide a written document showing that the manufacturer is unable to repair the device.

If two hearing devices must be replaced in the cases described in subparagraphs 1, 3 and 4 of the first paragraph, a written document from a hearing aid acoustician or a hearing device manufacturer setting forth the reasons substantiating the necessity of replacing both devices must be provided to the Commission.

The request must be made on the form prescribed by the Commission.

26. The Commission assumes the replacement cost of a remote control for a hearing device if the control has been used according to the manufacturer's recommendations and the Commission gave prior authorization for the control.

That authorization is given by the Commission if the warranty period for the remote control has expired and a written document from a hearing aid acoustician substantiating that it cannot be repaired is provided to the Commission.

The Commission also gives that authorization if the worker's hearing device was replaced in accordance with section 23.

27. The Commission assumes the cost of having a hearing device or a CROS or BiCROS system repaired by its manufacturer up to an amount of $125 if the warranty period has expired or the breakage is not covered by a warranty and once done, the repair will be warranted for a minimum period of one year.

28. The Commission assumes the cost of having a remote control for a hearing device repaired by the manufacturer if

(1) the remote control is used in accordance with the manufacturer's recommendations;

(2) the cost of the repair does not exceed 80% of its replacement cost;

(3) the warranty period for the remote control has expired;

(4) the breakage is not already covered by a warranty; and

(5) the repair is warranted for a minimum period of 30 months.

§3. Other costs

29. The Commission assumes the maintenance costs and the cost of the other accessories listed in Schedule II, up to the amounts and on the conditions set out in the Schedule.

30. The Commission assumes the cost of services to have a hearing device remade by the manufacturer up to an amount of $175 if the warranty period has expired and the work is warranted for a minimum period of one year.

31. In the case of temporary bilateral deafness, the Commission assumes the rental cost of

(1) telephone amplifiers; and

(2) audible warning devices.

32. In the case of temporary bilateral deafness, the Commission assumes the cost of the purchase of a tinnitus masker up to an amount of $80.

For the purposes of this section, a hearing device that has a feature or program allowing tinnitus to be masked does not constitute a tinnitus masker.

The costs under the first paragraph are not payable by the Commission for the adjustment of such a feature or program when a hearing device is adjusted or fitted.

TRANSITIONAL AND FINAL

33. The 180-day time period referred to in section 6 begins to run as of 12 May 2022 in respect of products and services supplied before that date.

34. The products and services supplied before 12 May 2022 are paid by the Commission at the rate applicable at the time they are supplied.

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

SCHEDULE I

Professional services

Audiology	
Audiological evaluation	$100.00
Audio prosthetics	
Audio prosthetics evaluation, on prior authorization from the Commission	
Maximum of 2 evaluations per 5-year period, per worker	$62.36
Professional services provided in the first year after purchase of a hearing device, per device	$749.11
Reprogramming by a hearing aid acoustician following repair of a CROS -BiCROS system	$85.58
Remake, payable once per year if more than one year has elapsed since purchase of the device	$88.69
Repair, payable once per year per device if more than one year has elapsed since purchase of the device	$88.69

Professional services provided in the first year after purchase of a hearing device, if provided by a hearing aid acoustician other than the acoustician having supplied the device, owing to the worker's change of place of residence	$56.73
Professional services provided for fitting if the worker dies before the device is supplied	$121.95

The costs for the adjustment of a hearing device are reimbursable up to an amount of $165 per year per device per worker. The costs cover the following, payable up to the following amounts:

Cleaning of a hearing device, payable if more than 12 months have elapsed since purchase of the device and not payable if the cleaning is done at the time of a remake or repair or within 30 days thereafter The cleaning may be done by a person under the supervision of the hearing aid acoustician	$22.17
Electroacoustic analysis, payable if more than 12 months have elapsed since purchase of the device and not payable if the analysis is done at the time of a remake or repair or within 30 days thereafter	$36.59
Reprogramming, payable if more than 12 months have elapsed since purchase of the device and not payable if done at the time of a remake or repair or within 30 days thereafter	$27.71
Insertion gain, payable only if more than 12 months have elapsed since purchase of the device and not payable if the service is provided at the time of a remake or repair or within 30 days thereafter	$33.25
Impression taking	
• On purchase of a device	$26.01
• As of the second year following purchase of a device	$13.26

The costs for the repair or replacement of a hearing device accessory are reimbursable up to a total annual amount of $195.

The repairs may be done by a person under the supervision of the hearing aid acoustician.

The repair costs consist of the following, including the related products and professional services, and are payable up to the following amounts:

Conduction tube without speaker (slim tube) for open-fit hearing aids	$5.00
Earmolds for conduction tube without speaker (dome receiver) for open-fit hearing aids	$5.00
Earmolds for conduction tube with speaker (RITE dome) for open-fit hearing aids	$5.00
Microphone protection covers	$5.00
Cerumen guard (pack)	$10.00
Conduction tube with speaker (RITE receiver) for open-fit hearing aids	$75.00
Other replacement parts such as battery holders, covers, etc.	$5.00
Custom earmold for behind-the-ear hearing aid, maximum price	$45.00

SCHEDULE II
Hearing device maintenance product costs:

The costs for the maintenance of a hearing device are reimbursable up to a total annual amount of $110 per worker.

The maintenance costs consist of the following, and are payable up to the following amounts:

	Unit rate
Telephone ear pad, per pad	$10.00
Insertion cream, for a minimum 15 ml format	$10.00
Cleansing tablets, pack of 20 tablets	$10.00
Dehumidifier	$15.00
Cleaner, for a minimum 60 ml format	$5.00
Soothing anti-itch cream, for a minimum 15 ml format	$15.00

Other accessories for hearing device maintenance:

Earmold blower:

	Unit rate
Earmold blower, once per 5 years per worker	$15.00

Batteries:

	Unit rate
Zinc air batteries, per hearing device, maximum of 100 batteries per year	$1.00
Remote control battery, maximum of one battery per year	$5.00
Zinc air batteries for a CROS-BiCROS system, maximum of 100 batteries per year	$1.00

Regulation to amend the Regulation respecting medical aid

Act respecting industrial accidents and occupational diseases (chapter A-3.001, s. 189, par. 5, s. 198.1 and s. 454, 1st par., subpars. 3.1 and 4.1)

1. The Regulation respecting medical aid (chapter A-3.001, r. 1) is amended in section 1

(1) by adding ", but excluding a member of the Ordre des audioprothésistes du Québec and an audiologist who is a member of the Ordre des orthophonistes et audiologistes du Québec" at the end of the definition of "**health worker**";

(2) by striking out the definition of "**statutory holiday**".

2. Section 2 is amended by inserting "In addition to the medical aid to which a worker is entitled under the Regulation respecting hearing devices and audiology services," at the beginning.

3. Section 9 is amended by striking out "audiology or" in the first paragraph.

4. Section 30 is revoked.

5. Section 30.1 is replaced by the following:

"**30.1.** The Commission shall assume the cost of purchasing a communication aid listed in Schedule II if the following conditions are met:

(1) the worker has a prescription from the health professional in charge of the worker recommending a consultation in speech therapy; and

(2) the use of such an aid is recommended by a speech therapist.".

6. Schedule I is amended by striking out the section "**Audiology**" in "**2. Professions services**".

7. Schedule II is amended by striking out paragraph 2 in "4. Communication aids".

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

105688

M.O., 2022

Order 2022-014 of the Minister of Forests, Wildlife and Parks dated 13 April 2022

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

Tracking Dog Handler Pilot Project

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING the first paragraph of section 164.1 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may, by order, authorize pilot projects designed to experiment or innovate in the area of management, oversight, protection, conservation or development of wildlife or its habitat or to study, improve or define standards applicable to those areas;

CONSIDERING the second paragraph of section 164.1 of the Act, which provides that the Minister may also, within the scope of such pilot projects, authorize any person or body to offer or conduct wildlife and wildlife habitat management, oversight, protection, conservation or development activities in compliance with standards and rules prescribed by the Minister that differ from those set out in any Act or regulation whose administration falls under the Minister's responsibility;

CONSIDERING the third paragraph of section 164.1 of the Act, which provides that such pilot projects are to be conducted for a period of up to four years, which the Minister may extend by up to one year, the Minister may modify or terminate a pilot project at any time and the Minister may also determine the provisions of a pilot project whose violation constitutes an offence and determine the minimum and maximum amounts for which the offender is liable, which may not be less than $500 nor more than $3,000;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 26 January 2022, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Tracking Dog Handler Pilot Project with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to authorize the implementation of the pilot project with amendment;

ORDERS AS FOLLOWS:

The implementation of the Tracking Dog Handler Pilot Project, attached to this Order, is hereby authorized.

Québec, 13 April 2022

PIERRE DUFOUR
Minister of Forests, Wildlife and Parks

Tracking Dog Handler Pilot Project

Act respecting the conservation and development of wildlife (chapter C-61.1, s. 164.1)

CHAPTER I
GENERAL

1. The implementation of the Tracking Dog Handler Pilot Project is authorized. The pilot project is designed to

(1) develop and experiment with special rules on regulating the activities of tracking dog handlers; and

(2) collect information on the activities of tracking dog handlers, in particular on the issues relating to safety, the conservation of wildlife, poaching risks, social acceptability, the feasibility of certain practices, best practices for putting an end to the suffering of an animal that is fatally injured, and the required reporting procedures.

2. The pilot project ends after a maximum of 4 years and applies throughout Québec.

3. To take part in the pilot project, a person must hold an attestation issued by the Minister. The attestation is valid from

(1) the date of coming into force of the pilot project on 31 December 2022; or

(2) 1 January to 31 December 2023.

A maximum of 50 attestations may be issued per period.

CHAPTER II
CONDITIONS FOR OBTAINING AN ATTESTATION

4. To obtain an attestation, a person must apply to the Minister using the form provided for that purpose and

(1) hold a hunter's certificate bearing the code "F": handling of a firearm;

(2) have completed, at least 4 years earlier, the training for tracking dog handlers given by the Association des conducteurs de chiens de sang du Québec;

(3) have carried out at least 50 searches with the help of a tracking dog and be able to show that;

(4) not have been found guilty of an offence under the Act respecting the conservation and development of wildlife (chapter C-61.1) or its regulations in the last 3 years; and

(5) have complied, if applicable, with the conditions related to an attestation issued for a preceding period of the pilot project.

CHAPTER III
CONDITIONS REGULATING THE ACTIVITIES OF TRACKING DOG HANDLERS

5. A person who holds an attestation, hereinafter called a "tracking dog handler", may carry out a search, at a hunter's request, using a tracking dog and in possession of a shotgun or rifle, for a moose, white-tailed deer or black bear that is fatally injured as a result of a hunting activity with a view to killing it in order to put an end to its suffering and avoid its flesh going to waste.

6. Before beginning each day of a search, a tracking dog handler must call SOS Braconnage at 1 800 463-2191 and provide

(1) the tracking dog handler's name and telephone number;

(2) the attestation number;

(3) the search area;

(4) the date and time of the start of the search; and

(5) the name and telephone number, or the number of the hunter's certificate, of the hunter who requires the tracking dog handler's services to find an animal that is fatally injured.

7. During a search, a tracking dog handler must

(1) not load the shotgun or rifle until visual contact is made within 100 metres of the animal being tracked, and the shotgun or rifle must not have a telescope or laser sight;

(2) wear a fluorescent orange garment at all times, and for a night search the garment must have reflective strips that ensure visibility;

(3) use a lighting device for a night search;

(4) keep the dog leashed at all times; and

(5) have in his or her possession the attestation authorizing the tracking dog handler to take part in the pilot project and, at the request of a wildlife protection officer or wildlife protection assistant, identify himself or herself and produce the attestation of his or her capacity issued by the Minister.

8. A tracking dog handler may be accompanied on a search provided that the person or persons accompanying the tracking dog handler

(1) are not in possession of a weapon;

(2) wear a fluorescent orange garment at all times, and for a night search the garment must have reflective strips that ensure visibility; and

(3) use a lighting device for a night search.

9. A tracking dog handler may, subject to the requirements provided for in the second paragraph, kill, once found, the moose, white-tailed deer or black bear that was fatally injured as a result of a hunting activity.

The tracking dog handler may kill the animal, day or night, up to 48 hours after the end of the hunting period during which the animal was fatally injured, using a shotgun or rifle of an authorized calibre for hunting the animal to be killed.

10. Killing animals in accordance with section 9 does not constitute hunting.

11. After killing an animal, a tracking dog handler must, without delay, inform the hunter who retained the tracking dog handler's services, in order to allow the hunter to comply with his or her transportation and registration obligations.

CHAPTER IV
COLLECTION OF INFORMATION

12. A tracking dog handler must enter the requested information on the form provided for that purpose by the Minister for each search carried out during a hunting season.

The tracking dog handler must send the completed form not later than 30 July following a spring hunting season and not later than 15 January following a fall hunting season.

13. Any person may submit written comments on this pilot project to the Ministère des Ressources naturelles et de la Faune.

14. The Ministère des Ressources naturelles et de la Faune is assigned to collect the information pursuant to this pilot project.

CHAPTER V
ADMINISTRATIVE SANCTION AND OFFENCE

15. The Minister may cancel a holder's attestation if the holder

(1) no longer fulfils the conditions for obtaining an attestation;

(2) is found guilty of an offence under the Act respecting the conservation and development of wildlife (chapter C-61.1) or its regulations during the attestation's period of validity; or

(3) does not comply with one of the conditions set out in section 6, 7, 9, 11 or 12.

16. Every person who contravenes any of sections 6 to 9, 11 and 12 is guilty of an offence and is liable to a fine of $500.

CHAPTER VI
FINAL

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

105694

Draft Regulations

Draft Regulation

Act respecting the Régie de l'énergie
(chapter R-6.01)

1,000-megawatt block of wind energy

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting a 1,000-megawatt block of wind energy, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines, for the purposes of the establishment of the cost of electric power, the supply plan and the tender solicitation by the electric power distributor, the energy block produced with wind energy and the timeframe for the tender solicitation.

Study of the matter has shown no additional cost or regulatory burden for enterprises, and has shown a number of advantages and benefits, such as the development of wind energy and economic benefits.

Further information on the draft Regulation may be obtained by contacting Julie Poulin, Director, Direction du développement de l'électricité renouvelable, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A-404, Québec (Québec) G1H 6R1; telephone: 418 627-6386, extension 708356; email: julie.poulin@mern.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Étienne Chabot, Director General, electricity, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A-402, Québec (Québec) G1H 6R1.

Jonatan Julien
Minister of Energy and Natural Resources

Regulation respecting a 1,000-megawatt block of wind energy

Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st par., subpars. 2.1 and 2.2)

1. For the purposes of the establishment of the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (chapter R-6.01), the supply plan provided for in section 72 of the Act and the tender solicitation by the electric power distributor provided for in section 74.1 of the Act, a block a wind energy of a target capacity of 1,000 megawatts must be connected to Hydro-Québec's main network within the following timeframe:

—400 mégawatts not later than 1 December 2027;

—300 mégawatts not later than 1 December 2028;

—300 mégawatts not later than 1 December 2029.

The block referred to in the first paragraph is accompanied by a balancing and complementary power service in the form of a wind energy integration agreement entered into by the electric power distributor with Hydro-Québec in its power production activities or with another Québec electric power supplier.

2. The electric power distributor must issue a tender solicitation for the block referred to in section 1 not later than 31 December 2022.

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

105681

Draft Regulation

Act respecting the Régie de l'énergie
(chapter R-6.01)

1,300-megawatt block of renewable energy

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting a 1,300-megawatt block of renewable energy, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines, for the purposes of the establishment of the cost of electric power, the supply plan and the tender solicitation by the electric power distributor, the energy block produced with renewable energy and the timeframe for the tender solicitation.

Study of the matter has shown no additional cost or regulatory burden for enterprises, and has shown a number of advantages and benefits, such as the development of renewable energy and economic benefits.

Further information on the draft Regulation may be obtained by contacting Julie Poulin, Director, Direction du développement de l'électricité renouvelable, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A-404, Québec (Québec) G1H 6R1; telephone: 418 627-6386, extension 708356; email: julie.poulin@mern.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Étienne Chabot, Director General, electricity, Ministère de l'Énergie et des Ressources naturelles, 5700, 4e Avenue Ouest, bureau A-402, Québec (Québec) G1H 6R1.

Jonatan Julien
Minister of Energy and Natural Resources

Regulation respecting a 1,300-megawatt block of renewable energy

Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st par., subpars. 2.1 and 2.2)

1. For the purposes of the establishment of the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (chapter R-6.01), the supply plan provided for in section 72 of the Act and the tender solicitation by the electric power distributor provided for in section 74.1 of the Act, a block of renewable energy of a target capacity of 1,300 megawatts of power contribution and the associated energy must be connected to Hydro-Québec's main network.

The portion of variable production of the block referred to in the first paragraph is accompanied by a balancing and complementary power service in the form of an agreement to integrate energy whose production is variable entered into by the electric power distributor with Hydro-Québec in its power production activities or with another Québec electric power supplier.

2. The electric power distributor must issue a tender solicitation for the block referred to in section 1 not later than 31 December 2022.

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

105682

Draft Regulations

Environment Quality Act
(chapter Q-2)

Activities in wetlands, bodies of water and sensitive areas

Regulatory scheme applying to activities on the basis of their environmental impact

Biomedical waste

Environmental impact assessment and review of certain projects

Reclamation of residual materials

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting activities in wetlands, bodies of water and sensitive areas, the Regulation to amend the Regulation respecting biomedical waste, the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, the Regulation to amend the Regulation respecting the environmental impact assessment and review of certain projects and the Regulation to amend the Regulation respecting the reclamation of residual materials, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Various amendments are proposed to the regulatory scheme that have various levels of impact on the environment according to the authorization regime provided for in the Environment Quality Act (chapter Q-2).

The amendments to the Regulation respecting activities in wetlands, bodies of water and sensitive areas (chapter Q-2, r. 0.1) amend certain standards applicable in particular to the circulation of a vehicle or machinery in wetlands and bodies of water, the construction of roads, the dewatering or narrowing of a watercourse and certain activities carried out in alvars.

The amendments to the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) clarify activities eligible for a declaration of compliance or exempted from authorization and, where applicable, the conditions, penalties and sentences applicable to the activities. New exemptions from authorization are provided, in particular, for the following activities, on certain conditions:

— the laying out and operation of a cemetery used exclusively for the burial of ashes from human cremation or from the incineration of animals;

— water withdrawals using a ditch, a drain or a pumping device intended for the drainage of a building;

— the installation and subsequent operation of a temporary treatment system to remove suspended matters;

— the modification and extension of a storm water management system that that feeds into a sewer system covered by a depollution attestation;

— the collection and storage of biomedical waste of the sharp medical object type used as part of the raising of animals;

— the operation of equipment or apparatus for the conditioning of organic materials sorted at source on the site where the materials are produced;

— the installation and operation of an apparatus or equipment intended to prevent, abate or stop the release of contaminants into the atmosphere that is used incidentally to an activity covered by a declaration of compliance or exempted.

That Regulation is also amended with respect to certain conditions applicable to activities carried out in wetlands and bodies of water eligible for a declaration of compliance under section 31.0.6 of the Environment Quality Act or exempted from a ministerial authorization under section 31.0.11 of that Act, in particular with regard to drilling, survey, technical survey and archaeological excavation work and the construction of structures, temporary roads or certain temporary works requiring filling or excavation.

The draft Regulation to amend the Regulation respecting biomedical waste makes a consequential amendment to allow the implementation of the exemption respecting the collection and storage of biomedical waste of the sharp medical object type, used as part of the raising of animals introduced in the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact.

The Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1) is amended to extend by five years the exemption from the procedure for a project for the widening of a road or a right of way that, on 30 December 1980, already belonged to the project proponent.

Lastly, the Regulation respecting the reclamation of residual materials (chapter Q-2, r. 49) is amended to clarify the activities referred to in certain provisions. Adjustments are also made with respect to the requirements for the characterization of residual granular materials and the types of uses allowed for those materials.

As a whole, the amendments reduce the administrative burden for enterprises. A number of amendments are, however, consequential amendments, regulatory corrections, amendments to provide clarifications or amendments concerning only departments, bodies and municipalities, which should not have a monetary impact on enterprises.

Further information on the draft Regulations may be obtained by contacting Maude Durand, team leader, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; telephone: 418 521-3861, extension 4466; email: question.bslr@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to Maude Durand at the above contact information.

Benoit Charette
Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting activities in wetlands, bodies of water and sensitive areas

Environment Quality Act
(chapter Q-2, ss. 95.1 and 115.27)

1. The Regulation respecting activities in wetlands, bodies of water and sensitive areas (chapter Q-2, r. 0.1) is amended in section 2, as amended by section 21 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made

by Order in Council 1596-2021 dated 15 December 2021, by replacing "and 49.1" in the first paragraph by ", 49.0.1, 49.0.2 and 49.1".

2. Section 3, as amended by section 22 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended in the first paragraph

(1) by adding ", except those referred to in subparagraphs *a* and *b* of subparagraph 1 of the first paragraph of section 50 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)" at the end of subparagraph 1;

(2) by inserting the following after subparagraph 1:

"(1.1) activities carried on in a natural setting or an area designated under the Natural Heritage Conservation Act (chapter C-61.01), where the activities are authorized pursuant to that Act;

(1.2) activities carried on in the habitat of a threatened or vulnerable species of flora identified pursuant to paragraph 2 of section 10 of the Act respecting threatened or vulnerable species (chapter E-12.01), where the activities are authorized pursuant to that Act;

(1.3) activities carried on in accordance with an order issued pursuant to the Act;".

3. Section 4, as amended by section 24 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended in the first paragraph

(1) by inserting the following definition before the definition of "body of water":

""alvar" means an open natural environment, either flat or slightly inclined, sometimes covered by a thin layer of soil, characterized by limestone or dolomite outcrops, as well as sparse vegetation composed mainly of shrubs, herbaceous plants and moss capable of withstanding extreme humidity and drought;";

(2) by adding "and an ice jam flood zone without distinguishing the zones with ice movement from the zones without ice movement" at the end of the definition of "high-velocity flood zone".

4. Section 5 is amended by adding "; a trail other than a trail developed as part of a forest development activity is also considered to be a road" at the end of paragraph 11.

5. Section 11, as amended by section 28 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended

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

"A vehicle or machinery may circulate in a lakeshore or riverbank, a flood zone or a wetland provided the area is restored to its original condition, or a condition close thereto if ruts are formed.

The refuelling and maintenance of vehicles or machinery may be carried out in a dewatered littoral zone, a lakeshore or riverbank, a flood zone or a wetland provided the vehicles or machinery are equipped with a collection system for collecting fluid leakage and spillage, or with a spillage prevention device.";

(2) by replacing "The condition prescribed in subparagraph 1 of the" in the second paragraph by "The".

6. Section 18.1, as introduced by section 31 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is replaced by the following:

"**18.1.** Work requiring the removal and trimming of vegetation in the littoral zone and the shore or bank of a lake or watercourse must be carried out

(1) without stump removal, unless it cannot be avoided;

(2) without impermeabilization of the ground, except in the case of a temporary road laid out by the Minister responsible for the Act respecting roads (chapter V-9).".

7. Section 20 is replaced by the following:

"**20.** Construction of a road in a lakeshore or riverbank must be for the sole purpose of crossing it.

The establishment, alteration or extension of a pipe in a sewer system or storm water management system, or a ditch or outflow, must,

(1) if the work is carried out in the lakeshore or riverbank, be for the sole purpose of crossing the lakeshore or riverbank or discharging water into that area;

(2) if the work is carried out in the littoral zone, be for the sole purpose of discharging water into that area.".

8. Section 21 is amended by replacing "high-water mark" in the first paragraph by "limit of the littoral zone".

9. Section 28 is replaced by the following:

"**28.** Dewatering or temporary narrowing work on a watercourse may not be carried out in the same part of the watercourse more than twice in a 12-month period as part of the same project.

If the work is carried out by the Minister responsible for the Act respecting roads (chapter V-9) or by a municipality, the dewatering or temporary narrowing work on a watercourse must also comply with the following conditions:

(1) in the case of work lasting for not more than 20 days, the dewatering or narrowing may be complete if the water is totally redirected downstream of the work;

(2) in the case of work lasting for more than 20 days, the dewatering or narrowing,

(*a*) if there is a permanent infrastructure present,

i. may not exceed one half of the infrastructure's opening if the dewatering or narrowing is carried out between 15 June and 30 September;

ii. may not exceed one third of the infrastructure's opening if the dewatering or narrowing is carried out between 1 October and 14 June;

(*b*) if there is no permanent infrastructure present, may not exceed two thirds of the width of the watercourse.

If dewatering or temporary narrowing work on a watercourse is carried out by any person other than a person referred to in the second paragraph, it may not last for more than 30 consecutive days and, in addition to the conditions set out in the first paragraph, it must comply with the following conditions:

(1) in the case of work lasting for no more than 10 days, the dewatering or narrowing may be complete if the width of the watercourse is less than 5 m and the water is totally redirected downstream of the work;

(2) in other cases, the dewatering or narrowing may not exceed one third of the width of the watercourse.

This section does not apply where dewatering or narrowing work is carried out for the purpose of managing a dam.".

10. Section 38.11, as introduced by section 49 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended

(1) by replacing "the construction" in the portion before subparagraph *a* of subparagraph 1 of the first paragraph by "the siting";

(2) by striking out the second paragraph.

11. Section 47 is amended by replacing paragraph 1 by the following:

"(1) on trails lawfully developed and identified for that purpose situated in the territory of the Communauté maritime des Îles-de-la-Madeleine;".

12. The following is inserted after section 49:

"**DIVISION II.1**
ALVARS

49.0.1. Races, rallies and other motor vehicle competitions are prohibited on alvars.

49.0.2. Circulation of motor vehicles is prohibited on alvars, except for

(1) circulation of off-road vehicles in winter with snow or ice cover, so as not to create ruts;

(2) circulation required for accessing a property;

(3) circulation required in carrying out work.".

13. Section 51 is amended

(1) by replacing paragraph 3 by the following:

"(3) does not comply with the requirements provided for in section 11 for the use of a vehicle or machinery in wetlands and bodies of water;";

(2) by replacing "for crossing a watercourse" in paragraph 10 by "for circulating in the littoral zone of a watercourse".

14. Section 52 is revoked.

15. Section 53, as amended by section 55 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended by replacing "or 49.1" in paragraph 2 by ", 49.0.1, 49.0.2 or 49.1".

16. Section 56 is amended by replacing "the first paragraph of section 11, section" by "11,".

17. Section 57 is amended by striking out paragraph 1.

18. Section 58, as amended by section 57 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended by replacing "or 49.1" by ", 49.0.1, 49.0.2 or 49.1".

19. This Regulation comes into force on (*insert the date occurring 90 days after the date of publication of this Regulation*).

Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact

Environment Quality Act
(chapter Q-2, ss. 22, 30, 31.0.6, 31.0.7, 31.0.8, 31.0.11, 32, 95.1, 115.27, 115.34 and 124.1)

1. The Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) is amended in the second paragraph of section 46

(1) by inserting "or necessary for the construction of a wind farm referred to in that Regulation" after "the construction of any linear infrastructure referred to in the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1)" in subparagraph 3;

(2) by inserting the following after subparagraph 4:

"(4.1) the construction of slope stabilization works and all dredging, excavation and fill work carried out in bodies of water, including the management of excavated soil, under a project or program referred to in subparagraph 1 of the first paragraph of section 2 of Part II of Schedule 1 of the Regulation respecting the environmental impact assessment and review of certain projects;".

2. Section 50 is amended

(1) by replacing "in an aquatic reserve, biodiversity reserve or ecological reserve or on land reserved for such purposes" in subparagraph 3 of the first paragraph by "in a natural environment or a territory designated";

(2) by replacing "an impact assessment and review procedure" at the end of the second paragraph by "the environmental impact assessment and review procedure provided for in Subdivision 4 of Division II of Chapter IV of Title I of the Act".

3. Section 51 is amended in the first paragraph

(1) by striking out subparagraph 3;

(2) by replacing "the only contaminant discharge from which is a discharge of wastewater from an industrial process" in subparagraph 5 by "whose only contaminant discharge, other than the discharge of wastewater of domestic origin, is a discharge of wastewater".

4. Section 52 is amended by inserting the following after subparagraph *b* of paragraph 1:

"(*c*) technical surveys and archaeological excavations;".

5. Section 54 is amended

(1) by inserting the following after paragraph 1:

"(1.1) any burning activity carried out in connection with the training of firefighters, on the conditions set out in subparagraphs *a* to *c* of paragraph 1;";

(2) by adding the following at the end:

"(5) the establishment of a prefabricated holding tank serving a building or place referred to in the Regulation respecting waste water disposal systems for isolated dwellings and used to collect wastewater that is not of domestic origin, on the conditions set out in subparagraphs *a* to *e* of paragraph 4.".

6. Section 109 is amended by replacing "used" in paragraph 1 by "of the establishment".

7. The following is inserted after section 111:

"**DIVISION III**
EXEMPTED ACTIVITIES

111.1. The laying out and operation of a cemetery used exclusively for the burial of ashes from human cremation or from the incineration of animals whose carcasses are not considered to be inedible meat within the meaning of the Regulation respecting food (chapter P-29, r. 1), are exempted from authorization pursuant to this Chapter, on the following conditions:

(1) the ashes come from a crematorium or an authorized incinerator;

(2) the site of the cemetery is outside the inner protection zones of a water supply well.".

8. The heading of subdivision 2 of Division I of Chapter X of Title II of Part II is amended by adding "or an amendment of authorization" after "authorization".

9. The following is inserted after section 122:

"**122.1.** The addition, by a hot mix asphalt plant, of the use of post-consumer asphalt shingle fines as raw material requires an amendment of authorization under subparagraph 5 of the first paragraph of section 30 of the Act.".

10. The following is inserted after section 123:

"**123.1.** In addition to the general content prescribed by section 29, every application for the amendment of an authorization for an activity referred to in this Division must include the information and documents listed in paragraph 3 of section 123 where the amendment covers the use of post-consumer asphalt shingle fines by a hot mix asphalt plant built or installed less than 300 m from a dwelling, except in the case of a dwelling owned by or leased to the owner or operator of the hot mix asphalt plant, and any school, place of worship, campground or institution referred to in the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5).".

11. Section 124 is amended in the second paragraph

(1) by replacing "is used" in subparagraph 3 by "and no asphalt shingle fines are used";

(2) by inserting the following after subparagraph 5:

"(5.1) the place indicated has not been used for such a plant by the same declarant in the 12 months before the declaration of compliance is sent;".

12. Section 150 is amended by inserting " , livestock waste evacuation equipment" after "raising facilities" in the portion before subparagraph 1 of the third paragraph.

13. Section 173 is amended by inserting the following after paragraph 1:

"(1.1) water withdrawals using a ditch, a drain or a pumping device if the withdrawals are intended for the drainage of a building;".

14. Section 175 is amended

(1) by replacing "The engineer must, within 60 days of the end of the work, file" at the beginning of the second paragraph by "The owner of the site must, within 60 days of the end of the work, obtain from an engineer";

(2) in the third paragraph

(*a*) by replacing subparagraph 1 by the following:

"(1) section 184, for all activities, if the waterworks system concerned is intended to serve 20 persons or less;";

(*b*) by replacing "serves" in subparagraph 2 by "is intended to serve".

15. Section 178 is replaced by the following:

"**178.** The materials used as bedding and surround soil, and to backfill trenches for pipes carrying water for human consumption must comply with the requirements in the standard specification BNQ 1809–300.

The materials used as bedding and surround soil for pipes carrying water for human consumption must be free of contaminants from human activity over a minimum height of 300 mm above the pipes.".

16. Section 182 is amended in the French text by replacing "surchloration" in subparagraph 1 of the first paragraph by "rechloration".

17. Section 183 is amended by replacing ", the number of the municipal resolution" in paragraph 1 by "or are not operated by the Government or by a government body, the number of the municipal resolution".

18. Section 184 is amended

(1) by striking out ", for 20 persons or less" in subparagraph 1 of the first paragraph;

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

"In the case of the activity referred to in subparagraph 1 of the first paragraph, the work must at least meet the requirements in the standard specification BNQ 1809-300 for the work concerned.

In the case of the activity referred to in subparagraph 2 of the first paragraph, the following conditions apply:

(1) the specifications for the work are prepared in accordance with the standard specification BNQ 1809-300 or at least meet the requirements of that specification for the work concerned;

(2) the establishment, modification or extension does not result in an increase in the number of persons served to more than 20.".

19. Section 186 is amended in the first paragraph

(1) by replacing "of a pipe" in subparagraph 1 by "or relocation of a pipe";

(2) by replacing "of greater capacity" at the end of subparagraph 2 by "of lesser or equal capacity".

20. Section 189 is amended

(1) by replacing "re-treat water from a waterworks system prior to its use in a production process are exempted from authorization pursuant to this Subdivision" by "treat water before it is used for purposes other than human consumption are exempted from authorization pursuant to this Subdivision, in the following cases:";

(2) by adding the following:

"(1) the water discharged into the environment has first been treated by a treatment system that is covered by an authorization;

(2) the flow of wastewater discharged into a sewer system governed by the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1) is less than 10 m^3 per day.".

21. Section 192 is amended

(1) by replacing paragraph 6 by the following:

"(6) as the case may be,

(*a*) once the work is completed, the extension is not likely to cause an increase in the frequency of overflow events for any of the overflows situated downstream from the connection point, or in the frequency of diversions at the treatment plant;

(*b*) a planning of overflow events and diversions has first been filed with the Minister by each municipality concerned, which planning meets the following conditions:

i. the planning provides for measures allowing to compensate the additions of flows from the work and preventing the increase in the frequency of overflow events for any of the overflows situated downstream from the connection point, and in the frequency of diversions at the treatment plant;

ii. the planning describes each measure provided for and the overflows and diversions covered by each measure;

iii. the implementation of those measures is to be completed by the municipality not later than 31 December 2030;";

(2) by adding the following:

"(8) the system is not covered by a depollution attestation.".

22. Section 195 is amended

(1) by replacing paragraph 1 by the following:

"(1) in the case of the activity referred to in section 192 whose work is covered by the planning provided for in subparagraph *b* of paragraph 6 of that section, an attestation from each municipality concerned including

(*a*) its contact information;

(*b*) the confirmation that a planning meeting the conditions set out in subparagraph *b* of paragraph 6 of section 192 has been filed with the Minister and the date of filing;

(1.1) in the case of the activity referred to in section 192, an attestation from the municipality operating the treatment plant serving the sewer system confirming that the discharge standards applicable to the plant are not likely to be exceeded despite the extension;";

(2) by adding "in all cases," at the beginning of paragraph 2.

23. Section 197 is amended in the first paragraph

(1) by adding "or a prefabricated holding tank referred to in paragraph 4 of section 54" at the end of subparagraph 1;

(2) by inserting the following after subparagraph 2:

"(2.1) in the case of a sewer system that is not governed by the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1), the completion of the work is not likely to cause an overflow or diversion of wastewater into the environment;

(2.2) no overflow works is added to the system;".

24. Section 200 is amended

(1) by replacing the portion before paragraph 1 by "The modification and extension of a sewer system covered by a depollution attestation are exempted from authorization pursuant to this Subdivision, on the following conditions:";

(2) by striking out paragraphs 3 and 5;

(3) by replacing "the extension" in paragraph 6 by "the modification or extension".

25. Section 202 is amended by adding the following paragraph at the end:

"This section does not apply to a sewer system serving a temporary industrial camp.".

26. The following is inserted after section 213:

"**213.1.** The installation and subsequent operation of a temporary treatment system to remove suspended matters, that is installed as part of construction or demolition work and that is intended to treat wastewater generated only by that activity, are exempted from authorization pursuant to this Subdivision.

The following conditions apply to the activities referred to in the first paragraph:

(1) where the water is discharged into the environment, the flow must be less than 10 m^3 per day, except work for dewatering of the area of work in a watercourse, and they must have

(*a*) a suspended matter concentration below or equal to 50 mg/l;

(*b*) a pH between 6 and 9.5;

(*c*) a petroleum hydrocarbons concentration (C_{10}-C_{50}) below or equal to 2 mg/l;

(2) the water must not have been in contact with contaminated soils.

213.2. The installation and operation of a treatment apparatus or equipment used to treat water generated by an activity covered by a declaration of compliance or exempted from authorization under Chapters I and II of Title IV of Part II are exempted from authorization pursuant to this Subdivision.".

27. Section 214 is amended by replacing "from an industrial process at a rate of less than 10 m^3 per day" in paragraph 7 by "at a rate of less than 10 m^3 per day, other than domestic wastewater,".

28. Section 218 is amended

(1) in paragraph 4

(*a*) by inserting "likely to contaminate storm water" after "storage site" in subparagraph *c*;

(*b*) by replacing subparagraph *e* by the following:

(*e*) a site where activities to repair or clean heavy vehicles or railway vehicles likely to contaminate storm water are carried on;";

(2) in paragraph 6

(*a*) by inserting ", including the discharge pipe" after "pumping station" in subparagraph *c*;

(*b*) by inserting ", a manhole, a catch basin" after "device" in subparagraph *d*;

(3) by striking out paragraph 9.

29. Section 221 is amended by replacing paragraph 5 by the following:

"(5) as the case may be,

(a) once the work is completed, the extension is not likely to cause an increase in the frequency of overflow events for any of the overflows situated downstream from the connection point, or in the frequency of diversions at the treatment plant;

(*b*) a planning of overflow events and diversions has first been filed with the Minister by each municipality concerned, which planning meets the following conditions:

i. the planning provides for measures allowing to compensate the additions of flows from the work and preventing the increase in the frequency of overflow events for any of the overflows situated downstream from the connection point, and in the frequency of diversions at the treatment plant;

ii. the planning describes each measure provided for and the overflows and diversions covered by each measure;

iii. the implementation of those measures is to be completed by the municipality not later than 31 December 2030;

(6) the system is not covered by a depollution attestation.".

30. Section 222 is amended by inserting "not situated on a riverbank or lakeshore and in the littoral zone of a lake or a watercourse" after "wetland" in paragraph 4.

31. Section 223 is amended

(1) by replacing paragraph 1 by the following:

"(1) in the case of the activity referred to in section 221 whose work is referred to in subparagraph *b* of paragraph 5 of that section, an attestation from each municipality concerned including

(*a*) its contact information;

(*b*) the confirmation that a planning meeting the conditions set out in the planning provided for in subparagraph *b* of paragraph 5 of section 221 has been filed with the Minister and the date of the filing;

(1.1) in the case of the activity referred to in section 221, an attestation from the municipality operating the treatment plant serving the sewer system confirming that the discharge standards applicable to the plant are not likely to be exceeded despite the extension;";

(2) by adding "in all cases," at the beginning of paragraph 2.

32. Section 224 is amended

(1) in the first paragraph

(*a*) by inserting ", modification" after "establishment" in subparagraph 1;

(*b*) by inserting ", modification" after "establishment" in subparagraph 2;

(*c*) by inserting "or infiltration site" after "discharge point" in subparagraph 3;

(*d*) by replacing subparagraph 5 by the following:

"(5) the establishment, modification and extension of one or more storm water management systems as part of a project for a new road layout implemented by the minister responsible for the Act respecting roads (chapter V-9) when the addition of impermeable surfaces involves an area of less than 1 ha for the entire layout project.";

(2) in the second paragraph

(*a*) by replacing subparagraph 2 by the following:

"(2) where the system feeds into a sewer system, the areas of the drained surfaces and the impermeable drained surfaces are not increased;";

(*b*) by inserting "not situated on a riverbank or lakeshore or in the littoral zone of a lake or a watercourse" after "wetland" in paragraph 5;

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

"For the activity referred to in subparagraph 2 of the first paragraph, the following conditions must be met:

(1) the storm water management system must not discharge into rivière des Mille Îles;

(2) the storm water is not diverted to another watershed;

(3) the discharge point is not located in a lake.".

33. Section 225 is amended in the first paragraph

(1) by inserting "or diversion" after "discharge" in subparagraph 2;

(2) by inserting the following after subparagraph 3:

"(3.1) no discharge point is added to the system;

(3.2) if there is relocation of an existing discharge point, the receiving watercourse remains the same;";

(3) in subparagraph 4

(*a*) by replacing "replacing a ditch by a pipe" in the portion before subparagraph *a* by "piping a ditch";

(*b*) by striking out subparagraph *c*;

(*c*) by inserting "not situated on a riverbank or in the littoral zone of a watercourse" after "wetland" in subparagraph *e*;

(4) by inserting "or a water retaining works" after "device" in subparagraph 6.

34. Section 226 is amended

(1) by striking out "if the storm water management system does not feed into a sewer system" in the portion before subparagraph 1;

(2) by adding the following after subparagraph 4:

"(5) the establishment and extension of a storm water management system in the case of the replacement of a combined sewer by a sanitary or partially separated sanitary sewer and the conversion of a combined sewer system into a sanitary or partially separated sanitary sewer.";

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

"For the activities referred to in subparagraphs 1 to 3 of the first paragraph, where the system feeds into a sewer system, the areas of the drained surfaces are not increased.".

35. The following is inserted after section 226:

"**226.1.** The modification and extension of a storm water management system that feeds into a sewer system covered by a depollution attestation are exempted from authorization pursuant to this Subdivision, on the following conditions:

(1) the specifications for the work are prepared in accordance with the standard specification BNQ 1809-300 or at least meet the requirements of that specification for the work concerned;

(2) if storm water is infiltrated into the soil, the bottom of the works used for infiltration is situated at least 1 m above bedrock level or above the seasonal peak groundwater level established on the basis of the oxidation-reduction level observed;

(3) the system has no discharge point and no discharge point is added to the system.".

36. Section 241 is amended by inserting the following after paragraph 4:

"(4.1) the collection and storage of sharp medical objects used as part of the raising of animals to which the Agricultural Operations Regulation (chapter Q-2, r. 26) applies;".

37. Section 252 is amended

(1) by striking out subparagraph 3 of the first paragraph;

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

"A composting activity referred to in the first paragraph must be carried out in accordance with a technical report signed by an agronomist or engineer that includes

(1) a description of the composting process that ensures the maturity of the compost produced;

(2) a plan for mitigation measures to deal with the expected environmental impacts;

(3) a protocol for operations monitoring, compost quality control and environmental monitoring.".

38. The following is inserted after section 277:

"***§§3.1.*** *Conditioning of organic materials sorted at source by equipment or apparatus*

277.1. The operation of equipment or apparatus for the conditioning of organic materials at source on the site where the materials are produced is exempted from authorization pursuant to this Division, on the following conditions:

(1) the equipment or apparatus is equipped with a dispersion, confinement or filtration device to limit odours;

(2) the process does not include a step for the reduction of the size of non-compostable materials;

(3) the equipment or apparatus is designed so as not to produce leachate that must be treated outside the equipment or apparatus.".

39. Section 284 is amended

(1) by replacing paragraph 3 by the following:

"(3) the user of the granular material holds the attestation provided by the producer of the material in accordance with section 25.1 of the Regulation respecting the reclamation of residual materials;";

(2) by striking out paragraph 4;

(3) by adding ", except if the material is category 1 crushed stone or cuttings and tailings from the dimension stone sector within the meaning of the Regulation respecting the reclamation of residual materials" at the end of paragraph 8.

40. Section 298 is amended

(1) by striking out ", other than phytocides or *Bacillus thuringiensis* (*Kurstaki* variety)," in subparagraph 2 of the first paragraph;

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

"Subparagraphs 2 and 3 of the first paragraph do not apply to the application of phytocides or *Bacillus thuringiensis* (*Kurstaki* variety) from an aircraft in a forest environment or for non-agricultural purposes.".

41. Section 304 is amended

(1) by inserting "replacement or" after "The" in the portion before paragraph 1;

(2) by replacing "when the apparatus or equipment meets the following conditions" in the portion before paragraph 1 by "on the following conditions";

(3) by replacing "it" in paragraph 1 by "the initial apparatus or equipment";

(4) by inserting "replacement or" after "the" at the beginning of paragraph 2;

(5) by replacing "it" in paragraph 3 "the replacement or modified apparatus or equipment".

42. Section 305 is amended

(1) by inserting "the replacement or" after "attesting that" in the portion before subparagraph 1 of the first paragraph;

(2) in the second paragraph

(*a*) by inserting "the replacement or" after "days of";

(*b*) by inserting "replacement or" after "has occurred, an attestation from an engineer certifying that the".

43. Section 306 is amended by adding the following:

"(3) the installation and operation of an apparatus or equipment intended to prevent, abate or stop the release of contaminants into the atmosphere that is used incidentally to an activity covered by a declaration of compliance or exempted.".

44. Section 313 is amended by adding "; a trail other than a trail developed as part of a forest development activity is also considered to be a road" at the end of paragraph 10.

45. Section 318 is amended

(1) by adding the following after subparagraph 5 of the first paragraph:

"(6) when it is carried out in the littoral zone, it is required to carry out an activity associated with an activity eligible for a declaration of compliance or exempted.";

(2) in the second paragraph

(*a*) by replacing "5" by "6";

(*b*) by inserting ", when they are situated in a wetland," after "ditches";

(*c*) by replacing "30" by "50".

46. Section 319 is amended by replacing "drilling work, except" in paragraph 1 by "drilling and survey work, other than work referred to in section 322, or".

47. Section 321 is replaced by the following:

"**321.** The removal and pruning of plants carried out otherwise than as part of the construction or maintenance of an infrastructure, works, building or equipment are exempted from an authorization under this Division, on the following conditions:

(1) the work is not carried out for forest development purposes;

(2) the work is carried out for civil security purposes or target plants that are dead or affected by a pest or disease.".

48. Section 322 is amended

(1) by replacing "and" in the portion before paragraph 1 by "conduct surveys, technical surveys and archaeological excavations, and";

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

"The first paragraph applies to surveys and technical surveys conducted by drilling only if they are conducted on a works or infrastructure.".

49. Section 323 is amended by replacing "zone equal to" in paragraph 4 by "a distance equal to 6 m or".

50. Section 324, as amended by section 67 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended

(1) by inserting "that is not already covered by this Chapter," after "pedestal required," in the portion before subparagraph 1 of the first paragraph;

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

"For the purposes of this section,

(1) where a number of structures form a same infrastructure, the area occupied includes the encroachment on the ground of each structure and the planned right of way under the infrastructure;

(2) the construction of scenic lookouts, tree stands, observatories or concrete stairways carried out in a body of water is not exempted;

(3) the limits of areas provided for in the first paragraph do not apply to the dismantling.".

51. The following is inserted after section 324:

"**324.1.** The construction of an aerial linear infrastructure used for the transportation or distribution of electric power or telecommunications is exempted from an authorization under this Division, on the following conditions:

(1) the total encroachment of the structures, including any anchor or pedestal required, does not exceed the areas referred to in the first paragraph of section 324;

(2) the infrastructure in the wetland or body of water is no more than 250 m long;

(3) the work is not carried out in the littoral zone or a riverbank or lakeshore.

Subparagraph 3 of the first paragraph does not apply where the construction of the infrastructure in the littoral zone or the riverbank or lakeshore

(1) is necessary to cross a watercourse;

(2) connects the infrastructure to an existing infrastructure in the littoral zone, the riverbank or lakeshore or less than 5 m from the riverbank or lakeshore if that infrastructure skirts a watercourse;

(3) is carried out in the right of way of an existing road in the littoral zone, the riverbank or lakeshore or less than 5 m from the riverbank or lakeshore if that road skirts a watercourse.

For the purposes of this section, the conditions set out in the first and second paragraphs do not apply to the dismantling.".

52. Section 325, as amended by section 64 of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended

(1) by inserting "the littoral zone," after "in" in subparagraph 1 of the first paragraph;

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

"Where the construction of a road is carried out as part of a forest development activity,

(1) the condition set out in subparagraph 3 of the first paragraph does not apply to work carried out on a riverbank or lakeshore or in a floodplain;

(2) the conditions set out in subparagraphs 4 to 7 of the first paragraph do not apply;

(3) the right of way of a road on a riverbank or lakeshore must be no wider than 15 m.".

53. Section 327 is amended

(1) by striking out "parallel" in paragraph 2;

(2) by replacing "zone no wider than"» in paragraph 4 by "distance equal to 6 m or".

54. Section 336 is amended

(1) by striking out "energy-dissipating" in subparagraph 1;

(2) by replacing subparagraph 2 by the following:

"(2) the construction of a temporary works involving fill or excavation work to complete construction or maintenance work on an infrastructure, works, building or equipment associated with an activity that is not subject to ministerial authorization pursuant to section 22 of the Act, nor of a modification or renewal of such an authorization;";

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

"For the purposes of subparagraph 2 of the first paragraph, where the temporary works is a sedimentation pond, the work must, to be eligible for a declaration of compliance, meet the following conditions:

(1) the pond is not situated in the littoral zone;

(2) the pond is not situated on a riverbank or lakeshore, except if it is impossible to find another location, in which case it is not situated in a wetland present therein.".

55. Section 339, as amended by section 74 of the of the Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks, made by Order in Council 1596-2021 dated 15 December 2021, is amended by replacing "such works" in the portion before subparagraph *a* of paragraph 3 by "boat shelter or quay".

56. Section 352 is amended by inserting the following after paragraph 3:

"(3.1) fails to publish a notice in accordance with the first paragraph of section 84;".

57. Section 353 is amended

(1) by adding ", within the period prescribed therein" at the end of paragraph 1;

(2) by replacing "section 89, 90, 111, 128 or 129, the second paragraph of section 135, the second paragraph of section 153 or section 157, 254, 260, 262, 264, 266 or 270" in paragraph 2 by "the first paragraph of section 111, the second paragraph of section 252, section 254, paragraph 2 of section 260, section 262, 264 or 266 or paragraph 2 or 3 of section 270";

(3) by replacing "section 93, 208, 210 or 212, or" in paragraph 3 by "the second paragraph of section 210, the second paragraph of section 212, the second paragraph of section 277 or";

(4) by inserting "section 131," after "in contravention of" in paragraph 4.

58. Section 354 is amendedby inserting the following after section 354:

"**354.1.** A monetary administrative penalty of $1,000 in the case of a natural person or $5,000 in other cases may be imposed on any person who fails to file a notice of cessation of activity within the time and according to the terms provided for in the second paragraph of section 40.

354.2. A monetary administrative penalty of $2,000 in the case of a natural person or $10,000 in other cases may be imposed on any person who

(1) fails to comply with a condition prescribed by this Regulation for the carrying on of an activity eligible for a declaration of compliance in contravention of section 89, 90, 128 or 129, the second paragraph of section 153 or paragraph 1 of section 157, paragraph 1 of section 260 or paragraph 1 of section 270;

(2) fails to comply with a condition prescribed by this Regulation for the carrying on of an exempted activity in contravention of section 93 or 208, the first paragraph of section 210, the first paragraph of section 212 or the second paragraph of section 213.1.".

59. Section 355 is amended by striking out "the second paragraph of" in paragraph 4.

60. Section 356 is amended by replacing "section 89, 90, 93, 111, 128 or 129, the second paragraph of section 143, the second paragraph of section 145, the second paragraph of section 151, the second paragraph of section 153, section 157 or 175, the first and second paragraphs of section 176, section 178 or 179, the third paragraph of section 206, section 208, 210, 212 or 219, the second paragraph of section 253, section 254, 260, 262, 264, 266 or 270, the second paragraph of section 287 or the second paragraph of section 305" by "section 111 or 131, the second paragraph of section 143, the second paragraph of section 145, the second paragraph of section 151, section 175, the first and second paragraphs of section 176, section 178 or 179, the third paragraph of section 206, the second paragraph of section 210, the second paragraph of section 212, section 219, the second paragraph of section 252, the second paragraph of section 253, section 254, paragraph 2 of section 260, section 262, 264 or 266, paragraph 2 or 3 of section 270, the second paragraph of section 277, the second paragraph of section 287 or the second paragraph of section 305".

61. The following is inserted after section 357:

"**357.1.** Every person who contravenes the second paragraph of section 40 commits an offence and is liable, in the case of a natural person, to a fine of $5,000 to $500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of $15,000 to $3,000,000.

357.2. Every person who contravenes section 89, 90, 93, 128 or 129, the second paragraph of section 153, paragraph 1 of section 157, section 208, the first paragraph of section 210, the first paragraph of section 212, the second paragraph of section 213.1, paragraph 1 of section 260 or paragraph 1 of section 270 commits an offence and is liable, in the case of a natural person, to a fine of $10,000 to $1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of $30,000 to $6,000,000.".

62. A person or municipality that, on (*insert the date that occurs 90 days after the date of publication of this Regulation*), is awaiting the issue, amendment or renewal of an authorization for an activity which, beginning on that date, is eligible for a declaration of compliance, may file a declaration of compliance for that activity with the Minister.

The information and documents required for the declaration of compliance that have already been filed for the application for authorization, amendment or renewal need not be filed again.

The fee for the declaration of compliance is not payable if the fee for the application for authorization, amendment or renewal has been deposited.

63. A person or municipality that, on (*insert the date that occurs 90 days after the date of publication of this Regulation*), is awaiting the issue, amendment or renewal of an authorization for an activity which, beginning on that date, is exempted from authorization may claim the refund of the fee paid at the time of the application.

64. This Regulation comes into force on (*insert the date that occurs 90 days after the date of publication of this Regulation*).

Regulation to amend the Regulation respecting biomedical waste

Environment Quality Act
(chapter Q-2, s. 70)

1. The Regulation respecting biomedical waste (chapter Q-2, r. 12) is amended in section 3.2 by inserting "and sharp medical objects from the raising of animals to which the Agricultural Operations Regulation (chapter Q-2, r. 26)applies" after "for non-profit purposes".

2. This Regulation comes into force on (*insert the date that occurs 90 days after the date of publication of this Regulation*).

Regulation to amend the Regulation respecting the environmental impact assessment and review of certain projects

Environment Quality Act
(chapter Q-2, s. 31.1)

1. The Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1) is amended by replacing "2023" in the third paragraph of section 5 of Part II of Schedule 1 by "2028".

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

Regulation to amend the Regulation respecting the reclamation of residual materials

Environment Quality Act
(chapter Q-2, ss. 53.30, 95.1, 115.27, 115.34 and 124.1)

1. The Regulation respecting the reclamation of residual materials (chapter Q-2, r. 49) is amended in section 5

(1) by replacing "for the purpose of composting or storing organic residual materials, establishing a residual materials transfer station or a selective collection sorting station, storing, sorting and conditioning construction or demolition residual materials, storing and conditioning street sweeping waste, or conditioning uncontaminated wood" in the portion before subparagraph 1 of the first paragraph by "referred to in section 261, 263, 268, 269, 277, 279, 280 or 281 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)";

(2) by striking out the second paragraph;

(3) in the third paragraph

(*a*) by replacing subparagraph 1 by the following:

"(1) activities related to the transfer of materials from a residual materials transfer station referred to in section 261 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact or activities related to a selective collection sorting station referred to in section 281 of that Regulation are carried out indoors;";

(*b*) by adding "referred to in section 268 or 280 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact" at the end of subparagraph 2.

2. Section 6 is amended

(1) by replacing "for the purpose of crushing, screening and storing crushed stone or residues from the dimension stone sector, brick, concrete or asphalt or for the purpose of sorting and conditioning dead leaves" in the portion before subparagraph 1 of the first paragraph by "referred to in section 259, 276, 282 or 283 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)";

(2) by striking out the second paragraph;

(3) by inserting "is referred to in section 259, 282 or 283 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact and" after "activity" in the third paragraph.

3. Section 7 is revoked.

4. Section 8 is amended by replacing "a residual materials reclamation activity involves the conditioning, crushing, screening, transfer or sorting of residual materials on site" in the portion before subparagraph 1 of the first paragraph by "an activity referred to in section 259, 261, 263, 276 or 277 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) involves the conditioning, crushing, screening, transfer or sorting of residual materials on site or where an activity referred to in section 269 of that Regulation involves the screening of such materials on site".

5. Section 9 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by "Every person who carries out a residual materials reclamation activity pursuant to section 259, 261, 263, 265, 268, 269 or 277 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) must keep a daily log containing the following information:";

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

"Subparagraph 1 of the first paragraph does not apply to the activities referred to in sections 265 and 268 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact.".

6. Section 10 is amended by replacing "for the composting and reclamation of compost produced in an enclosed thermophilic composter" in the portion before paragraph 1 by "referred to in section 265 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)".

7. Section 11 is amended by replacing "for the construction, installation, modification or operation on a raising site of a facility for composting livestock that dies at the farm and for the storing and spreading on a raising site or spreading site of the compost produced" in the portion before subparagraph 1 of the first paragraph by "pursuant to section 252 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)".

8. Section 12 is amended by replacing "relating to the spreading of fresh waste water or of sludge from a commercial fishing pond site or fresh water aquacultural site" in the portion before subparagraph 1 of the first paragraph by "referred to in any of sections 255 and 257 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)".

9. Section 13 is amended by striking out "concerning the storing of organic agricultural residues or organic residual materials for purposes of reclamation" in the portion before subparagraph 1 of the first paragraph.

10. Section 14 is amended by replacing "grooving sludge" in subparagraph 3 of the second paragraph by "sludge from the maintenance of concrete surfaces".

11. Section 15 is amended

(1) by inserting "granular" before "material" in the definition of "residual granular material";

(2) by replacing "operating a business that stocks and" in the definition of "residual granular materials producer" by "who stocks and, where necessary,".

12. Section 16 is amended by adding ", except for the technique to pulverize asphalt on a roadway in order to repair it" at the end of subparagraph 2 of the second paragraph.

13. Section 17 is amended by replacing paragraph 1 by the following:

"(1) inorganic contaminants must meet the following conditions:

(*a*) in the case of category 1, 2 or 3 residual granular materials, the maximum levels must be less than or equal to the levels applicable to its category, as well as, where applicable, the maximum levels for leaching tests;

(*b*) in the case of category 4 residual granular materials, the levels must be less than or equal to the limit values provided for in the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);".

14. Section 19 is amended by replacing the second paragraph by the following:

"This Chapter does not apply where the materials are one of the following:

(1) the materials originate from residential land, agricultural land other than a livestock waste storage facility, an elementary-level or secondary-level educational institution, a childcare centre or a day care centre and the land concerned contains no contaminated soil or contaminated materials;

(2) the residual granular materials are residual crushed stone from construction work only, or cuttings and tailings from the dimension stone sector;

(3) the materials originate from land where no motor vehicle repair, maintenance or recycling activities, treated wood reclamation activities, activities whose sector is listed in Schedule 3 to the Regulation respecting hazardous materials (chapter Q-2, r. 32) or activities whose category is listed in Schedule III to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) have been carried out and the following conditions are met:

(*a*) the land concerned contains no contaminated materials or contaminated soil;

(*b*) the reclamation of the residual granular materials is carried out on the land of origin concerned;

(4) the residual materials originate from road infrastructures and the following conditions are met:

(*a*) the land of the infrastructures concerned contains no contaminated soils or contaminated materials;

(*b*) the residual materials are reclaimed in the course of infrastructure work carried out by the same operator.

Subparagraph *b* of subparagraph 3 of the second paragraph does not apply where the residual granular material is crushed stone.

The second paragraph does not apply where the materials are materials referred to in section 178 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1).".

15. The following is added after section 20:

"**20.1.** Where the residual granular materials consist of sludge from the dimension stone sector, sludge from the maintenance of concrete surfaces or sludge from a ready-mix concrete basin, at least one representative annual sampling must be taken.

20.2. Where the sampling of residual granular materials is carried out on site on the land, the sampling must comply with the sampling strategy prescribed by the guide prepared under section 31.66 of the Act.".

16. Section 21 is amended

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

"The characterization of the residual granular materials must be performed by taking at least 1 sample for every 1,000 m^3 or less where

(1) the residual materials originate from land containing contaminated materials or contaminated soil;

(2) the residual materials originate from land where one of the following activities has been carried out:

(*a*) motor vehicle repair, maintenance or recycling activities;

(*b*) treated wood reclamation activities;

(*c*) the activities whose sector is listed in Schedule 3 to the Regulation respecting hazardous materials (chapter Q-2, r. 32), except for transportation activities for which the economic activity code is 4591;

(*d*) the activities whose category is listed in Schedule III to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37).";

(2) by striking out the second paragraph;

(3) by adding "or, in the case of category 4 granular materials, the organic compounds identified in the characterization of the soil on the land" after "Schedule I" in subparagraph *b* of subparagraph 2 of the third paragraph.

17. Section 23 is replaced by the following:

"**23.** Where the excavated residual materials originate from land on which a characterization has been performed voluntarily or pursuant to Division IV of Chapter IV of Title I of the Act, the analysis of the residual granular materials must focus in particular on the contaminants referred to in sections 20 and 21, where applicable, as well as any contaminants identified in the characterization on the land concerned.".

18. Section 24 is amended

(1) by replacing "than the maximum level" in the portion before paragraph 1 by "than a maximum level that is";

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

"The first paragraph applies to residual crushed stone only where the level of the inorganic parameters listed in Schedule I to this Regulation are higher than the limit values listed for those parameters in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37).".

19. Section 25 is replaced by the following:

"**25.** The samples collected pursuant to this Regulation must be sent, for the purposes of analysis, to laboratories accredited by the Minister under section 118.6 of the Act.

Where there is no laboratory accredited by the Minister for the analysis of a substance referred to in this Regulation, the samples must be sent to a laboratory accredited according to ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories, which is published jointly by the International Organization for Standardization and the International Electrotechnical Commission, or to a laboratory accredited by the Minister for the analysis of similar substances.

Despite the first paragraph, the analysis of the impurities content must be performed by a person who holds a registration certificate compliant with ISO 9001, Quality management systems — Requirements, and covers carrying out tests or with ISO/CEI 17025, or by a laboratory accredited by the Minister for the analysis of similar substances.

25.1. A person who distributes or sells residual granular materials must provide, to any person who acquires those materials in order to reclaim them, an attestation of their category prepared by the producer of the materials concerned containing the following information:

(1) the producer's name;

(2) the contact information of the production site;

(3) the name of the acquirer and, where applicable, the contact information of the reclamation site;

(4) the quantity, nature and category number of the residual granular materials concerned by the transaction;

(5) the date of the transaction;

(6) a declaration signed by the producer certifying that the producer is legally able to produce residual granular materials pursuant to an exemption or a declaration of compliance provided for in the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) or a ministerial authorization, as the case may be.".

20. Section 26 is amended by replacing the table in the first paragraph by the following:

CATEGORY 1				
Case 1: The residual granular material contains 1% or less of asphalt and is covered under subparagraph 1 or 2 of the second paragraph of section 19.				
Case 2: The residual granular material contains 1% or less of asphalt and meets the following requirements:				
Level of metals, metalloids and other inorganic parameters	**Level of petroleum hydrocarbons (C_{10}-C_{50})**	**Level of organic compounds**	**Leachates**	**Impurities content**
lower or equal to the level of the second column of Table 1 of Schedule I	lower or equal to 100 mg/kg	lower or equal to the level of the second column of Table 2 of Schedule I	N/A	lower or equal to 1% (w/w) and 0.1% (w/w) for light materials
CATEGORY 2				
Case 1: The residual granular material contains 1% or less of asphalt and is covered under subparagraph 3 of the second paragraph of section 19.				
Case 2: The residual granular material contains 1% or less of asphalt and meets the following requirements:				
Level of metals, metalloids and other inorganic parameters	**Level of petroleum hydrocarbons (C_{10}-C_{50})**	**Level of organic compounds**	**Leachates**	**Impurities content**
between the level of the second column and the level of the third column of Table 1 of Schedule I	lower or equal to 100 mg/kg	lower or equal to the level of the second column of Table 2 of Schedule I	leachates do not exceed the maximum level of Table 1 of Schedule I, where applicable	lower or equal to 1% (w/w) and 0.1% (w/w) for light materials
CATEGORY 3				
Case 1: The residual granular material is from road infrastructures covered under subparagraph 4 of the second paragraph of section 19 or contains more than 1% of asphalt and is covered under the second paragraph of section 19.				
Case 2: The residual granular material is composed of a mixture of category 1 or 2 residual granular materials and more than 1% of asphalt.				
Case 3: The residual granular material meets the following requirements:				
Level of metals, metalloids and other inorganic parameters	**Level of petroleum hydrocarbons (C_{10}-C_{50})**	**Level of organic compounds**	**Leachates**	**Impurities content**
lower or equal to the level of the third column of Table 1 of Schedule I, except in the case of asphalt containing slag from steel mills	between 100 mg/kg and 3,500 mg/kg, except asphalt	lower or equal to the level of the third column of Table 2 of Schedule I, except asphalt	leachates do not exceed the maximum level of Table 1 of Schedule I, where applicable	lower or equal to 1% (w/w) and 0.1% (w/w) for light materials

CATEGORY 4
The residual granular material is reclaimed on the land where the material was excavated and meets the following conditions: (1) it has an impurities content lower or equal to 1% (w/w) and 0.1% (w/w) for light materials; (2) it has a concentration of contaminants lower or equal to the limit values prescribed in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) or in Schedule II of that Regulation for land with the following uses: (*a*) land on which, under a municipal zoning by-law, industrial, commercial or institutional uses are authorized, except i. land where totally or partially residential buildings are built; ii. land where elementary-level or secondary-level educational institutions, childcare centres, day care centres, hospital centres, residential and long-term care centres, rehabilitation centres, child and youth protection centres, or correctional facilities are built; (*b*) land constituting, or intended to constitute, the site of a roadway within the meaning of the Highway Safety Code (chapter C-24.2) or a sidewalk bordering a roadway, a bicycle path or a municipal park, except play areas for which the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation remain applicable for a depth of at least 1 m.

21. Section 27 is amended by replacing the table by the following:

Type of use	Category 1	Category 2	Category 3	Category 4
Miscellaneous activities				
Grading down or raising up of ground level using crushed stone	X			X
Road abrasives – crushed stone and cuttings and tailings from the dimension stone sector only	X			
Construction on residential or agricultural land, an elementary-level or secondary-level educational institution, a childcare centre or a day care centre	X			X
Parking area – asphalt or non-asphalt – on residential land	X			X
Mulching, rockfill, landscaping – crushed stone, brick and cuttings and tailings from the dimension stone sector only	X			
Backfilling areas excavated during a demolition	X			X
Construction on institutional, commercial or industrial land, including municipal land	X	X		X
Recreation and tourism facilities (bicycle path, park, etc.)	X	X		X
Access road, farm road	X	X		X
Noise-abatement embankment and visual screen	X	X		X
Construction and rehabilitation of a snow disposal site	X	X		X
Concrete manufacturing	X	X		
Hot-mix or cold-mix asphalt	X	X	X	X
Storage area on industrial land	X	X	X	X
Parking area and traffic lanes of industrial or commercial establishments	X	X	X	X
Bedding, surrounding soil and backfilling for pipes on residential land	X			
Bedding, surrounding soil and backfilling for pipes (other than waterworks and sewers)	X	X	X	X
Bedding or surrounding soil for pipes (waterworks and sewers) – crushed stone or cuttings and tailings from the dimension stone sector only	X			
Backfilling for pipes (waterworks and sewers)	X	X	X	
Construction or repair of highways and streets, including those in residential, municipal and agricultural sectors				
Filtering layer – crushed stone or cuttings and tailings from the dimension stone sector only	X	X		
Mineral filler	X	X		
Roadbed – asphalt or non-asphalt	X	X	X	X
Road shoulder – asphalt or non-asphalt	X	X	X	X
Cushion	X	X	X	X
Anti-contaminant layer	X	X	X	X
Screenings	X	X	X	X
Surface treatment	X	X	X	X
Granulates for sealing grout	X	X	X	X
Encasing for culverts	X	X	X	X
Roadway backfilling	X	X	X	X
Road underbed	X	X	X	X

22. Section 28 is amended

(1) by striking out paragraph 1;

(2) by adding the following:

"(5) to provide the attestation of category containing the information provided for in section 25.1.".

23. Section 29 is amended

(1) by replacing paragraph 3 by the following:

"(3) fails to condition the residual materials in accordance with the maximum particle size provided for in section 18;";

(2) by striking out paragraph 4.

24. Section 31 is amended by replacing "the second paragraph of section 7 or any of sections 9 to 13" at the end by "any of sections 9 to 13 or section 25.1".

25. Section 32 is amended by replacing "to 24" by "to 18, 20 to 24".

26. Schedule II is amended

(1) by striking out "granular" in subparagraph 6 of the first paragraph;

(2) by striking out the word "granular" in "cooked granular materials" wherever it appears;

(3) by striking out the word "granular" in "other residual granular materials" wherever it appears.

27. This Regulation comes into force on (*insert the date occurring 90 days after the date of publication of this Regulation*).

105683

Draft Regulation

Environment Quality Act
(chapter Q-2)

Agricultural operations —Amendment

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

The draft Regulation amends the Agricultural Operations Regulation (chapter Q-2, r. 26) to make it possible for operators of raising sites for certain animal species to use a nutrient balance method to establish the raising site's annual phosphorus (P_2O_5) production, and to set out the conditions applicable to the use of that method.

Despite a prohibition from cultivating crops in the territory of a municipality listed in Schedules II, III and V, the draft Regulation provides for the possibility of cultivating new areas in those territories, on certain conditions.

Lastly, the draft Regulation specifies the possibility of moving a cultivated parcel on certain conditions, in particular between owners during an expropriation.

The amendments reduce the administrative burden on enterprises.

Further information on the draft Regulation may be obtained by contacting Maude Durand, team leader, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; telephone: 418 521-3861, extension 4466; email: question.bslr@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Maude Durand at the above contact information.

Benoit Charette
Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Agricultural Operations Regulation

Environment Quality Act
(chapter Q-2, ss. 95.1, 115.27, 115.34 and 124.1)

1. The Agricultural Operations Regulation (chapter Q-2, r. 26) is amended by inserting the following after section 28.3:

"**28.4.** The operator of a site referred to in section 28.1 may use a nutrient balance method to establish the raising site's annual phosphorus (P_2O_5) production. For that purpose, the operator must give a written mandate to an agrologist to collect the data required to establish a nutrient balance method, make the calculations pertaining to the nutrient balance method and prepare the annual report on the nutrient balance method. The mandate must be given not later than 1 April of the year preceding the year in which the nutrient balance method will be used.

A nutrient balance method may be used if the following conditions are met:

(1) only the following types of animals are concerned:

(*a*) pullets - eggs for consumption;

(*b*) laying hens - eggs for consumption;

(*c*) suidae other than wild boar;

(2) a characterization referred to in section 28.1 must have been made for the raising site, in accordance with the first paragraph of section 28.3.

The annual phosphorus (P_2O_5) production calculated using the method referred to in this section is established in an annual report, dated and signed by the agrologist, which the operator must obtain not later than 1 April following the period covered by the data collection, and which must contain the following information:

(1) the period covered by the use of a nutrient balance method;

(2) the quantity of each type of food and ingredient used for each type of animal referred to in the nutrient balance method during the period covered by the annual report;

(3) the total phosphorus content of each lot of food or ingredients received or produced and supplied to each type of animal during the period covered by the annual report; that content must be established by a laboratory, or have been established by the manufacturer or supplier of the food or ingredients;

(4) for the period covered by the annual report, the number and average weight of all animals, according to type, that entered, left, died and were in inventory, the average weight gain of animals and, where applicable, the number of eggs produced and their average weight;

(5) an estimate of the phosphorus (P_2O_5) content of animal waste produced for each type of animal covered by the annual report.

Despite the fourth paragraph of section 28.3, where the method referred to in the first paragraph is used, the time elapsed between 2 non-consecutive characterizations for the animals referred to in the annual report may not exceed 10 years. In such a case, despite the sixth paragraph of section 28.1, the documents referred to in that paragraph must be kept for a minimum of 10 years from the date of signature.

The annual report and the data used to prepare it must be kept by the operator for a minimum of 5 years from the date of signature of the report. They must be provided to the Minister upon request within the time indicated by the Minister.".

2. Section 43.2 is amended

(1) by adding "or, as the case may be, the fourth paragraph of section 28.4" at the end of paragraph 5;

(2) by inserting the following after paragraph 6:

"(6.1) to keep the annual report and the data used to prepare it during the period referred to or to provide them to the Minister upon request in accordance with the fifth paragraph of section 28.4;".

3. Section 43.3 is amended

(1) by inserting "or, as the case may be, the fourth paragraph of section 28.4" after "28.2" in paragraph 7;

(2) by inserting the following after paragraph 7:

"(7.1) to obtain an annual report dated and signed by an agrologist containing the information on the nutrient balance method, in accordance with the third paragraph of section 28.4;".

4. Section 43.4 is amended by inserting the following after paragraph 12:

"(12.1) to give a written mandate to an agrologist, within the time provided for, where a nutrient balance method is used, in accordance with the first paragraph of section 28.4;

(12.2) to comply with the conditions set out for the use of the nutrient balance method, in accordance with the second paragraph of section 28.4;".

5. Section 44.1 is amended

(1) by inserting ", the fifth paragraph of section 28.4" after "28.2" in the first paragraph;

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

"Every person who

(1) fails to attach to the plan, at the end of the growing season, the fertilization report actually carried out provided for in section 25,

(2) fails to keep the annual report and the documents referred to in the fourth paragraph of section 28.4 for the period provided for therein,

also commits an offence and is liable to the same fines.

6. Section 44.2 is amended

(1) by replacing "the first paragraph of section 29 or the sixth paragraph of section 35" in the first paragraph by "the third paragraph of section 28.4, the first paragraph of section 29 and the sixth paragraph of section 35";

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

"Every person who

(1) fails to ensure the follow-up of the recommendations contained in the agro-environmental plan at the end of the crop season in accordance with section 25,

(2) fails to comply with the characterization frequency provided for in the fourth paragraph of section 28.4,

also commits an offence and is liable to the same fines.

7. Section 44.3 is amended by inserting "the first or second paragraph of section 28.4," after "28.2,".

8. Section 50.3 is amended by adding the following after subparagraph 3 of the second paragraph:

"(4) in an area previously occupied by a ditch, a farm road, a building or a man-made rock pile, in a raising site or spreading site situated in the territory of a municipality listed in Schedule II, III or V, provided that the crops are cultivated outside the littoral zone of a lake or watercourse and a 3 m strip from it.".

9. Section 50.4 is replaced by the following:

"**50.4.** The owner of a raising site or a spreading site referred to in subparagraph 1, 2 or 2.1 of the second paragraph of section 50.3 may move a cultivated parcel on the following conditions:

(1) a written notice to that effect, given on the form available on the website of the Ministère du Développement durable, de l'Environnement et des Parcs, is transmitted electronically to the Minister at least 30 days before the beginning of work, other than tree-clearing work, containing the following elements:

(*a*) the area and the location, using a georeferenced plan, of the parcel that will no longer be used for crop cultivation, as well as those of the parcel that will be cultivated after the move, including in particular the numbers of the lots on which each parcel is situated and the name of the cadastre in which they are situated;

(*b*) the signature of the owner or owners of the parcels concerned by the move;

(*c*) a declaration by the agrologist certifying that crop cultivation on the new parcel will comply with the location standards applicable under a regulation made under the Environment Quality Act (chapter Q-2);

(2) the new parcel that will be cultivated after the move is situated outside the littoral zone of a lake or watercourse and a 3 m strip from it;

(3) where the new parcel that will be cultivated after the move is situated in a wetland, crop cultivation on that new parcel is authorized under subparagraph 4 of the first paragraph of section 22 of the Environment Quality Act, eligible for a declaration of compliance under section 343.1 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), as inserted by section 30 of the Regulation to amend mainly the Regulation respecting compensation for adverse effects on wetlands and bodies of water and other regulatory provisions, made by Order in Council 1369-2021 dated 27 October 2021, and declared in accordance with that Regulation or exempted under section 345.1 of that Regulation, as renumbered by section 25 of the Regulation to amend mainly the Regulation respecting compensation for adverse effects on wetlands and bodies of water and other regulatory provisions, made by Order in Council 1369-2021 dated 27 October 2021;

(4) the new parcel that will be cultivated after the move is situated in the same municipality as the parcel that will no longer be used for crop cultivation, in a municipality bordering that municipality or in any other municipality situated within 50 km of the boundaries of the parcel that will no longer be used;

(5) the owner of the parcel that will no longer be used for crop cultivation is also the owner of the new parcel that will be cultivated after the move, except where the parcel that will no longer be used for cultivation is subject to an expropriation.

For the purposes of subparagraph 5 of the first paragraph, the move must take place within 24 months after ownership of the property is transferred in accordance with one of the situations provided for in section 53 of the Expropriation Act (chapter E-24).".

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

105684

Draft Regulation

Environment Quality Act
(chapter Q-2)

Charges payable for the disposal of residual materials —Amendment

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

The draft Regulation increases the charges for the disposal of residual materials as of 1 January 2023 and revises the indexation mechanism. It also makes the charges applicable to transfer stations and introduces a partial charge for the use of residual materials as covering or in the construction of access roads in residual materials disposal areas.

Study of the matter has shown that the draft Regulation has a significant impact on enterprises and municipalities and the revenue generated by the increase in charges will be used to fund the transition to better management of residual materials, in particular by its stakeholders. By aiming to divert as many residual materials as possible away from disposal and by supporting the reclamation of residual materials by reinvesting the amounts derived from the charges, the draft Regulation not only works toward the achievement of the goals of the Québec residual materials management policy, but also the fight against climate change.

Further information on the draft Regulation may be obtained by contacting Martin Létourneau, Director, Direction des matières résiduelles, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 675, boulevard René-Lévesque Est, 9e étage, Québec (Québec) G1R 5V7; email: martin.letourneau@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Martin Létourneau, Director, at the above contact information.

Benoit Charette
Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials

Environment Quality Act
(chapter Q-2, ss. 70, 95.1, 115.27 and 115.34)

1. The Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) is amended in section 1 by striking out "in disposal facilities" at the end.

2. Section 2 is replaced by the following:

"**2.** This Regulation applies to the following disposal facilities referred to in the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19):

(1) engineered landfills;

(2) construction or demolition waste landfills;

(3) residual materials incineration facilities.

It also applies to the residual materials transfer stations referred to in the Regulation respecting the landfilling and incineration of residual materials, except the low capacity transfer stations covered by Division 2 of Chapter IV of that Regulation.".

3. Section 3 is replaced by the following:

"**3.** Every operator of a disposal facility referred to in the first paragraph of section 2 must, for each metric ton of residual materials received for disposal, pay charges of $30.00.

Despite the first paragraph, the charges payable are one third of the charges prescribed by the first paragraph if the residual materials are intended for

(1) daily covering in an engineered landfill in accordance with section 41 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) monthly covering in a construction or demolition waste landfill in accordance with section 105 of the Regulation respecting the landfilling and incineration of residual materials; or

(3) the construction of access roads in residual materials disposal areas of a landfill referred to in subparagraph 1 or 2.

No charge is however payable for the following residual materials when they are intended for the purposes set out in the second paragraph:

(1) contaminated soils;

(2) fine construction, renovation and demolition waste from screening or sifting carried out by the sorting stations for residual materials from construction and demolition work.

3.1. Every operator of a transfer station referred to in the second paragraph of section 2 must also pay the charges prescribed by the first paragraph of section 3 for each metric ton of residual materials transferred and intended for a disposal facility.

3.2. Despite sections 3 and 3.1, no charge is payable for

(1) residual materials that are sorted and recovered on the premises to be reclaimed;

(2) mine tailings or residue generated by a mine tailings reclamation process; and

(3) residual materials for which charges payable under this Regulation were already paid.

3.3. Despite paragraph 3 of section 3.2, every operator of an incineration facility referred to in subparagraph 3 of the first paragraph of section 2 may deduct from the quantity of residual materials covered by the charges prescribed by the first paragraph of section 3 the quantity of incineration residue recovered to be reclaimed.

However, when incineration residue is intended for the purposes set out in the second paragraph of section 3, only two thirds of the quantity of that residue may be deducted.".

4. Section 4 is amended

(1) in the first paragraph

(*a*) by replacing "by section 3 are adjusted" by "by the first paragraph of section 3 are increased by $2";

(*b*) by striking out "on the basis of the rate calculated in the manner provided for in section 83.3 of the Financial Administration Act (chapter A-6.001)" at the end;

(2) by replacing "adjustment in a notice in the *Gazette officielle du Québec* or by any other" in the second paragraph by "increase by any".

5. Section 5 is amended

(1) by replacing "prescribed by section 3 are payable" in the first paragraph by "payable under sections 3 and 3.1 are payable by means of an electronic method of payment";

(2) in the second paragraph

(*a*) by replacing "the following information must be received by those dates to the" in the portion before subparagraph 1 by "the following information for the same period must be received by those dates by the";

(*b*) by replacing subparagraphs 2 and 3 by the following:

"(2) the quantity of residual materials, expressed in metric tons, that, as the case may be, are

(*a*) received for disposal and covered by the charge payable under the first paragraph of section 3;

(*b*) intended for the purposes set out in the second paragraph of section 3 and covered by the charge payable under that paragraph;

(*c*) intended for the purposes set out in the second paragraph of section 3 and covered by the third paragraph of section 3;

(*d*) transferred, intended for a disposal facility and covered by the charge payable under section 3.1; or

(*e*) referred to in section 3.2;

(3) the quantity of incineration residue, expressed in metric tons, that is deducted in accordance with the first or second paragraph of section 3.3, as the case may be;

(4) the amount of the charges paid broken down into the applicable categories provided for in subparagraph 2.".

6. Section 6 is amended by adding the following paragraph at the end:

"If the amount of the charges, interest and amounts referred to in the second paragraph paid exceeds by more than $5 the actual amount outstanding, then the operator is entitled to a credit for a future period equivalent to that difference. Where the operator ceases activities, the operator may ask for the reimbursement of that amount.".

7. Section 7 is amended

(1) by replacing "site referred" by "facility or transfer station referred";

(2) by inserting "reclaimed on the premises or" after "being";

(3) by replacing "off-site" by "from the disposal facility or transfer station".

8. Section 8 is amended by inserting "139," after "128," in the portion before paragraph 1.

9. Section 9 is amended

(1) by replacing "referred" by "or transfer station referred";

(2) by replacing "at the disposal facility" by "or transferred, as the case may be,";

(3) by adding ", unless no charge is payable for a given year" at the end.

10. Section 10.1 is amended in paragraph 6

(1) by inserting "or transferred, as the case may be," after "received";

(2) by inserting "or transfer station" after "facility".

11. Section 10.2 is amended

(1) by replacing "disposal charges and additional charges in the amounts fixed in" in paragraph 1 by "charges prescribed by section 3 or 3.1";

(2) in paragraph 4

(*a*) by inserting "or transferred, as the case may be," after "received";

(*b*) by replacing "being" by "before being reclaimed on the premises or";

(*c*) by replacing "off-site" by "from the disposal facility or transfer station".

12. This Regulation comes into force on 1 January 2023.

Subparagraph 2 of the third paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials, introduced by section 3 of this Regulation, ceases to have effect on 31 December 2025.

105676

Draft Regulation

Act respecting the regulation of the financial sector (chapter E-6.1)

Ethics of the members of the Financial Markets Administrative Tribunal

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Code of ethics of the members of the Financial Markets Administrative Tribunal, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation sets out the rules of conduct of members and their duties toward the public, the parties, the parties' witnesses and the persons representing the parties. It defines, in particular, conduct that is derogatory to the honour, dignity or integrity of members. In addition, it states their obligations concerning the disclosure of their interests, and the functions they may exercise free of charge, and determines the activities or situations that are incompatible with their office.

Further information on the draft Regulation may be obtained by contacting Jean-Hubert Smith-Lacroix, coordinator, Direction générale du droit corporatif et des politiques relatives au secteur financier, Ministère des Finances, 8, rue Cook, 4e étage, Québec (Québec) G1R 0A4; email: jean-hubert.smith-lacroix@finances.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments, within the 45-day period, to the Minister of Finance, 390, boulevard Charest Est, 8e étage, Québec (Québec) G1K 3H4.

Eric Girard
Minister of Finance

Code of ethics of the members of the Financial Markets Administrative Tribunal

Act respecting the regulation of the financial sector (chapter E-6.1, s. 115.15.25)

DIVISION I
GENERAL

1. The purpose of this Code is to ensure and promote public trust in the integrity and impartiality of the Tribunal by favouring high standards of conduct for its members appointed by the Government.

2. Members must render justice under the applicable rules of law.

DIVISION II
RULES OF CONDUCT AND DUTIES OF MEMBERS

3. Members must perform their duties with honour, dignity and integrity, keeping in mind that accessibility and promptness are important values of the Tribunal.

4. Members must perform their duties without discrimination.

5. Members must be overtly objective and impartial.

6. Members must act in a respectful and courteous manner towards persons appearing before them, while exercising the authority necessary for the proper conduct of the hearing.

7. Members must uphold the integrity of the Tribunal and defend its independence in the best interest of justice.

8. Members must make themselves available to discharge their duties conscientiously, carefully and diligently.

9. Members must take the measures required to keep up-to-date and upgrade the knowledge and skills necessary to perform their duties.

10. Members are bound by discretion regarding any matter brought to their knowledge in the performance of their duties and must refrain from disclosing information of a confidential nature.

11. Members are bound by deliberative secrecy.

12. Members must perform their duties with complete independence, free of any interference.

13. Members must act with reserve in public.

14. Members must disclose to the president any situation that, to their knowledge, could cause a conflict between personal interest and the duties of their office.

15. Members must be politically neutral in the performance of their duties.

16. Members may exercise functions free of charge within a professional order or a non-profit organization. Members must inform the president of their intention to do so.

The functions that members want to exercise must not compromise the effective performance of their duties as a member, or the impartiality or independence of the member or the Tribunal.

DIVISION III
INCOMPATIBLE SITUATIONS AND ACTIVITIES

17. Members must refrain from pursuing an activity or placing themselves in a situation that may undermine the honour, dignity, integrity or independence of their office, or discredit the Tribunal.

18. The following in particular is incompatible with the performance of the duties of members:

(1) soliciting or collecting donations, except in the case of community, school, religious or family activities, or associating the status of member of the Tribunal to those activities;

(2) taking part in charities or organizations likely to be involved in matters before the Tribunal;

(3) giving advice to or dealing with organizations relating to matters that come within the jurisdiction of the Tribunal, except if such advice is not likely to compromise the impartiality or independence of the member or the Tribunal;

(4) becoming involved in any cause or participating in any lobby whose objectives or activities are related to matters that come within the jurisdiction of the Tribunal.

19. Part-time members may not exercise professional activities that are incompatible with the duties of their office or that would constitute recurring grounds for recusation.

Part-time members may not act on behalf of a party in dealing with the Tribunal or another organization whose decisions may be reviewed by the Tribunal.

20. Members must not engage in any activity or partisan political participation at the federal, provincial, municipal or school level.

DIVISION IV
FINAL

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

105686

Draft Regulations

Environment Quality Act
(chapter Q-2)

Food Products Act
(chapter P-29)

Landfilling and incineration of residual materials

Hot mix asphalt plants

Food

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the landfilling and incineration of residual materials, the Regulation to amend the Regulation respecting hot mix asphalt plants and the Regulation to amend the Regulation respecting food, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Regulatory amendments are made to facilitate the management of certain residual materials, namely, inedible meat, waste from sorting facilities for construction and demolition materials and post-consumer asphalt shingle fines.

The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2 r. 19) is amended to clarify that the rules applicable to the elimination of inedible meat are those provided for in the Food Products Act (chapter P-29) and the regulations. Other amendments require that operators of engineered landfills receive waste from sorting facilities for construction and demolition materials generated in any territory when no other facility is situated closer to such a sorting facility.

The Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) is amended to allow the use of post-consumer asphalt shingle fines as raw material for the production of asphalt in a hot mix asphalt plant, on certain conditions.

That Regulation is also amended to provide for a minimum distance for the location of such a plant and to require the collection of water in contact with post-consumer asphalt shingle fines so that that water is not discharged into the environment. It also sets out conditions for the storage of those fines. The monetary administrative penalties and offences are adjusted to take into account those amendments.

Lastly, amendments are made to the Food Products Regulation (chapter P-29, r. 1) to provide, in the case of a surplus, that inedible meat may be disposed of by any other means of elimination or reclamation of residual materials compliant with the Environment Quality Act (chapter Q-2) and the regulations. The new means of disposal are applicable where a farm producer, the operator of a dismembering plant, a slaughterhouse, a delicatessen plant or cannery, or a salvager cannot dispose of inedible meat in accordance with the applicable provisions.

The amendments to the Regulation respecting the landfilling and incineration of residual materials are technical corrections or optimizations and have no monetary impact on enterprises. The amendments to the Regulation respecting hot mix asphalt plants allow the reclamation of post-consumer asphalt shingle fines in the process of those plants, which will create a new outlet for those residual materials and an economic opportunity for the enterprises in that sector. The amendments to the Regulation respecting food have no monetary impact on enterprises because landfilling is already an emergency solution for surpluses of inedible meat exceeding the capacities of existing treatment and reclamation facilities.

Further information on the draft Regulations may be obtained by contacting Maude Durand, team leader, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; telephone: 418 521-3861, extension 4466; email: question.bslr@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to Maude Durand at the above contact information.

Benoit Charette *Minister of the Environment and the Fight Against Climate Change*	André Lamontage *Minister of Agriculture, Fisheries and Food*

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials

Environment Quality Act
(chapter Q-2, ss. 70 and 95.1)

1. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended in section 1 by adding the following:

"(5) "inedible meat" refers to inedible meat referred to in the Regulation respecting food (chapter P-29, r. 1).".

2. The following is added after section 3:

"**3.1.** Inedible meat must be disposed of only on the conditions prescribed by the Food Products Act (chapter P-29) and the regulations made under that Act.".

3. Section 5 is revoked.

4. Section 6 is amended by replacing the third paragraph by the following:

"Despite the first paragraph, animal carcasses that are not considered inedible meat and their ashes may be disposed of in an animal cemetery that may legally receive them under the Environment Quality Act.".

5. Section 10 is amended

(1) by inserting the following after paragraph 3:

"(3.1) in any territory if the materials are waste from a sorting facility for construction and demolition materials and no other engineered landfill accessible by a road open year-round is situated closer to that facility;";

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

"Subparagraph 3.1 of the first paragraph applies to the operator of an engineered landfill despite the first paragraph of section 12 and any contrary provision in an authorization issued under the Environment Quality Act (chapter Q-2) before (*insert the date of coming into force of this Regulation*).".

6. Section 123 is amended by striking out the second paragraph.

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

Regulation to amend the Regulation respecting hot mix asphalt plants

Environment Quality Act
(chapter Q-2, ss. 95.1, 115.27 and 115.34)

1. The Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) is amended in section 1 by inserting the following after paragraph *g*:

"(*g.1*) "post-consumer asphalt shingle fines" means residual materials composed essentially of gravel and bituminous asphalt from asphalt shingles at the end of their useful life;".

2. Division II is replaced by the following:

"**DIVISION II**
USE OF POST-CONSUMER ASPHALT SHINGLE FINES

4. Post-consumer asphalt shingle fines may be used as raw material for the production of asphalt in a hot mix asphalt plant when

(1) the plant was designed for that purpose; and

(2) the material is introduced in the recycled materials entry zone or the mixing zone.

5. Post-consumer asphalt shingle fines used by a hot mix asphalt plant for the production of asphalt must originate from a site that is authorized to treat post-consumer asphalt shingles, have previously been treated and be free from asbestos.

5.1. The quantity of post-consumer asphalt shingle fines used for the production of asphalt may not be greater than 5% of the total mass of the finished product.".

3. Section 9 is amended by inserting the following after the first paragraph:

"Despite the first paragraph, a hot mix asphalt plant that uses post-consumer asphalt shingle fines must be built or installed more than 300 m from any dwelling, unless the concentration of contaminants emitted into the atmosphere during the use of post-consumer asphalt shingle fines is less than or equal to the limit values prescribed in Schedule K to the Clean Air Regulation (chapter Q-2, r. 4.1), using an air dispersion model in accordance with Schedule H to that Regulation.".

4. Section 15 is amended by adding the following paragraph at the end:

"Water that has been in contact with post-consumer asphalt shingle fines must be collected so that that water is not discharged into the environment.".

5. The heading of Division VI is amended by adding "AND STORAGE" after "SURFACES".

6. The following is inserted after section 25:

"**25.0.1.** Post-consumer asphalt shingle fines must be stored in a way that protects them from the elements, on a concrete-covered or bituminous concrete-covered surface.".

7. Section 25.2 is amended by adding the following:

"(7) to comply with the storage conditions provided for in section 25.0.1.".

8. Section 25.4 is amended by inserting the following after paragraph 1:

"(1.1) fails to comply with the conditions for the use of post-consumer asphalt shingle fines prescribed by paragraph 1 of section 4;".

9. Section 25.6 is amended

(1) by inserting the following before paragraph 1:

"(0.1) fails to comply with the conditions for the use of post-consumer asphalt shingle fines prescribed by paragraph 2 of section 4;

(0.2) uses post-consumer asphalt shingle fines that do not meet the requirements prescribed by section 5;

(0.3) uses a quantity of post-consumer asphalt shingle fines that exceeds the quantity prescribed by section 5.1;";

(2) by replacing "paragraph *a* or *b*" in paragraph 2 by "subparagraph *a* or *b* of the first paragraph";

(3) by inserting the following after paragraph 2:

"(2.1) fails to collect water that has been in contact with post-consumer asphalt shingle fines as provided for in the second paragraph of section 15;".

10. Section 25.8 is amended by replacing "or 24" by ", 24 or 25.0.1".

11. Section 25.10 is amended by inserting "paragraph 1 of section 4," after "contravenes" in paragraph 1.

12. Section 25.12 is amended by replacing paragraph 1 by the following:

"(1) contravenes paragraph 2 of section 4, section 5, 5.1, the second paragraph of section 10 or section 15, 16, 19, 23 or 25;".

13. This Regulation comes into force on (*insert the date occurring 90 days after the date of publication of this Regulation*).

Regulation to amend the Regulation respecting food

Food Products Act
(chapter P-29, s. 40)

1. The Regulation respecting food (chapter P-29, r. 1) is amended in section 6.4.1.16 by replacing "the removal of waste" in the third paragraph by "the collection or removal of residual materials".

2. Section 6.4.2.9 is amended

(1) by replacing "the removal of waste" in the second paragraph by "the collection or removal of residual materials";

(2) by replacing "the removal of waste" in the third paragraph by "the collection or removal of residual materials".

3. Section 7.1.8 is amended by replacing "the removal of waste" in the third paragraph by "the collection or removal of residual materials".

4. Section 7.3.1 is amended by replacing "the removal of waste" in subparagraph 4 of the first paragraph by "the collection or removal of residual materials".

5. Section 7.3.1.2 is replaced by the following:

"**7.3.1.2.** Where there is a surplus of inedible meat that cannot, either within 48 hours after the death of an animal of a farm producer's livestock or at the end of the refrigeration or deep freezing period provided for in the second paragraph of section 7.3.1, be disposed of in accordance with the means provided for in subparagraphs 1 to 4 of the first paragraph of that section, the farm producer may dispose of the inedible meat by any other means of elimination or reclamation of residual materials compliant with the Environment Quality Act (chapter Q-2) and the regulations.

Where, despite sections 7.4.3 and 7.4.4, there is a surplus of inedible meat that exceeds the daily capacity of the operator of a dismembering plant, the operator may disposed of the inedible meat by any other means of elimination or reclamation of residual materials compliant with the Environment Quality Act and the regulations. The operator may also use any of those means where the operator cannot dispose of waste, garbage and refuse in accordance with section 7.4.14.

The following persons may also use the other means of elimination or reclamation:

(1) the operator of a dismembering plant who cannot dispose of inedible meat, garbage and refuse in accordance with the conditions set out in section 6.4.1.16;

(2) the operator of a slaughterhouse, delicatessen plant, or cannery of meat governed by section 6.4.2.9, who cannot, within a reasonable period, dispose of inedible meat in accordance with that section;

(3) a salvager who cannot, within a reasonable period, dispose of inedible meat that the salvager salvaged in accordance with section 7.3.3.

For the purposes of the first, second and third paragraphs, the disposal of inedible meat, waste, garbage and refuse must first be authorized by the Minister where the conditions set out in those paragraphs are met.

Except for a salvager and the operator of a dismembering plant, a person who collects or removes residual materials or delivers those materials to a site for the elimination or reclamation of residual materials compliant with the Environment Quality Act and the regulations and a person who operates the site are exempted, for the purposes of this section, from the requirement to hold the permits provided for in subparagraphs *c* and *d* of the first paragraph of section 9 of the Act. The persons are also exempted from the application of section 7.1.5, the sections of Division 7.2, sections 7.3.8 to 7.3.10 and the sections of Division 7.4.".

6. Section 7.3.2 is amended by replacing "the removal of waste" in the second paragraph by "the collection or removal of residual materials".

7. Section 7.3.5 is amended by replacing "the removal of waste" in paragraph 4 by "the collection or removal of residual materials".

8. Section 7.4.14 is amended by replacing "the removal of waste" in the third paragraph by "the collection or removal of residual materials".

9. Section 9.3.1.14 is amended by replacing "engaged in garbage removal" at the end of subparagraph 4 of the second paragraph by "engaged in the collection or removal of residual materials".

10. Section 10.3.1.18 is amended by replacing "engaged in garbage removal" at the end of subparagraph 4 of the first paragraph by "engaged in the collection or removal of residual materials".

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

105685

Draft Regulation

Act respecting the regulation of the financial sector (chapter E-6.1)

Procedure for the recruitment and selection of persons qualified for appointment as members of the Financial Markets Administrative Tribunal and procedure for the renewal of their term of office

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the procedure for the recruitment and selection of persons qualified for appointment as members of the Financial Markets Administrative Tribunal and the procedure for the renewal of their term of office, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the procedure for the recruitment and selection of persons declared qualified for appointment as members of the Financial Markets Administrative Tribunal, in particular the publicity to be made for recruitment purposes and its content, as well as the application procedure to be followed by candidates. It also provides for the establishment of selection committees, the selection criteria applicable to candidates and the information a committee may require from a candidate. In addition, it determines the period of validity of a certificate of qualification. Lastly, it determines the procedure for the renewal of a member's term.

Further information on the draft Regulation may be obtained by contacting Jean-Hubert Smith-Lacroix, coordinator, Direction générale du droit corporatif et des politiques relatives au secteur financier, Ministère des Finances, 8, rue Cook, 4e étage, Québec (Québec) G1R 0A4; email:jean-hubert.smith-lacroix@finances.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Finance, 390, boulevard Charest Est, 8e étage, Québec (Québec) G1K 3H4.

Eric Girard
Minister of Finance

Regulation respecting the procedure for the recruitment and selection of persons qualified for appointment as members of the Financial Markets Administrative Tribunal and the procedure for the renewal of their term of office

Act respecting the regulation of the financial sector (chapter E-6.1, ss. 115.15.10, 115.15.12, 115.15.13, 115.15.17 and 115.15.18)

DIVISION I
NOTICE OF RECRUITMENT

1. Where it is expedient to draw up a list of persons declared qualified for appointment as members of the Financial Markets Administrative Tribunal, the Associate Secretary General responsible for the Secrétariat aux emplois supérieurs of the Ministère du Conseil exécutif publishes a notice of recruitment published throughout Québec inviting interested persons to submit their candidacy for the position of member of the Tribunal.

2. The notice of recruitment gives

(1) a brief description of the duties of a member of the Tribunal;

(2) in substance, the eligibility requirements and selection criteria set out in the Act respecting the regulation of the financial sector (chapter E-6.1) and this Regulation and any professional qualifications, training or particular experience sought, given the Tribunal's needs;

(3) in substance, the system of confidentiality applicable to the selection procedure and an indication that the selection committee may hold consultations about the candidacies;

(4) in substance, the applicable conditions of employment; and

(5) the final date for submitting a candidacy and the procedure for entry.

3. A copy of the notice is sent to the Minister of Finance and to the president of the Tribunal.

DIVISION II
CANDIDACIES

4. Persons who wish to submit their candidacy must, not later than the date indicated in the notice of recruitment, send their résumé and the following information and documents:

(1) name, home address, email address and personal telephone number and, where applicable, address and telephone number of their place of work;

(2) date of birth;

(3) the nature of the activities that they have carried out and through which they have acquired the relevant experience, and the period during which those activities were carried out;

(4) where applicable, the names of the candidate's employers, partners or immediate or line superiors in the last 10 years;

(5) where applicable, the name of any legal person, partnership or professional association of which the candidate is or was a member in the last 10 years;

(6) where applicable, proof that the requirements set out in this Regulation are met as well as those specified in the notice of recruitment;

(7) where applicable, the fact that the candidate has been convicted of a criminal or indictable offence or has been the subject of a disciplinary decision, along with the nature of the offence or fault and the sentence or disciplinary measure imposed;

(8) where applicable, the fact that the candidate has been convicted of a penal offence along with a description of the offence and the sentence imposed, if it is reasonable to believe that such an offence is likely to call into question the integrity or impartiality of the Tribunal or the candidate, to interfere with the candidate's ability to perform the duties as a member of the Tribunal, or to undermine the public's trust in the office holder; and

(9) a brief summary of the reasons for the interest in performing the duties of a member of the Tribunal.

The candidate must also submit a writing agreeing to a verification with, in particular, a disciplinary body or police authorities and, if required, to consultations with the persons, partnerships or professional associations referred to in subparagraphs 4 and 5 of the first paragraph.

DIVISION III
ESTABLISHMENT OF A SELECTION COMMITTEE

5. Following the publication of the notice of recruitment, the Associate Secretary General establishes a selection committee, designates the chair and appoints to the committee

(1) the president of the Tribunal or, after consulting the president, another member of the Tribunal;

(2) a member of the staff of the Ministère du Conseil exécutif or the Ministère des Finances;

(3) a representative of the public who is either from the legal or financial community, or a retired person having exercised an adjudicative function within a body of the administrative branch.

The representative of the public selected in accordance with subparagraph 3 of the first paragraph must not belong to the Administration within the meaning of the Public Administration Act (chapter A-6.01), the Autorité des marchés financiers or any other body whose decisions may be contested before the Tribunal or represent them.

6. A committee member whose impartiality could be questioned must withdraw with respect to a candidate, particularly in the following situations:

(1) the member is or was the candidate's spouse;

(2) the member is related to the candidate by birth, marriage or civil union, to the degree of first cousin inclusively;

(3) the member is or was a partner, employer or employee of the candidate in the last 10 years; despite the foregoing, a member employed in the public service must withdraw with respect to a candidate only if the member is or has been under the candidate's direct supervision or is or has been the candidate's immediate superior.

A member must immediately bring to the attention of the other members of the committee any fact that may give rise to a reasonable apprehension of bias.

Where a member of the committee has withdrawn, is absent or is unable to act, the decision must be made by the other members.

7. Before taking office, the members of the committee must take an oath by solemnly affirming the following: "I, (full name), swear that I will neither reveal nor disclose, without due authorization to do so, anything whatsoever may come to my knowledge in the exercise of my duties.".

The oath is taken before a member of the staff of the Ministère du Conseil exécutif or the Ministère des Finances empowered to administer oaths.

The writing evidencing the oath must be sent to the Associate Secretary General.

8. A person may be appointed to more than one selection committee at the same time.

9. Travel and accommodation expenses of the committee members are reimbursed in accordance with the Règles sur les frais de déplacement des présidents, vice-présidents et membres d'organismes gouvernementaux made by Décret 2500-83 dated 30 November 1983.

In addition to the reimbursement of their expenses, the chair and the committee members who are neither members of the Tribunal nor employees of a government department or body are entitled respectively to fees of $250 or $200 per half-day of sitting they attend.

DIVISION IV
FUNCTIONING OF THE SELECTION COMMITTEE

10. The list of candidates and their records are sent to the members of the selection committee.

11. The committee analyzes the candidates' records and retains those who, in its opinion, meet the eligibility requirements and any additional evaluative measures applied in consideration of the positions to be filled or the large number of candidates.

12. The chair of the committee informs the short-listed candidates of the date and place of their meeting with the committee and informs the other candidates that they were turned down and, as a result, will not be called to a meeting.

13. The committee's report lists the candidates that were turned down, giving reasons therefor.

DIVISION V
CONSULTATIONS AND SELECTION CRITERIA

14. The committee may, on any matter in a candidate's record or any aspect of a candidacy or of the candidacies as a whole, consult with

(1) any person who has been, in the last 10 years, an employer, partner, immediate or line superior of the candidate; and

(2) any legal person, partnership or professional association of which a candidate is or was a member in the last 10 years.

15. The selection criteria to be taken into account by the committee in assessing a candidate's qualifications are

(1) the experience required and any other experience relevant to the duties of a member of the Tribunal;

(2) the extent of the candidate's knowledge or skills in view of the required professional qualifications, training or particular experience specified in the notice of recruitment;

(3) the candidate's personal and intellectual qualities and ability to perform the duties of a member of the Tribunal, in particular the candidate's judgment, including his or her impartiality and independence, open-mindedness, insight, level-headedness, analysis and capacity for synthesis, decision-making abilities, ability to work in a team, ability to express himself or herself, and ability to engage in ethical conduct; and

(4) the candidate's conception of the duties of a member of the Tribunal.

DIVISION VI
REPORT OF THE SELECTION COMMITTEE

16. Committee decisions are made by a majority vote of its members. In the case of a tie-vote, the chair of the committee has a casting vote.

17. Not later than 30 days after an application therefor by the Associate Secretary General, the committee promptly submits a report including

(1) the names of the candidates who meet the eligibility requirements and who have not been selected;

(2) the names of the candidates whom the committee declared qualified for appointment as members of the Tribunal, their profession, and their personal and professional contact information; and

(3) any information that the committee considers appropriate, particularly with respect to the particular characteristics, qualifications or area of expertise of the qualified candidates.

The report is submitted to the Minister, to the Associate Secretary General, and to the president of the Tribunal if the latter is not a member of the committee.

18. Wherever possible, the committee declares qualified a number of candidates corresponding to at least twice the number of vacant positions, if any.

19. A committee member may register dissent with respect to all or part of the report.

DIVISION VII
REGISTER OF CERTIFICATES OF QUALIFICATION

20. The Associate Secretary General writes to the candidates to inform them of whether they have been declared qualified for appointment as members of the Tribunal.

21. The Associate Secretary General keeps the register of certificates of qualification up to date.

A certificate of qualification is valid for a period of 3 years from the date on which it is entered in the register.

The Associate Secretary General strikes out an entry on the expiry of the validity period of the certificate of qualification, or where the person is appointed as a member of the Tribunal, dies or asks to be withdrawn from the register.

DIVISION VIII
RECOMMENDATION

22. On being notified of a vacant position, the Associate Secretary General sends a copy of the updated list of persons declared qualified for appointment as members of the Tribunal to the Minister.

23. The Minister recommends to the Government the name of a person who has been declared qualified for appointment as a member of the Tribunal.

24. If the Minister is of the opinion that he or she cannot, considering the list of persons declared qualified for appointment as members of the Tribunal and in the best interest of the proper operation of the Tribunal, recommend an appointment, the Minister then asks the Associate Secretary General to have a notice of recruitment published, in accordance with Division I.

The committee assessing the qualifications of the candidates who submitted their candidacy after another notice of recruitment and reporting to the Associate Secretary General, to the Minister and to the president of the Tribunal may be composed of persons previously designated to sit on a preceding committee.

DIVISION IX
RENEWAL OF TERMS OF OFFICE

25. In the 12 months before the expiry of a Tribunal member's term of office, the Associate Secretary General asks that member to provide the information mentioned

in subparagraphs 7 and 8 of the first paragraph of section 4 and to send a writing in which the member agrees to a verification with, in particular, a disciplinary body, a professional order of which the member is or was a member and police authorities and, where applicable, in which the member agrees that the persons, partner ships or professional associations mentioned in section 14 be consulted.

26. The Associate Secretary General establishes a committee to examine the renewal of the Tribunal member's term of office and designates the chair thereof.

The committee is composed of a representative from the legal community, a retired person having exercised an adjudicative function within a body of the administrative branch and a university representative who is a member of a professional order, who do not belong to the Administration within the meaning of the Public Administration Act (chapter A 6.01), the Autorité des marchés financiers or any other body whose decisions may be contested before the Tribunal or represent them.

Sections 6 to 9 then apply.

27. The committee ascertains whether the Tribunal member whose term of office is being examined for renewal still meets the criteria set out in section 15, considers the member's annual performance evaluations and takes into account the Tribunal's needs. The committee may hold the consultations provided for in section 14 on any matter in the record.

28. Committee decisions are made by a majority vote of its members. In the case of a tie-vote, the chair of the committee has a casting vote. A member of the committee may register dissent.

The committee sends its recommendation to the Associate Secretary General and to the Minister.

29. The Associate Secretary General is the agent empowered to notify a member of the Tribunal of the non-renewal of a term of office.

DIVISION X
CONFIDENTIALITY

30. The names of candidates, the reports of selection committees, the recommendations of renewal committees, the register of certificates of qualification, the list of candidates declared qualified for appointment as members of the Tribunal and any information or document related to a consultation or decision by a committee are confidential.

DIVISION XI
FINAL PROVISIONS

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

105687

Decisions

Decision 2214-1, 7 April 2022

Act respecting the conditions of employment and the pension plan of the Members of the National Assembly
(chapter C-52.1)

Partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly
— Amendment

Concerning the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly

As, under section 63 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1), the Office of the National Assembly may, by regulation, fix, for the purposes of section 57, the rules applicable to the establishment of accrued benefits, which may differ from those otherwise applicable under Chapter II of that Act, and determine, for the purposes of that section, the actuarial rules, assumptions and methods applicable to the assessment of accrued benefits, which may differ according to the nature of such benefits;

As, under that section, the Office may also, by regulation, prescribe, for the purposes of section 60, the actuarial rules, assumptions and methods to reduce any sum payable under Chapter II, which may vary according to the nature of the benefit from which such a sum is derived;

As the Office adopted, by decision 1611 dated 10 November 2011, the Regulation respecting the partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly;

As it is expedient to amend the Regulation to update certain actuarial assumptions for the assessment of benefits accrued under the pension plan of the Members of the National Assembly and to make a concordance amendment to a reference to the standards of practice of the Canadian Institute of Actuaries applicable to the pension plans;

As the amendments are consistent with amendments to be made to the actuarial assumptions of certain public sector pension plans administered by Retraite Québec;

As it is expedient that the amendments to the Regulation respecting the partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly be adopted in French and in English and be published in the *Gazette officielle du Québec* in order to make them available to everyone concerned.

It is the decision of the Office

To adopt the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly;

To publish the Regulation in the *Gazette officielle du Québec*.

François Paradis
President of the National Assembly

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly

Act respecting the conditions of employment and the pension plan of the Members of the National Assembly
(chapter C-52.1, section 63)

1. Section 6 of the Regulation respecting the partition and assignment of benefits accrued under the pension plan of the Members of the National Assembly, adopted by decision 1611-1 dated 10 November 2011, is amended

(1) by replacing "3800" in the first paragraph by "3500";

(2) by striking out ", in force since 1 February 2005 and periodically revised" in the first paragraph;

(3) by replacing "the sum of 80% of the actuarial value determined for a male and 20% of the actuarial value determined for a female" in the second paragraph by "the sum of 75% of the actuarial value determined for a male and 25% of the actuarial value determined for a female";

(4) by replacing the table in subparagraph 3 of the third paragraph by the following table:

“

Inflation level	Addition to result of PI – 3% formula	Adjusted indexing rate	Addition to result of 50% PI formula, min. PI – 3%	Adjusted indexing rate
0	0.00	0.00	0.20	0.20
0.5	0.00	0.00	0.10	0.35
1.0	0.00	0.00	0.05	0.55
1.5	0.05	0.05	0.00	0.75
2.0	0.10	0.10	0.00	1.00
2.5	0.20	0.20	0.00	1.25
3.0	0.40	0.40	0.00	1.50
3.5	0.20	0.70	0.00	1.75
4.0	0.10	1.10	0.00	2.00
4.5	0.05	1.55	0.00	2.25

”;

(5) by replacing subparagraph 6 of the third paragraph by the following subparagraph:

“(6) proportion of persons having a spouse at death:

Age	Male	Female
18-59 years	80%	60%
60-64 years	80%	55%
65-69 years	75%	50%
70-74 years	75%	40%
75-79 years	70%	30%
80-84 years	65%	20%
85-89 years	55%	10%
90-109 years	40%	5%
110 years	0%	0%

”;

(6) by replacing subparagraph *b* of subparagraph 7 of the third paragraph by the following subparagraph :

“(*b*) the female spouse of the Member is presumed to be 6 years younger.”

2. This Regulation comes into force on 1 November 2022.

105691

Notices

Notice

An Act respecting transport infrastructure partnerships (chapter P-9.001)

P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee schedule

In compliance with Article 5 of the Regulations for toll roads operated under a public-private partnership agreement, Concession A25 S.E.C. publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective on the P-15020 Bridge of Highway 25 that spans the Rivière des Prairies on June 1st, 2022.

TOLL CHARGES																
PERIODS	**WORKING DAYS**								**WEEK-ENDS & HOLIDAYS**							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
SOUTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 PM	12:00 AM
NORTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 PM	12:00 AM
Category A, rate per axle	$ 80.00		$ 80.00		$ 80.00		$ 80.00				$ 80.00				$ 80.00	
Category B, rate per axle	$ 1.85		$ 1.48		$ 1.85		$ 1.48				$ 1.48				$ 1.48	
Category C, rate per axle	$ 3.70		$ 2.96		$ 3.70		$ 2.96				$ 2.96				$ 2.96	

PHAM: Peak Hour - Morning
OPHD: Off Peak Hour - Daytime
PHPM: Peak Hour - Evening
OPHN: Off Peak Hour - Night

TYPE OF VEHICLE	DESCRIPTION
Category A	Any outsized vehicle according to Article 462 of the Highway Safety Code
Category B	Any road vehicle not covered by Category A with a height less than 230 cm
Category C	Any road vehicle not covered by Category A with a height equal to or greater than 230 cm

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING AND EQUIPPED WITH A WORKING TRANSPONDER *				
●	Administrative fees for a customer account using the automatic replenishment method	$ 1.23	$ 1.23	$ 1.23
●	Administrative fees for a customer account using the manual replenishment method	$ 3.07	$ 3.07	$ 3.07
FEES FOR EVERY TRANSIT OF A VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING BUT NOT EQUIPPED WITH A TRANSPONDER *				
●	Collection fees for every transit on the A25 Bridge in addition to all toll charges incurred for the vehicle transit	$ 3.70	$ 3.70	$ 3.70
ADMINISTRATIVE FEES FOR ANY TRANSIT OF A VEHICLE UNREGISTERED TO A CUSTOMER ACCOUNT				
●	Administrative fees for the collection of toll charges (first payment request) for every transit on the A25 Bridge, in addition to all toll charges incurred for the vehicle transit.	$ 6.16	$ 6.16	$ 6.16
●	Administrative fees related to the collection of toll charges (second toll notice) for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle, pursuant to article 17 of the Act respecting transport infrastructure partnerships.	$ 35.00	$ 35.00	$ 35.00

* Fees that apply to any transit of a vehicle registered to a customer account that is not in good standing are the same fees that apply pto any transit of a vehicle that is not registered to a customer account.

INTEREST RATE			
DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Annual interest rate of 5% **		

** This monthly interest rate cannot exceed the per diem rate for Canadian bankers' acceptance of a month quoted on CDOR page of Reuter's Monitor Service by 10 AM on the date on which the amount becomes payable bearing interest for the first time, which is increased by 4%.

PIERRE BRIEN
Private Partner Representative of Concession A25 S.E.C.

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