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## Part 2

# LAWS AND REGULATIONS

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30 August 2023 / Volume 155

### Summary

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## Coming into force of Acts

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Gouvernement du Québec

### **O.C. 1364-2023, 23 August 2023**

#### **Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5)**

##### **—Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection

WHEREAS, under the first paragraph of section 23 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5), the provisions of the Act come into force on 17 March 2021, except sections 13 and 22, which come into force on the date or dates to be set by the Government, section 7, except as regards section 53.31.6 of the Environment Quality Act, paragraph 2 of section 11, and section 14, which come into force on 31 December 2024;

WHEREAS it is expedient to fix 30 August 2023 as the date of coming into force of section 22 of the Act;

WHEREAS it is expedient to fix 1 November 2023 as the date of coming into force of section 13 of the Act;

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

THAT 30 August 2023 be fixed as the date of coming into force of section 22 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5);

THAT 1 November 2023 be fixed as the date of coming into force of section 13 of the Act.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

106441



## Regulations and other Acts

Gouvernement du Québec

### O.C. 1290-2023, 16 August 2023

Act respecting parental insurance  
(chapter A-29.011)

**Delegation of signing authority for certain documents of the Conseil de gestion de l'assurance parentale**  
— **Internal by-law No. 2**  
— **Amendment**

By-law to amend Internal by-law No. 2 respecting the delegation of signing authority for certain documents of the Conseil de gestion de l'assurance parentale

WHEREAS, under section 105 of the Act respecting parental insurance (chapter A-29.011), no document binds the Conseil de gestion de l'assurance parentale or may be attributed to it unless it is signed by the president and chief executive officer or, to the extent determined in the internal by-laws of the Conseil de gestion, by a member of the board of directors or a member of the personnel;

WHEREAS, under section 108 of the Act, the internal by-laws of the Conseil de gestion require the approval of the Government;

WHEREAS the Conseil de gestion adopted the By-law to amend Internal by-law No. 2 respecting the delegation of signing authority for certain documents of the Conseil de gestion de l'assurance parentale on 14 June 2023;

WHEREAS it is expedient to approve the By-law;

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

THAT the By-law to amend Internal by-law No. 2 respecting the delegation of signing authority for certain documents of the Conseil de gestion de l'assurance parentale, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### **By-law to amend Internal by-law No. 2 respecting the delegation of signing authority for certain documents of the Conseil de gestion de l'assurance parentale**

Act respecting parental insurance  
(chapter A-29.011, s. 105)

**1.** Internal by-law No. 2 respecting the delegation of signing authority for certain documents of the Conseil de gestion de l'assurance parentale (chapter A-29.011, r. 3.1) is amended in section 1 by replacing “president and director general” by “president and chief executive officer”.

**2.** The following is inserted after section 1:

“**1.1.** The director general means any person with management responsibilities who reports directly to the president and chief executive officer.”

**3.** Section 2 is amended by replacing “secretary general” by “director general”.

**4.** Section 2.1 is amended

(1) by replacing “The secretary general and the person responsible for the financial sector of the Conseil de gestion are authorized, as long as they act jointly” by “The director general, the person responsible for the financial sector and the person responsible for the legal affairs of the Conseil de gestion are authorized, as long as 2 of those persons act jointly”;

(2) by inserting “, with the Caisse de dépôt et placement du Québec” after “with financial institutions”;

(3) by replacing “or credit line agreement” by “, credit line agreement or overdraft agreement”.

**5.** Section 2.2 is amended in the portion before paragraph 1

(1) by replacing “The secretary general and the person responsible for the financial sector of the Conseil de gestion are authorized, as long as they act jointly” by “The director general, the person responsible for the financial sector and the person responsible for the legal affairs of the Conseil de gestion are authorized, as long as 2 of those persons act jointly”;

(2) by replacing “, and any document” by “and the deposit and withdrawal instructions with the Caisse de dépôt et placement du Québec, as well as any document”.

**6.** Section 3 is amended

(1) by replacing “president and director general” by “president and chief executive officer”;

(2) by replacing “or of the secretary general” by “, a member of the board of directors of the Conseil de gestion or a member of the personnel”;

(3) by inserting “as well as any other document of the Conseil de gestion de l’assurance parentale” after “other negotiable instruments”.

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

106418

Gouvernement du Québec

**O.C. 1292-2023, 16 August 2023**

Natural Heritage Conservation Act  
(chapter C-61.01)

**Setting aside of the Brûlis-du-Lac-Frégate land,  
situated in the Côte-Nord region**

Setting aside of the Brûlis-du-Lac-Frégate land,  
situated in the Côte-Nord region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;

(4) oil or gas pipeline construction;

(5) the commercial production, processing, distribution or transmission of electricity;

(6) wildlife harvesting activities or agricultural activities;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government’s decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government’s decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Brûlis-du-Lac-Frégate land is part of the domain of the State;

WHEREAS it is expedient to set aside the Brûlis-du-Lac-Frégate land, which is mapped out in the Schedule to this Order in Council and situated in the Côte-Nord region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec’s biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Brûlis-du-Lac-Frégate land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;



(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Côte-Nord region be set aside as the Brûlis-du-Lac-Frégate reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

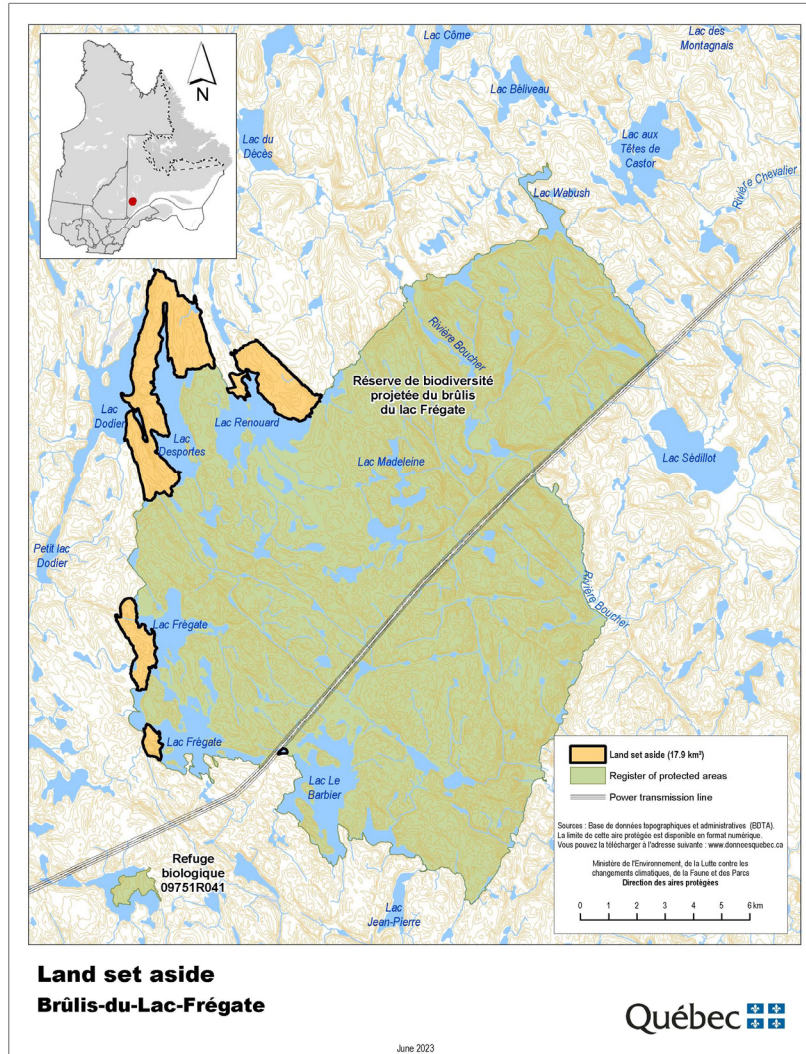
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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SCHEDULE

BRÛLIS-DU-LAC-FRÉGATE LAND SET ASIDE



106419

Gouvernement du Québec

## O.C. 1293-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Duchénier land, situated in the Bas-Saint-Laurent region

Setting aside of the Duchénier land, situated in the Bas-Saint-Laurent region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Duchénier land is part of the domain of the State;

WHEREAS it is expedient to set aside the Duchénier land, which is mapped out in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Duchénier land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent region be set aside as the Duchénier reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

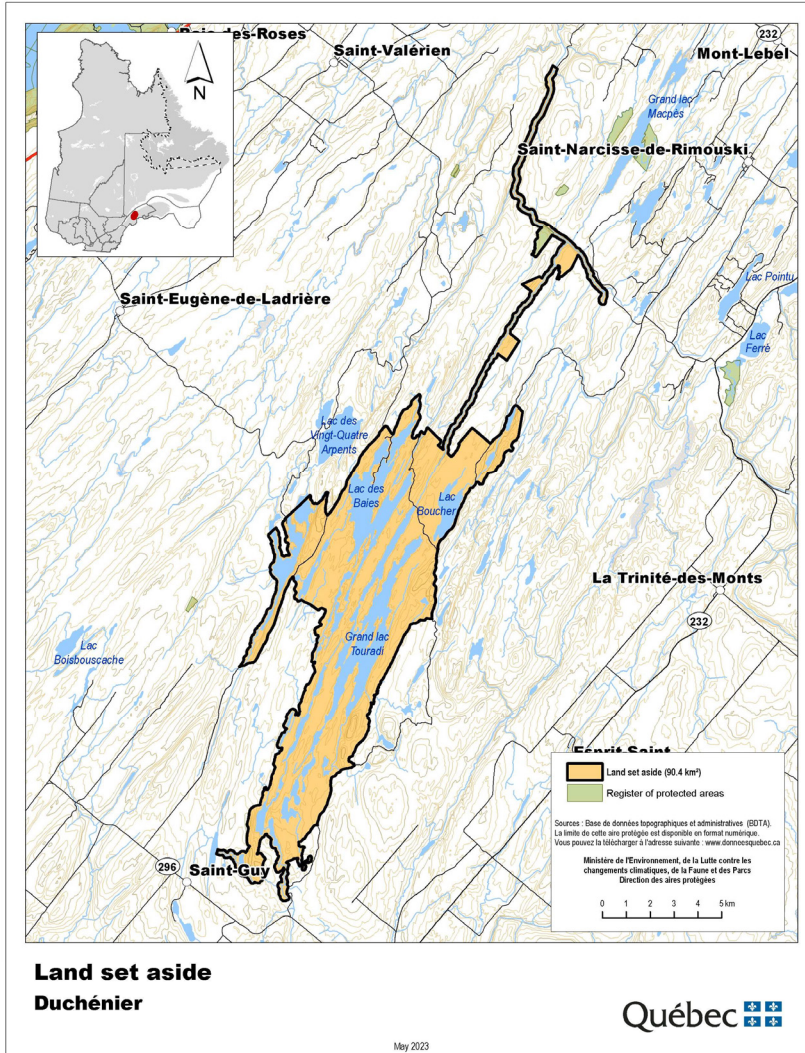
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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SCHEDULE

DUCHÉNIER LAND SET ASIDE



106420

Gouvernement du Québec

## O.C. 1294-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Lac-de-l'Est land, situated in the Bas-Saint-Laurent region

Setting aside of the Lac-de-l'Est land, situated in the Bas-Saint-Laurent region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Lac-de-l'Est land is part of the domain of the State;

WHEREAS it is expedient to set aside the Lac-de-l'Est land, which is mapped out in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Lac-de-l'Est land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent region be set aside as the Lac-de-l'Est reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

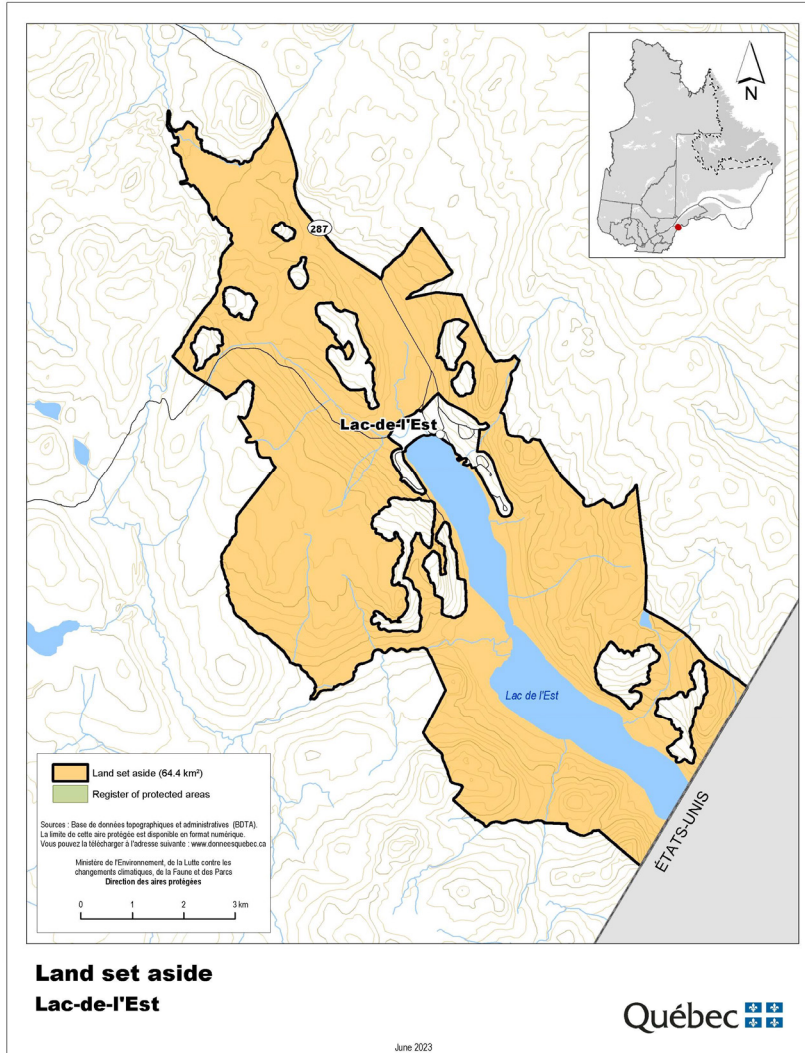
DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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**SCHEDULE**

**LAC-DE-L'EST LAND SET ASIDE**



106421

Gouvernement du Québec

## O.C. 1295-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Mont-Saint-Pierre land, situated in the Gaspésie-Îles-de-la-Madeleine region

Setting aside of the Mont-Saint-Pierre land, situated in the Gaspésie-Îles-de-la-Madeleine region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Mont-Saint-Pierre land is part of the domain of the State;

WHEREAS it is expedient to set aside the Mont-Saint-Pierre land, which is mapped out in the Schedule to this Order in Council and situated in the Gaspésie-Îles-de-la-Madeleine region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Mont-Saint-Pierre land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Gaspésie-Îles-de-la-Madeleine region be set aside as the Mont-Saint-Pierre reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

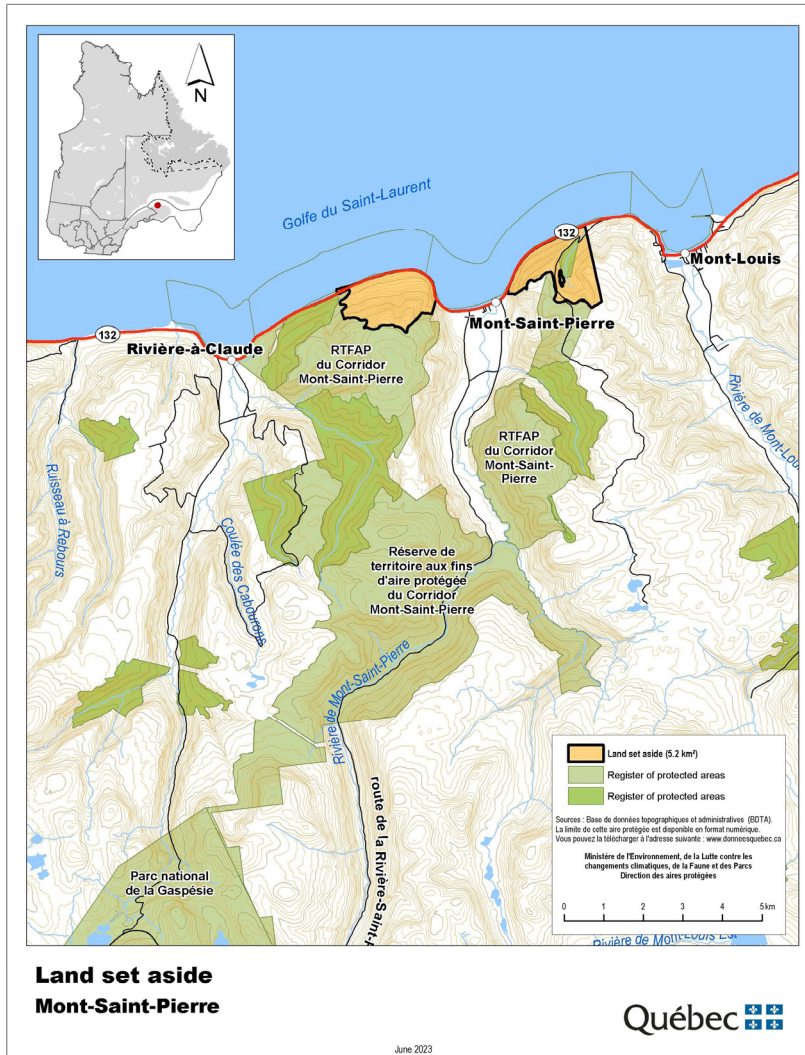
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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SCHEDULE

MONT-SAINT-PIERRE LAND SET ASIDE



106422

Gouvernement du Québec

## O.C. 1296-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Rivière-Cascapédia land, situated in the Bas-Saint-Laurent and Gaspésie-Îles-de-la-Madeleine regions

Setting aside of the Rivière-Cascapédia land, situated in the Bas-Saint-Laurent and Gaspésie-Îles-de-la-Madeleine regions

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Rivière-Cascapédia land is part of the domain of the State;

WHEREAS it is expedient to set aside the Rivière-Cascapédia land, which is mapped out in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent and Gaspésie-Îles-de-la-Madeleine regions, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Rivière-Cascapédia land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

- (1) the carrying on of commercial forest development activities, except
  - (a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;
  - (b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;
  - (c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

- (2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) commercial production, processing, distribution or transmission of electricity, except

- (a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent and Gaspésie-Îles-de-la-Madeleine regions be set aside as the Rivière-Caspédia reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

## O.C. 1297-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Rivière-Causapschal land, situated in the Bas-Saint-Laurent region

Setting aside of the Rivière-Causapschal land, situated in the Bas-Saint-Laurent region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Rivière-Causapschal land is part of the domain of the State;

WHEREAS it is expedient to set aside the Rivière-Causapschal land, which is mapped out in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Rivière-Causapschal land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;



(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Bas-Saint-Laurent region be set aside as the Rivière-Causapscal reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

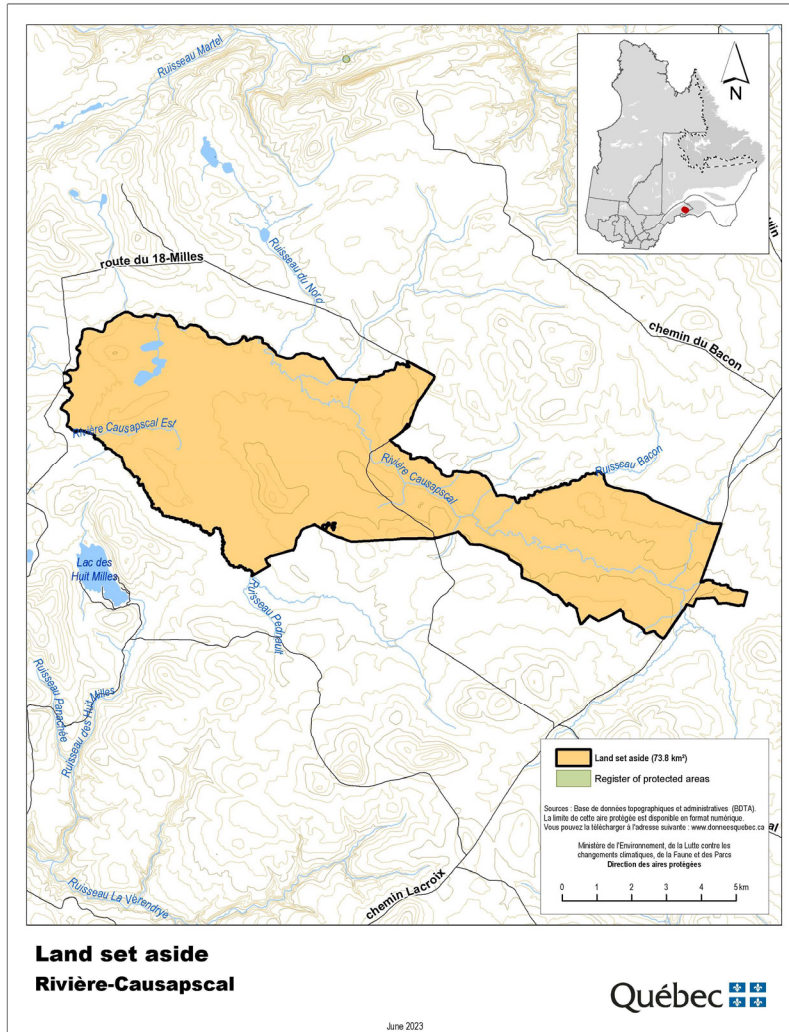
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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**SCHEDULE**

**RIVIÈRE-CAUSAPSCAL LAND SET ASIDE**



106424

Gouvernement du Québec

## O.C. 1298-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Rivière-Dumoine land, situated in the Outaouais and Abitibi-Témiscamingue regions

Setting aside of the Rivière-Dumoine land, situated in the Outaouais and Abitibi-Témiscamingue regions

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Rivière-Dumoine land is part of the domain of the State;

WHEREAS it is expedient to set aside the Rivière-Dumoine land, which is mapped out in the Schedule to this Order in Council and situated in the Outaouais and Abitibi-Témiscamingue regions, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Rivière-Dumoine land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Outaouais and Abitibi-Témiscamingue regions be set aside as the Rivière-Dumoine reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

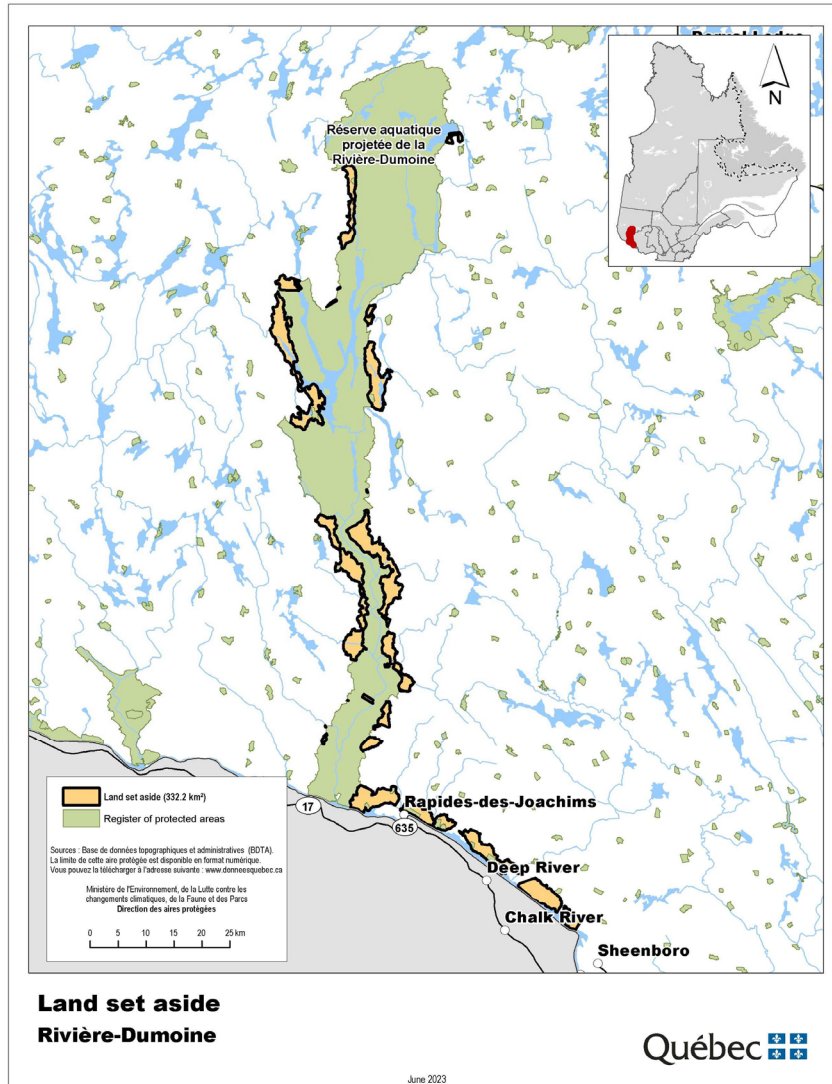
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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SCHEDULE

RIVIÈRE-DUMOINE LAND SET ASIDE



106425

Gouvernement du Québec

## O.C. 1299-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Rivières-Noire-et-Coulonge land, situated in the Outaouais region

Setting aside of the Rivières-Noire-et-Coulonge land, situated in the Outaouais region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Rivières-Noire-et-Coulonge land is part of the domain of the State;

WHEREAS it is expedient to set aside the Rivières-Noire-et-Coulonge land, which is mapped out in the Schedule to this Order in Council and situated in the Outaouais region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Rivières-Noire-et-Coulonge land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Outaouais region be set aside as the Rivières-Noire-et-Coulonge reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

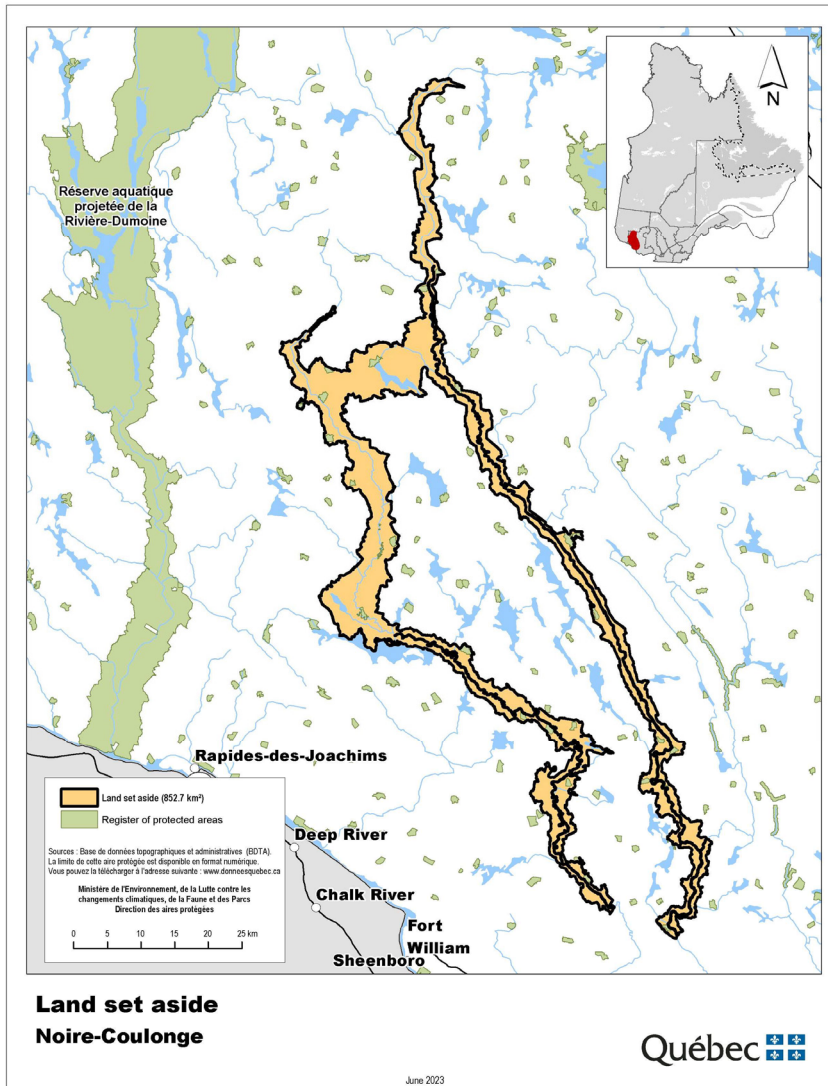
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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## SCHEDULE

## RIVIÈRES-NOIRE-ET-COULONGE LAND SET ASIDE



106426



Gouvernement du Québec

## O.C. 1300-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Basses-Collines-du-Ruisseau-Serpent land, situated in the Abitibi-Témiscamingue region

Setting aside of the Basses-Collines-du-Ruisseau-Serpent land, situated in the Abitibi-Témiscamingue region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Basses-Collines-du-Ruisseau-Serpent land is part of the domain of the State;

WHEREAS it is expedient to set aside the Basses-Collines-du-Ruisseau-Serpent land, which is mapped out in the Schedule to this Order in Council and situated in the Abitibi-Témiscamingue region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Basses-Collines-du-Ruisseau-Serpent land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Abitibi-Témiscamingue region be set aside as the Basses-Collines-du-Ruisseau-Serpent reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

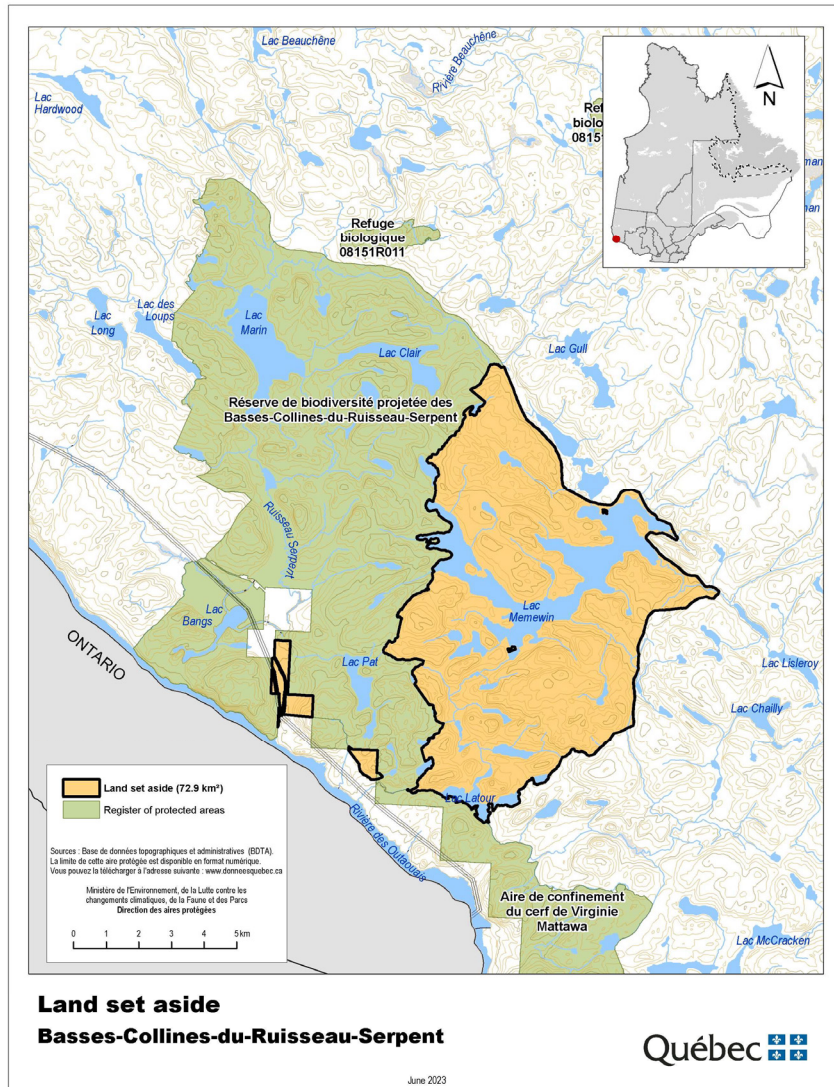
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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**SCHEDULE**

**BASSES-COLLINES-DU-RUISSEAU-SERPENT LAND SET ASIDE**



106427

Gouvernement du Québec

## O.C. 1301-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Seigneurie-de-Joly land, situated in the Chaudière-Appalaches region

Setting aside of the Seigneurie-de-Joly land, situated in the Chaudière-Appalaches region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Seigneurie-de-Joly land is part of the domain of the State;

WHEREAS it is expedient to set aside the Seigneurie-de-Joly land, which is mapped out in the Schedule to this Order in Council and situated in the Chaudière-Appalaches region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Seigneurie-de-Joly land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Chaudière-Appalaches region be set aside as the Seigneurie-de-Joly reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

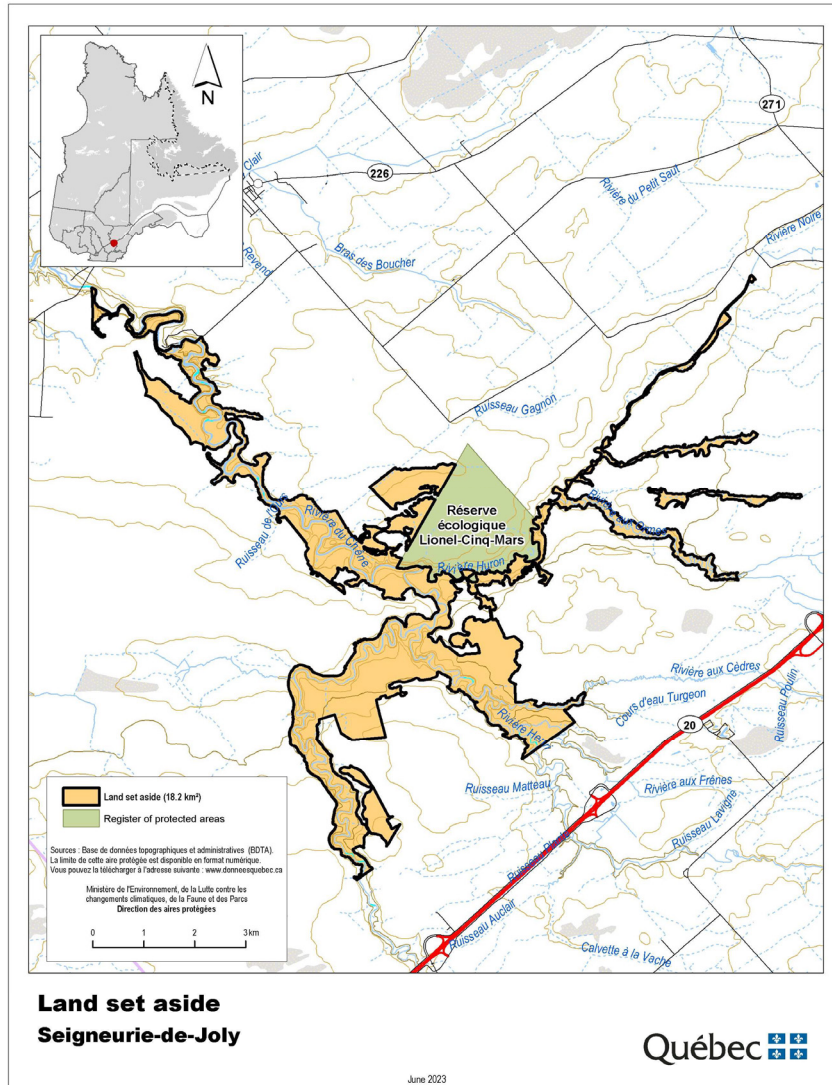
(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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**SCHEDULE**

**SEIGNEURIE-DE-JOLY LAND SET ASIDE**



106428

Gouvernement du Québec

## O.C. 1302-2023, 16 August 2023

Natural Heritage Conservation Act  
(chapter C-61.01)

### Setting aside of the Vallée-de-la-Rivière-Godbout land, situated in the Côte-Nord region

Setting aside of the Vallée-de-la-Rivière-Godbout land, situated in the Côte-Nord region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) natural gas storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Vallée-de-la-Rivière-Godbout land is part of the domain of the State;

WHEREAS it is expedient to set aside the Vallée-de-la-Rivière-Godbout land, which is mapped out in the Schedule to this Order in Council and situated in the Côte-Nord region, for the purpose of establishing a new protected area in order to afford perpetual protection for representative elements of Québec's biodiversity and ecosystems and associated cultural values;

WHEREAS, to protect the Vallée-de-la-Rivière-Godbout land from activities that may have an impact on biodiversity, it is expedient to specify that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion;

WHEREAS, under section 12.5 of the Natural Heritage Conservation Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the land mapped in the Schedule to this Order in Council and situated in the Côte-Nord region be set aside as the Vallée-de-la-Rivière-Godbout reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

(1) the carrying on of commercial forest development activities, except

(a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;

(b) activities carried on to operate, improve, repair, maintain or decommission existing infrastructure, including roads;

(c) activities necessary for road construction or for the clearing of land for the construction of infrastructure or for other activities the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, in order to issue an opinion;

(2) exploration for or mining of mineral substances and the construction of infrastructure to be used to transport such substances, except sand, gravel and crushed stone;

(3) natural gas storage;

(4) oil or gas pipeline construction;

(5) commercial production, processing, distribution or transmission of electricity, except

(a) activities relating to electric power transmission lines at voltages below 44 kV;

(b) preliminary activities and interventions needed to document an application for a new right, lease, permit, licence or authorization;

(6) the carrying on of an agricultural activity;

(7) the construction of any infrastructure subject to an authorization of the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1), except

(a) activities necessary for the construction of infrastructure already authorized under a right existing on the date this Order in Council is made;

(b) activities necessary for the construction of infrastructure the carrying on of which is not prohibited by this Order in Council where the minister authorizing the activities has consulted the minister responsible for the administration of the Natural Heritage Conservation Act and the latter has taken into consideration the elements provided for in sections 22, 22.0.1 and 22.1 of the Act, with the necessary modifications, to issue an opinion.

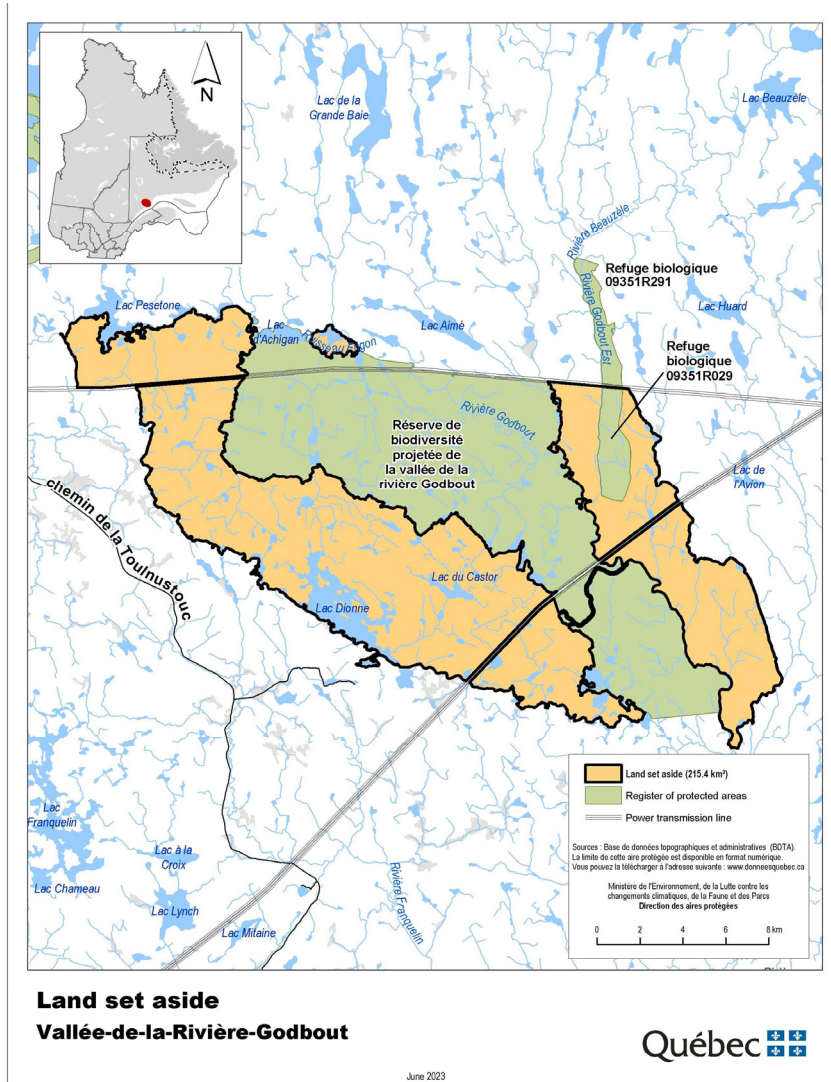
DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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**SCHEDULE**

**VALLÉE-DE-LA-RIVIÈRE-GOUBOUT LAND SET ASIDE**



106429

Gouvernement du Québec

## O.C. 1304-2023, 16 August 2023

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

### Hunting activities — Amendment

WHEREAS, under paragraph 14 of article 162 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may, in addition to the other regulatory powers conferred on it by the Act, make regulations determining the provisions of a regulation the infringement of which constitutes an offence;

WHEREAS, under article 171.0.1 of the Act, made by article 87 of the Act to amend the Act respecting the conservation and development of wildlife and other legislative provisions (2021, chapter 24), despite article 171 of the Act respecting the conservation and development of wildlife, the Government or the Minister, as the case may be, may set the minimum and maximum fines to which a person who contravenes a regulatory provision the Government makes, whose violation constitutes an offence for which no penalty is specifically prescribed under the Act, is liable;

WHEREAS, in accordance with articles 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting hunting activities was published in Part 2 of the *Gazette officielle du Québec* of 3 May 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting hunting activities

Act respecting the conservation and development of wildlife  
(chapter C-61.1, s. 162, par. 14, and s. 171.0.1; 2021, chapter 24, s. 87)

**1.** The Regulation respecting hunting activities (chapter C-61.1, r. 1) is amended in article 29 by replacing “7 to 28” by “8, 15, 18, the second, third and fourth paragraphs of article 19 and articles 19.1 to 21, 22 and 25 to 28”.

**2.** The following is inserted after article 29:

“**29.1.** Every person who contravenes article 17.2 and the first paragraph of article 19 commits an offence and is liable to a fine of not less than \$250 nor more than \$1,500 for a first offence and, for any subsequent offence within five years of conviction for an offence under the same provision, to a fine of not less than \$1,500 nor more than \$4,500.”.

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

106430

Gouvernement du Québec

## O.C. 1305-2023, 16 August 2023

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

### Possession and sale of an animal

#### Aquaculture and the sale of fish

##### — Amendment

Regulation to amend the Regulation respecting the possession and sale of an animal and the Regulation respecting aquaculture and the sale of fish

WHEREAS, under paragraph 14 of article 162 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may, in addition to the other regulatory powers conferred on it by the Act, make regulations determining the provisions of a regulation the infringement of which constitutes an offence;

WHEREAS, in accordance with articles 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the possession and sale of an animal and the Regulation respecting aquaculture and the sale of fish was published in Part 2 of the *Gazette officielle du Québec* of 3 May 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the possession and sale of an animal and the Regulation respecting aquaculture and the sale of fish, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the possession and sale of an animal and the Regulation respecting aquaculture and the sale of fish

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

**1.** The Regulation respecting the possession and sale of an animal (chapter C-61.1, r. 23) is amended in article 4

- (1) by striking out “1, 2,”;
- (2) by replacing “et” in the French text by “ou”.

**2.** The Regulation respecting aquaculture and the sale of fish (chapter C-61.1, r. 7) is amended in article 35

- (1) by replacing “The contravention of any of the provisions of” by “Any person who contravenes”;
- (2) by replacing “, 30, 32, 33 or 34” by “or 32”;
- (3) by replacing “constitutes” by “commits”.

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

Gouvernement du Québec

## O.C. 1328-2023, 16 August 2023

Act respecting roads  
(chapter V-9)

### Roads under the management of the Minister of Transport — Amendment of Order in Council number 292-93 dated March 3, 1993

CONCERNING the amendment of Order in Council number 292-93 dated March 3, 1993, concerning the roads under the management of the Minister of Transport

WHEREAS the Government, under the first paragraph of section 2 of the Act respecting roads (chapter V-9), determines, by Order in Council published in the *Gazette officielle du Québec*, the roads under the management of the Minister of Transport and Sustainable Mobility;

WHEREAS the Government, under the first paragraph of section 3 of the Act respecting roads, may, by Order in Council published in the *Gazette officielle du Québec*, determine that a road under the management of the Minister of Transport and Sustainable Mobility shall pass, on the date indicated in the Order in Council, under the management of a municipality in accordance with chapter I and division I of chapter IX of title II of the Municipal Powers Act (chapter C-47.1);

WHEREAS the Government, under the second paragraph of section 3 of the Act respecting roads, may, by Order in Council published in the *Gazette officielle du Québec*, determine that a road under the management of a municipality shall pass, on the date indicated in the Order in Council, under the management of the Minister of Transport and Sustainable Mobility;

WHEREAS Order in Council number 292-93 dated March 3, 1993, and its subsequent amendments determined, by municipality, the roads under the management of the Minister of Transport and Sustainable Mobility;

WHEREAS the schedule of this Order in Council and its subsequent amendments should be amended again, with regard to the municipalities indicated, in order to list the roads that were geometrically redefined and the roads that were the object of a change of right-of-way width, as indicated in the schedule of this Order in Council;

WHEREAS the schedule of this Order in Council and its subsequent amendments, with regard to the municipalities indicated, should be amended again in order to determine that certain roads under the management of the Minister of Transport and Sustainable Mobility shall pass under the management of the municipalities in the territory of which they are located, and that certain roads under the management of a municipality shall pass under the management of the Minister of Transport and Sustainable Mobility, by making the required additions and removals, as indicated in the schedule of this Order in Council;

IT IS ORDERED, accordingly, on the recommendation of the Minister of Transport and Sustainable Mobility:

THAT the schedule of Order in Council number 292-93 dated March 3, 1993, and its subsequent amendments be amended again, with regard to the municipalities indicated, in order to list the roads that were geometrically redefined and the roads that were the object of a change of right-of-way width, as indicated in the schedule of this Order in Council

THAT the schedule of Order in Council number 292-93 dated March 3, 1993, and its subsequent amendments be amended again, with regard to the municipalities indicated, in order to determine that certain roads under the management of the Minister of Transport and Sustainable Mobility shall pass under the management of the municipalities in the territory of which they are located, and that certain roads under the management of a municipality shall pass under the management of the Minister of Transport and Sustainable Mobility, by making the required additions and removals, as indicated in the schedule of this Order in Council;

THAT this Order in Council be effective as of the date it is published in the *Gazette officielle du Québec*.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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## SCHEDULE

### ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT AND SUSTAINABLE MOBILITY

#### PRESENTATION NOTE

The roads under the management of the Minister of Transport and Sustainable Mobility are described for each municipality in which they are located. The update of the schedule of Order in Council number 292-93 dated March 3, 1993, and its subsequent amendments states the corrections to the description of a road, the addition or removal of roads, and the changes affecting the right-of-way width of a road or its geometric redevelopment.

#### A) CORRECTIONS TO THE DESCRIPTION, ADDITIONS OR REMOVALS

Roads covered by a “Correction to the description”, “Addition” or “Removal” are described by means of the following five elements:

##### 1. ROAD CLASS

The nomenclature of road classes comes from the functional classification established by the ministère des Transports et de la Mobilité durable.

##### 2. SECTION IDENTIFICATION

The roads are identified according to the coding used by the Ministère to subdivide its road network. The coding breaks down into Road / Segment / Section / Sub-road. The sequence within the sub-road has evolved over the years (the current coding appears in bold in the examples below). Here is how to interpret the information:

**Main road**

Road	Segment	Section	Sub-road	Description
00138	- 01	- 110	- 000-C	Main road (000) with <u>C</u> ontiguous lanes
00020	- 02	- 090	- 000-S	Main road (000) with <u>S</u> eparated (divided) lanes
00020	- 02	- 090	- 0-00-1	Main road (000) with number serving for computer validation “1” (from 0 to 9)

**Ramp**

Road	Segment	Section	Sub-road	Description
00020	- 02	- 090	- 32A	Ramp (3), intersection No. 2, named “A”
00020	- 02	- 090	- 3-02-0-A	Ramp (3), intersection No. 02, named “0-A”

**3. ROAD NAME (ODONYM)**

For roads with a number lower than 1000, this number is recorded in this element, and not the odonym. The odonym is used for other roads.

When one or more ramps exist along a road section, the total number of ramps attached to this section is also recorded in this element. The cumulative length of all these ramps is then found under the heading “Length in kilometres”.

**4. LOCATION OF BEGINNING**

This element contains the description of a physical reference point to locate the beginning of a road section or identifies a municipal limit.

**5. LENGTH IN KILOMETRES**

The length in kilometres is recorded for each road or part of a road. This length, established by the Minister of Transport and Sustainable Mobility, corresponds to the distance travelled by a vehicle between two points, without considering the number of lanes or the layout in contiguous lanes or divided roadways. Thus, the length is the same, whether for an autoroute or a collector road.

**B) CHANGE OF RIGHT-OF-WAY WIDTH OR GEOMETRIC REDEVELOPMENT**

The roads that are the object of a “Change of right-of-way width” or “Geometric redevelopment” are described by means of the same elements as section A above, as well as the plan number, the land surveyor’s name and the number of the land surveyor’s minutes, where relevant.

**FRANQUELIN, M (9601500)**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00138-93-330-0-00-4	Route 138	Bridge over rivière Franquelin	19.50

- Addition (new route 138)
- Removal (former route 138)
- Geometric redevelopment (route change)

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00138-93-331-000-C	Route 138	Bridge over la rivière Franquelin	19.35

**GASPÉ, V (0300500)**

- Removal

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Access to resources	98889-01-000-0-00-7	Rue de la Carrière Béchervaise	Intersection with route 198	1.47

**MONTRÉAL, V (6602300)**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-100-000-S	Autoroute 20 4 ramps	Limit of Montréal-Ouest, V	2.67 2.04

and

**SAINT-PIERRE, V (6605000)**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-080-0-00-7	Autoroute 20 1 ramp	Limit of Lachine, V	1.19 0.16

replaced with

**MONTRÉAL, V (6602300)**

- Geometric redevelopment

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-110-000-S*	Autoroute du Souvenir 7 ramps	75 metres west of boulevard Saint-Jean/rue Saint-Jacques	3.37 4.99

\* Portion in the municipality of Montréal-Ouest

**MONTRÉAL-OUEST, V (6604700)**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-090-0-00-5	Autoroute 20 1 ramp	Limit of Saint-Pierre, V	0.44
				0.59

- **Geometric redevelopment**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
Autoroute	00020-02-110-000-S*	Autoroute du Souvenir 2 ramps	Limit west of Montréal-Ouest, V	0.58
				0.26

\* Portion in the municipality of Montréal

**SAINTE-FLAVIE, P (0908500)**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00132-13-180-000-C	Route 132	Limit of Sainte-Luce, M	5.70

- **Change of right-of-way width**

Road class	Section identification	Road name	Location of beginning	Length in kilometres
National	00132-13-180-000-C	Route de la Mer	Limit of Sainte-Luce, M	5.70
According to plan TR-6506-154-21-8061 prepared by Hafid Azza, land surveyor, under number 195 of his minutes.				

106434

Gouvernement du Québec

**O.C. 1330-2023, 16 August 2023**

CONCERNING entrance and exit ramps of Autoroute 10, also designated as Autoroute des Cantons-de-l'Est, located in the territory of the city of Bromont, declared autoroute

WHEREAS Autoroute 10, also designated as Autoroute des Cantons-de-l'Est, located in the territory of the city of Bromont, is State property under paragraph (1) of section 7 of the Act respecting Roads (chapter V-9), having been acquired and built by the Office des autoroutes du Québec under the Autoroutes Act (chapter A-34);

WHEREAS, in accordance with Order in Council number 292-93 dated March 3, 1993, and its subsequent amendments, Autoroute 10 located in the territory of the city of Bromont is under the management of the Minister of Transport and Sustainable Mobility;

WHEREAS the Minister of Transport acquired lot 4 803 991 of the Québec cadastre, of the registration division of Shefford, located in the territory of the city of Bromont, under an act published in the land register, on June 18, 2020, under number 25 468 440;

WHEREAS under the first paragraph of section 6 of the Act respecting roads, the roads built or rebuilt by the Government under this act, among others, are, remain or become property of the local municipalities in the territory of which they are located;

WHEREAS under the Act respecting roads, the Government built entrance and exit ramps of Autoroute 10 in the territory of the city of Bromont, on lot 4 803 991 of the Québec cadastre, of the registration division of Shefford, and they are the property of the City of Bromont;

WHEREAS under section 8 of the Act respecting roads, the Government may, by Order in Council, declare that a road is an autoroute and that this road thus becomes, without indemnity, State property as of the publication of the Order in Council in the *Gazette officielle du Québec*;

WHEREAS it is expedient that the entrance and exit ramps of Autoroute 10, also designated as Autoroute des Cantons-de-l'Est, built on lot 4 803 991 of the Québec cadastre, of the registration division of Shefford, located in the territory of the city of Bromont, be declared autoroute;

IT IS ORDERED, accordingly, on the recommendation of the Minister of Transport and Sustainable Mobility:

THAT be declared autoroute the entrance and exit ramps of Autoroute 10, also designated as Autoroute des Cantons-de-l'Est, built on lot 4 803 991 of the Québec cadastre, of the registration division of Shefford, located in the territory of Bromont, shown on the plan prepared by Mr. Jacques Bonneau, land surveyor, on September 13, 2011, under number 15253 of his minutes and kept in the archives of the ministère des Transports et de la Mobilité durable under number AA-8608-154-04-0794.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

106435

Gouvernement du Québec

## O.C. 1365-2023, 23 August 2023

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6)

Act to amend mainly the Environment Quality Act with respect to deposits and selective collection  
(2021, chapter 5)

### System of selective collection of certain residual materials and other regulatory provisions — Amendment

Regulation to amend the Regulation respecting a system of selective collection of certain residual materials and other regulatory provisions

WHEREAS, under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, in particular require any person, in particular any person operating an industrial or commercial establishment, who manufactures, markets or otherwise distributes containers, packaging or packaging materials, printed matter or other products, who markets products in containers or packaging acquired for that purpose or, more generally, whose activities generate residual materials to develop, implement and contribute financially to, on the terms and conditions fixed, programs or measures to reduce, recover or reclaim the residual materials generated by the containers, packaging, packaging materials, printed matter or other products, or generated by their activities, with the goal of extended responsibility of these persons, all while taking into account basic principles of the circular economy and taking into account the social economy within the meaning of the Social Economy Act (chapter E-1.1.1);

WHEREAS, under subparagraph 8 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, in particular prescribe the information or documents that a person, a municipality, a group of municipalities or an Aboriginal community, represented by its band council, must transmit to a person who must, under a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of the section, meet the obligations referred to in the regulation as well as the other terms and conditions applicable to the transmission and the time limit for doing so;

WHEREAS, under section 53.30.1 of the Act, a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Act that requires, as a measure, certain persons to develop, implement and contribute financially to a system of selective collection of certain residual materials, including the collection, transportation, sorting and conditioning of those materials, whenever those materials are stored, to ensure their recovery and reclamation may, in particular,

— under paragraph 1 of the section, determine the products concerned by the system;

— under paragraph 2 of the section, prescribe the time limits and the terms and conditions applicable to the entering into of contracts, if applicable, between the persons, the municipalities, the groups of municipalities and any Aboriginal community, represented by its band council, determined in the regulation and the minimum content of such contracts;

— under paragraph 3 of the section, determine the terms and conditions applicable to the collection, transportation, sorting and conditioning of the products referred to in paragraph 1, including their storage, where they are considered to be residual materials within the meaning of the Act;

— under paragraph 4 of the section, determine, in addition to the persons who are required to develop, implement and contribute financially to the system, the other persons, municipalities, groups of municipalities and Aboriginal communities, represented by their band councils, that are concerned by the system;

— under paragraph 5 of the section, determine the obligations, rights and responsibilities of the persons, municipalities, groups of municipalities and Aboriginal communities, represented by their band councils, that are concerned by the system;

— under paragraph 6 of the section, prescribe a mechanism for resolving disputes that may arise following the entering into or performance of contracts referred to in paragraph 2 or the obligation to prescribe such a mechanism in such contracts;



WHEREAS, under section 53.30.3 of the Act, the Government may, by a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 and section 53.30.1 of the Act, in particular,

— under paragraph 1 of the section, prescribe that the responsibility for developing, implementing and contributing financially to a measure imposed by the regulation on certain persons the regulation determines be conferred, for the period it fixes, on a non-profit body designated by the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks or the Société québécoise de récupération et de recyclage;

— under paragraph 2 of the section, exempt, in whole or in part, persons who are required, under the regulation, to meet obligations that are the responsibility of a body under paragraph 1 from meeting such obligations;

— under paragraph 3 of the section, prescribe the rules applicable to the designation of the body referred to in paragraph 1;

— under paragraph 4 of the section, prescribe the minimum obligations that the body must meet and the minimum rules that must be provided for in its general by-laws for it to be designated;

— under paragraph 5 of the section, prescribe the obligations, rights and responsibilities of the designated body and its method of financing;

— under paragraph 6 of the section, prescribe the obligations to the designated body that the persons referred to in paragraph 1 have, in particular the obligations to become a member of the body and to provide the body with the documents and information it requests to enable it to meet the responsibilities and obligations conferred on it by the regulation, prescribe the conditions for preserving and transmitting such documents and information, and determine which such documents and information are public;

— under paragraph 7 of the section, prescribe the documents and information that the designated body must provide to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks or the Société québécoise de récupération et de recyclage, determine their form and content and the conditions for preserving and transmitting them, and determine which such documents and information are public;

WHEREAS, under section 20 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5), a regulation made

under section 53.30 of the Environment Quality Act may, for the cases provided for in the third paragraph of section 17 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection, prescribe a mechanism for compensating the services referred to in section 53.31.1 of the Environment Quality Act, as it read before being repealed, if the services are provided on or after 31 December 2024;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made under the Act or the Acts concerned, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty and the regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them. The amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act, the Government may determine the provisions of a regulation the Government has made under that Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting a system of selective collection of certain residual materials and others regulations was published in Part 2 of the *Gazette officielle du Québec* dated 19 July 2023 with a notice stating that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials and other regulatory provisions with amendments;

WHEREAS, under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and where the reason justifying such coming into force has been published with the regulation;

WHEREAS the Government is of the opinion that the urgency of the situation requires that the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials and other regulatory provisions come into force on the day of its publication in the *Gazette officielle du Québec* as warranted by the following circumstances:

— some of the provisions of the Regulation must come into force before 7 September 2023, since they make that date the deadline for the negotiation of certain contracts between the designated management body and municipal bodies and Aboriginal communities;

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

THAT the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials and other regulatory provisions, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting a system of selective collection of certain residual materials and other regulatory provisions

Environment Quality Act  
(chapter Q-2, s. 53.30, 1st par., subpars. 6 and 8, s. 53.30.1 and s. 53.30.3, pars. 1 to 7)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par. and s. 45, 1st par.)

Act to amend mainly the Environment Quality Act with respect to deposits and selective collection  
(2021, chapter 5, s. 20)

**1.** The Regulation respecting a system of selective collection of certain residual materials (chapter Q-2, r. 46.01) is amended in section 2

(1) in the first paragraph

(a) in the French text, by inserting “de” after “ainsi que” in the definition of “contenants et emballages”;

(b) by striking out “, excluding pallets designed to facilitate the handling and transportation of a number of sales units or grouped packagings,” in the definition of “containers and packaging”;

(c) by replacing “in or outside the premises, with no table service” in the definition of “establishment offering on-site consumption” by “on the premises with no table service”;

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

“The following products are excluded from the application of this Regulation:

(1) pallets designed to facilitate the handling and transportation of a number of sales units or grouped packagings;

(2) bags used to administer an intravenous fluid or medication and bags used for tube feeding;

(3) syringes, with or without needles;

(4) pressurized containers holding hazardous materials within the meaning of the Regulation respecting hazardous materials (chapter Q-2, r. 32).”.

**2.** Section 4 is amended by striking out subparagraph 2 of the second paragraph.

**3.** Section 8 is amended by striking out subparagraph 2 of the second paragraph.

**4.** Section 12 is amended in the first paragraph

(1) by striking out “a person,” in subparagraph *a* of subparagraph 1;

(2) by adding the following after subparagraph 6:

“(7) provide for measures to facilitate the participation of social economy enterprises within the meaning of section 3 of the Social Economy Act (chapter E-1.1.1) in the collection and transportation of residual materials.”.

**5.** Section 15 is amended

(1) in the first paragraph

(a) by inserting “post-consumer” after “recycled” in subparagraph *c* of subparagraph 2;

(b) by adding the following after subparagraph *e* of subparagraph 2:

“(f) cutting-edge technologies to facilitate sorting;”;

(c) by replacing “the models” in subparagraph *m* of subparagraph 5 by “all the contract models that the producer may use for that purpose”;

(d) by striking out “who is not employed by a producer or a designated management body under section 30 and” in subparagraph 8;

(2) by replacing “or to the container, packaging or printed matter, and must be” in the second paragraph by “or only to the container, packaging or printed matter commercialized, marketed or otherwise distributed and, if it is partially included in the sale price of the product, container, packaging or printed matter, must be”;

(3) by replacing “disclosed” in the third paragraph by “made visible by the producer”;

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

“If a producer makes visible the cost referred to in the third paragraph, any person who offers for sale, sells, distributes to a user or ultimate consumer, or otherwise makes available to them the product, container, packaging, or printed matter with which the cost is associated may also, without being required to do so, make that cost visible. The person must, in such a case, include a mention for the same purpose as in the third paragraph and the same internet address.”

**6.** Section 18 is amended

(1) in the first paragraph

(a) in the French text, by replacing “visées” by “visés”;

(b) by striking out “and in the territory covered by that contract”;

(2) by replacing “14 months” in the second paragraph by “16 months”.

**7.** Section 19 is amended in the first paragraph

(1) by striking out “or if the municipal body or Aboriginal community has given the producer written notice that it does not wish to enter into such a contract,” in the part of the paragraph preceding subparagraph 1;

(2) in subparagraph 1

(a) by inserting “with any other person” after “a contract”;

(b) by striking out “with the exception of the elements listed in subparagraphs 9 and 10 of the first paragraph and the second paragraph of that section,”;

(c) by inserting “beginning on the date of expiry of the contract for the collection and transportation of residual materials to which, on 7 July 2022, the municipal body or Aboriginal community is a party and that expires not later than 31 December 2024” after “those residual materials”;

(3) in the French text, by striking out “du premier alinéa” in subparagraph 2.

**8.** Section 20 is amended by striking out the second and third paragraphs.

**9.** Section 21 is amended in the first paragraph

(1) by striking out “the first paragraph of”;

(2) in the French text, by replacing “entreprennent” by “doivent entreprendre”.

**10.** Section 22 is amended in the first paragraph

(1) by replacing “10 months prior to 31 December 2024, despite the mediation process undertaken in accordance with section 21, no other contract referred to in section 20 has been entered into by the producer and the municipal body or Aboriginal community, as the case may be” by “on the expiry of the time limit set in the fourth paragraph of section 21, no contract has been entered into pursuant to section 20”;

(2) by replacing “to the municipal body or Aboriginal community” by “to the municipal body or Aboriginal community concerned”;

(3) in the French text, by replacing “un montant correspondant à” by “une somme d’un montant correspondant à celui de”.

**11.** The following is inserted after section 22:

“**22.1.** Not later than 18 months prior to the expiry of a contract for the collection and transportation of residual materials to which a municipal body or Aboriginal community is a party and that expires on a date after 31 December 2024 or, if a contract has been entered into pursuant to paragraph 2 of section 20, not later than 18 months before its expiry date, a producer must take steps to enter into a new contract with that municipal body or Aboriginal community or with any other municipal body or Aboriginal community.

Every new contract entered into pursuant to the first paragraph must contain the elements provided for in section 25 and cover, as a minimum, the collection and transportation of residual materials from residential buildings with less than 9 dwellings to which the contract in effect applies.

“**22.2.** Not later than 12 months prior to the expiry of a contract for the collection and transportation of residual materials to which, on 7 July 2022, a municipal body or

Aboriginal community is a party and that expires on a date after 31 December 2024 or, if a contract has been entered into pursuant to paragraph 2 of section 20, not later than 12 months before its expiry date, if the producer and the municipal body or Aboriginal community have not entered into a new contract despite the steps taken pursuant to section 22.1, they may, within 14 days after the beginning of that twelfth month, begin a mediation process to which the provisions of section 21 apply.

“22.3. Not later than 10 months prior to the expiry of a contract for the collection and transportation of residual materials to which, on 7 July 2022, a municipal body or Aboriginal community is a party and that expires on a date after 31 December 2024 or, if a contract has been entered into pursuant to paragraph 2 of section 20, not later than 10 months before its expiry date or, if a mediation process has begun, not later than the expiry of that process, if the producer and the municipal body or Aboriginal community have not entered into a new contract despite the steps taken pursuant to section 22.1, the producer must choose to

(1) enter into a contract with any other person covering, as a minimum, the elements referred to in section 25, to provide the collection and transportation of those materials from the day following 31 December 2024; or

(2) from the expiry date of the contract for the collection and transportation of residual materials to which, on 7 July 2022, a municipal body or Aboriginal community is a party and that expires on a date after 31 December 2024 or, if a contract has been entered into pursuant to paragraph 2 of section 20, from its expiry date, undertake itself to collect and transport the residual materials covered by the contract.

The provisions of the second and third paragraphs of section 19 apply to the situation referred to in the first paragraph of this section, with the necessary modifications.”

**12.** Section 23 is amended

(1) in the first paragraph

(a) by inserting “in that territory” after “dwellings”;

(b) in the French text, by replacing “paragraphe” in the first paragraph by “paragrapes”;

(2) in the third paragraph

(a) by replacing “If” in the paragraph preceding subparagraph 1 by “On the expiry of the time limit provided for in the fifth paragraph of section 18, if”;

(b) by striking out “despite the mediation process provided for in section 18, or if the municipal body or Aboriginal community has given the producer written notice that it does not wish to enter into such a contract” in the part preceding subparagraph”;

(c) by inserting “with any other person” after “a contract” in subparagraph 1;

(d) by striking out “except those referred to in subparagraphs 9 and 10 of the first paragraph and the second paragraph of that section, with a person,”;

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

“In the territory governed by the Kativik Regional Government, the provisions of this section apply only to the obligation set out in subparagraph 1 of the third paragraph of section 12.”

**13.** The following is inserted after section 23:

“23.1. Where, 18 months prior to 1 January 2027, no service to collect and transport residual materials covered by this Regulation is provided in the territory of a Northern village referred to in the third paragraph of section 12, a producer must, not later than the start of that eighteenth month, take steps with the Kativik Regional Government or the Aboriginal community of the northern village concerned to enter into a contract for, as a minimum, the collection and transportation of residual materials from residential buildings with less than 9 dwellings in that territory, on the conditions set out in subparagraphs 1 to 4 of the first paragraph of section 24 with the minimum content set out in section 25.

Where, 12 months prior to 1 January 2027, no contract has been entered into pursuant to the first paragraph by the producer and the Kativik Regional Government or Aboriginal community of the northern village concerned, they may, within 14 days after the time limit, begin a mediation process with a mediator selected from a list of mediators selected pursuant to section 53. The producer and the Kativik Regional Government or, as the case may be, the Aboriginal community must pay the fees, expenses, allowances and indemnities of the mediator entrusted with the dispute jointly and in equal shares.

The provisions of the third, fourth and fifth paragraphs of section 18 apply to the mediation process referred to in the second paragraph, with the necessary modifications.

**23.2.** Where, 12 months prior to 1 January 2027 or, if a mediation process has begun, on the expiry of the time limit provided for in the fifth paragraph of section 18, no contract referred to in the first paragraph of section 23.1 has been entered into by the producer and the Kativik Regional Government or the Aboriginal community of the northern village concerned, the producer must choose to

(1) enter into a contract with any other person covering, as a minimum, the elements provided for in section 25, for the collection and transportation, in the territory of the northern village concerned, of the residual materials to which this Regulation applies, beginning on 1 January 2027; or

(2) beginning on 1 January 2027, undertake itself to collect and transport the residual materials to which this Regulation applies in the territory of the northern village concerned.”

**14.** Section 24 is amended in the first paragraph

(1) by replacing “In addition to the collection and transportation of residual materials covered by a contract entered into pursuant to sections 18 and 20, a contract for the collection and transportation of residual materials entered into by a producer pursuant to this Division must cover” in the part preceding subparagraph 1 by “Every contract entered into pursuant to this Division covering, as a minimum, the collection and transportation of residual materials must, in addition, cover”;

(2) in subparagraph 1

(a) by inserting the following after subparagraph iii of subparagraph *b* of subparagraph 1:

“iv. wood, cork, ceramic, porcelain or textiles;”;

(b) by inserting the following after subparagraph *b*:

“(c) residual materials used for industrial purposes;”;

(3) by replacing subparagraph 2 by the following:

“(2) not later than 1 January 2027, residual materials, except those used for industrial purposes,

(a) consisting of rigid plastic belonging to the polystyrene category or flexible plastic;

(b) generated by products used to support or present products at any stage in their movement from the producer to the ultimate user or consumer;

(c) generated by containers and packaging composed of wood, cork, ceramic, porcelain or textiles;”.

(4) by inserting the following after subparagraph 3:

“(3.1) not later than 7 July 2030, residual materials used for industrial purposes;”.

**15.** The following is inserted after section 24:

**24.1.** At least 12 months prior to the expiry of a contract entered into pursuant to this Division to which the municipal body or Aboriginal community in whose territory residual materials are collected and transported is not a party, the producer who is a party to the contract must send a notice to the municipal body or Aboriginal community, indicating the expiry date of the contract and verifying whether the municipal body or Aboriginal community wishes, from that date, to be a party to a contract of the same type covering, as a minimum, residential buildings with less than 9 dwellings in that territory. The municipal body or Aboriginal community has one month from the date of receipt of the notice to indicate to the producer whether it wishes to enter into such a contract.

If the municipal body or Aboriginal community indicates an interest, the producer must give it priority for entering into a future new contract and take steps to enter into a contract with it for the collection and transportation of residual materials in its territory, within the time and on the terms and conditions provided for in this Division for such a contract.”.

**16.** Section 25 is amended

(1) in the first paragraph

(a) by inserting “where the contract is entered into with a municipal body or Aboriginal community,” at the beginning of subparagraph 9;

(b) by replacing, “the conditions for the awarding of contracts by the municipal body or Aboriginal community” in subparagraph 10 by “where the contract is entered into with a municipal body or Aboriginal community, the conditions for the awarding by it of contracts”;

(2) by replacing “section 18 or 19, the second or third paragraph of section 20 or section 23” in the second paragraph by “this Division”.

**17.** Section 27 is amended

(1) in the first paragraph

(a) by replacing “enter into all the contracts needed to ensure” by “ensure that”;

(b) by adding “are carried out with no service interruptions and must enter into all contracts needed for that purpose” at the end;

(2) by replacing “22” in the second paragraph by “22.3”.

**18.** Section 29 is amended in subparagraph 3

(1) by inserting the following after subparagraph *c*:

“(c.1) the limiting, removal and management of hazardous materials from within the residual materials covered by the contract that are present in the service provider’s facilities;”;

(2) by inserting “, in addition to the hazardous materials referred to in subparagraph c.1,” after “materials” in subparagraph *d*.

**19.** Sections 32 and 36 are amended, in the French text, by replacing “jours suivants” wherever it occurs by “jours suivant”.

**20.** Section 46 is amended by inserting “, sent as soon as possible by the Société,” after “notice” in the third paragraph.

**21.** Section 47 is amended

(1) in the French text, by replacing “désignée” in the first paragraph by “désigné”;

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

“The designation of a body that meets the conditions of section 31 and whose application meets the requirements of sections 32 and 33 must be given priority over the designation of a body pursuant to the first paragraph of section 46.”.

**22.** Section 50 is amended by adding the following at the end:

“(4) a natural person representing a producer on the board of directors is a person who is active primarily in Québec.”.

**23.** Section 53 is amended in the second paragraph

(1) by replacing “who are members of” by “chosen by”;

(2) by striking out “, chosen by the body”.

**24.** Section 58 is amended

(1) by adding “the audit report on its financial statements, the audit report on the information referred to in the second paragraph and the audit reports on the information referred to in section 86.3 that was audited for the year covered by the report on its activities” at the end of the first paragraph;

(2) by replacing “an independent third person who is a professional within the meaning of section 1 of the Professional Code (chapter C-26)” in the second paragraph by “chartered professional accountant”;

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

“The person engaged to perform an audit referred to in the second paragraph may not be employed by the body or by a producer.”.

**25.** Section 67 is amended by replacing “during the first year of development of the system of selective collection and at least 3 times per year thereafter” by “each year, beginning in the first year during which the first committee is established.”

**26.** Section 70 is amended by replacing “third” by “quarter”.

**27.** Section 77 is amended by inserting “and those situated in the territory referred to in the third paragraph” after “paragraph” in subparagraph 3.

**28.** Section 78 is amended by replacing “and 75” by “, 75 and 79”.

**29.** Section 82 is amended

(1) by inserting “prescribed” after “if the”;

(2) by replacing “detailing the measures that will be implemented to achieve the rates” in the second paragraph by “covering all those rates and detailing, for each rate, the measures that will be implemented to achieve it, unless a remedial plan that is still in effect has already been submitted for those rates”;

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

“Any change to a remedial plan must be submitted to the Société and the Minister within 30 days following the date of the change.”.

**30.** Section 83 is amended

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

“(1) allow, not later than the end of the second year following the year in which the plan was submitted, the rates prescribed for that second year to be achieved;”;

(2) by replacing “of local market outlets” in subparagraph 1 of the third paragraph by “, in Québec, of markets”.

**31.** Section 84 is replaced by the following:

“**84.** The amount of financing for the measures referred to in the second paragraph of section 83 is calculated for a year using the following equation for each prescribed rate that is not achieved, and the result of the calculation is multiplied by 3 to obtain the total amount of financing:

$$MFm = Pmm \times M$$

where:

MFm = the amount of the financing for the measures for the year concerned;

Pmm = the weight, in kilograms and by type of material, of the materials of which the containers, packaging and printed matter covered by this Regulation are made that are needed to achieve the prescribed rates for the year concerned;

M = an amount equivalent to the amount that the body required its members to pay during the previous year as a contribution to finance the costs of recovering and reclaiming materials for which the prescribed rate was not achieved.

When neither the recovery rate nor the reclamation rate is achieved, in a given year, for a type of material, the result obtained by adding together the amount for each of the rates used to finance the measures in the remedial plan is multiplied by 0.75.”

**32.** Section 85 is amended by inserting “, calculated for one year,” after “financing” in the first paragraph.

**33.** Section 86 is amended by adding the following paragraph at the end:

“This section applies only to containers and packaging made of compostable or degradable plastic and to containers and packaging made of fibres, intended for a single use and designed to be used by the ultimate user or consumer to prepare or consume a food product.”

**34.** The following is inserted after section 86:

“**86.1.** If, on the expiry of a remedial plan, a rate achieved for the year during which the plan was submitted or the year following is below the prescribed rate that led to the submission of the plan, extra financing must be added to the financing initially provided for in the plan. The extra financing is calculated using the equation in the second paragraph of section 115, adapted to ensure that the rate to be achieved under the formula is the rate for the year during which the plan was submitted or the year following and applies until the expiry of the plan.

If, before the expiry of a remedial plan, a rate prescribed for the year during which the plan was submitted or the year following is achieved, the designated management body may cease to implement the measures in the plan with respect to that rate and the associated financing.

On the expiry of a remedial plan, if the designated management body has disbursed only part of the amount provided to finance the measures in the plan and if the rate or rates prescribed for the second year have not been achieved, it must add to the amounts provided for the financing of the measures in the next plan an amount equivalent to the amount that has not been disbursed.

“**86.2.** Until the expiry of a remedial plan, the designated management body may use the financing associated with the plan at the time of its own choosing.”

“**§§3.1.** *Audit of the information provided by producers, sorting centres and conditioners*

“**86.3.** The designated management body must, each year, beginning in the first year for which rates are prescribed pursuant to sub-subdivision 2 of subdivision 1 of Division II of Chapter III, arrange an audit, for the producers it determines, of the following information that each producer must provide pursuant to section 122: the quantity, by weight, for each type of material and, when the materials are plastic, for each type of resin, of the materials entering into the composition of the containers, packaging and printed matter that the producer commercializes, markets or otherwise distributes or uses to commercialize, market or otherwise distribute a product.

The designated management body must ensure that all the audits conducted annually pursuant to the first paragraph cover at least 10% of the total quantity of materials concerned.

Beginning on 1 January 2026, the designated management body must also, at least once every three years, arrange an audit of the information referred to in paragraph 7, subparagraph *f* of paragraph 8 and paragraph 9 of section 59 that must be provided, pursuant to the first paragraph of section 124.1, by the sorting centres with which it has entered into a contract pursuant to Division IV and the information referred to in subparagraphs *d* to *f* of paragraph 8 of section 59 that must be provided, pursuant to the second paragraph of section 124.1, by the conditioners with which it has entered into a contract pursuant to that Division.

An audit referred to in this section must be conducted by a chartered professional accountant or by another person referred to in the second paragraph of section 58. The accountant or the person may be employed by the person engaging their services.

To allow the designated management body to fulfill its obligations under this section, every producer, every sorting centre and every conditioner whose information is audited must, at the request of the person engaged to conduct the audit, give access to the documents and information the person considers necessary for the purposes of the audit.”

**35.** Section 88 is amended by adding the following at the end:

“(6) the measures to be implemented to make it possible to share, as far as possible, the premises used for each system and the costs for implementing the systems, and any other measure to optimize the use of the system resources.”.

**36.** The following is inserted after section 121:

“**121.1.** The designated management body must publish and update on its website, with no restrictions on access, for each type of residual material generated by the containers, packaging and printed matter covered by this Regulation, the amounts payable pursuant to the first paragraph of section 121 and the elements it has taken into account, including the characteristics listed in subparagraph 2 of the first paragraph of section 15 and the percentage referred to in subparagraph 7 of the first paragraph of that section, to modulate those amounts.”.

**37.** Section 122 is replaced by the following:

“A producer must provide to the designated management body, annually and within the time it indicates, the quantity, by weight, for each type of material and, when the materials are plastic, for each type of resin, of the materials entering into the composition of the containers, packaging and printed matter that the producer commercializes, markets or otherwise distributes or uses to commercialize, market or otherwise distribute a product.

A producer must also provide to the designated management body, within the time it indicates, all the documents and information other than those referred to in the first paragraph that the body requests to allow it to perform its responsibilities and obligations pursuant to this Regulation.”.

**38.** Section 123 is amended

- (1) in the first paragraph
  - (a) by striking out “within 1 year”;
  - (b) by replacing “from it” by “from that institution, business or industry”;
  - (c) by inserting “work at” after “persons who”;

- (2) by inserting “and educational institutions” after “consumption” in the second paragraph.

**39.** Section 124 is amended

- (1) by striking out “within 1 year”;
- (2) by replacing “from them” by “from it”.

**40.** The following is inserted after section 124:

“**124.1** A sorting centre must provide to the designated management body, annually and within the time it indicates, the information referred to in paragraph 7, subparagraph *f* of paragraph 8 and paragraph 9 of section 59.

A condition must provide to the designated management body, annually and within the time it indicates, the information referred to in paragraph 7, subparagraph *f* of paragraph 8 and paragraph 9 of section 59.”

**41.** Section 125 is amended by replacing “or conditioning” in the part preceding paragraph 1 by “, conditioning or reclamation”.

**42.** Section 126 is amended in the part preceding paragraph 1

- (1) by inserting “other than a person referred to in section 125” after “person”;

- (2) by replacing “or conditioning” by “, conditioning or reclamation” and by replacing “2024” by “the expiry of the contract”.

**43.** Section 128 is amended

- (1) in the French text, by replacing “article” in paragraph 2 by “articles”;
- (2) by adding the following at the end:

“(4) to comply with a provision of this Regulation for which no monetary administrative penalty is otherwise provided for.”.

**44.** Section 129 is replaced by the following:

“**129.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to establish a committee required by this Regulation.”



**45.** The following is inserted after section 129:

“**129.1.** A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to send the notice provided for in the first paragraph of section 24.1;

(2) to comply with the obligation set out in the second paragraph of section 24.1;

(3) to send the confirmation provided for in the first paragraph of section 30 or the first paragraph of section 43, or to send it within the prescribed time;

(4) to send notification as provided for in the second paragraph of section 42, the notice provided for in the second paragraph of section 45 or the notice provided for in the third paragraph of section 46, or to send it within the prescribed time;

(5) to send an annual report to the Minister at the times and in accordance with the conditions provided for in the first paragraph of section 58 or to have the financial statements contained in the report audited as provided for in the second paragraph of that section or to have them audited by a professional referred to in the second paragraph;

(6) to send the results referred to in the first paragraph of section 63 to the designated management body or to send them within the prescribed time;

(7) to have the rates referred to in section 78 audited or to have them audited by a chartered professional accountant or any other person referred to in the second paragraph of section 58;

(8) to submit a remedial plan, in contravention of the second paragraph of section 82 or to submit it within the prescribed time;

(9) to have the data or information referred to in section 86.3 audited or to have it audited by a chartered professional accountant or any other person referred to in the second paragraph of section 58;

(10) to give access to the documents and information requested by a professional engaged to perform an audit, in contravention of the fourth paragraph of section 86.3;

(11) to comply with the time limit provided for in section 87;

(12) to provide to a designated management body the information referred to in section 122, section 125 or section 126 or to provide it within the prescribed time.”

**46.** Section 131 is amended

(1) by replacing paragraphs 1 and 2 by the following:

“(1) fails to begin a mediation process, in contravention of the first paragraph of section 21, or to begin it within the prescribed time;

“(2) fails to pay the average compensation referred to in the first paragraph of section 22, or to pay it at the prescribed time;

“(2.1) enters into an agreement that does not contain all the elements referred to in section 24, section 25 or, as the case may be, section 29;”;

(2) by replacing “sections 49 to” in paragraph 4 by “the first paragraph of section 50, sections 51 and”;

(3) by inserting the following after paragraph 4:

“(4.1) fails to submit a change to a remedial plan or to submit it within the time limit set out in the third paragraph of section 82;”;

(4) by striking out “, within the time limits and” in paragraph 6;

(5) by replacing paragraph 7 by the following:

“(7) fails to provide the information referred to in section 120 to the designated management body;

“(8) fails to provide the documents and information requested pursuant to section 122, section 124.1 or section 127 or to provide them within the prescribed time;

“(9) fails to participate in the system of collective collection implemented pursuant to this Regulation, in contravention of the first paragraph of section 123, or to make recovery bins available, in contravention of the second paragraph of that section or section 124;

“(10) fails to comply with a clause of a contract entered into pursuant to this Regulation, en contravention avec section 140.”

**47.** The following is inserted after section 131:

“**131.1.** A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails

(1) to take the steps referred to in the second paragraph of section 48;

(2) to comply with the obligations set out in sections 92, 94 and 95.”

**48.** Section 132 is amended

(1) by inserting “14, the first and second paragraphs of section 15 and section” after “sections 12 to” in paragraph 2;

(2) by replacing paragraphs 3 and 4 by the following:

“(3) to take steps to enter into a contract referred to in section 18 within the prescribed time and on the prescribed conditions or to take steps to enter into a contract referred to in section 20 within the prescribed time and on the prescribed conditions;

“(4) to enter into a contract referred to in subparagraph 1 of the first paragraph of section 19 or to undertake itself the obligation set out in subparagraph 2 of the first paragraph of that section, to enter into a contract referred to in subparagraph 1 of the first paragraph of section 22.3 or to undertake itself the obligation set out in subparagraph 2 of the first paragraph of that section, to enter into a contract referred to in subparagraph 1 of the third paragraph of section 23 or to undertake itself the obligation set out in subparagraph 2 of the third paragraph of that section or to enter into a contract referred to in paragraph 1 of section 23.2 or to undertake itself the obligation set out in paragraph 2 of that section, or to comply with the time limits set out in those sections to fulfill those obligations;

“(5) to take steps to enter into a contract for the collection and transportation of residual materials referred to in section 22.1, the first paragraph of section 23 or the first paragraph of section 23.1, within the prescribed time and on the prescribed conditions;

“(6) to enter into any contract for the sorting, conditioning and reclamation of residual materials referred to in section 27, within the time and on the conditions set out in that section and in section 28;

“(7) to designate a body, in contravention of section 30;

“(8) to continue to meet its obligations pursuant to the first paragraph of section 48 or to assume obligations pursuant to section 49;

“(9) to be a member of a designated management body in accordance with section 118;

“(10) to comply with the terms and conditions determined by the designated management body, in contravention of section 121;”.

**49.** Section 134 is replaced by the following:

“**134.** Every designated management body that fails to establish any committee required by this Regulation commits an offence and is liable to a fine of \$6,000 to \$600,000.”.

**50.** The following is inserted after section 134:

“**134.1.** Every person who fails

(1) to send the notice provided for in the first paragraph of section 24.1,

(2) to comply with the obligation set out in the second paragraph of section 24.1,

(3) to send the confirmation provided for in the first paragraph of section 30 or the first paragraph of section 43, or to send it within the prescribed time,

(4) to send notification as provided for in the second paragraph of section 42, the notice provided for in the second paragraph of section 45 or the notice provided for in the third paragraph of section 46, or to send it within the prescribed time,

(5) to send an annual report to the Minister at the times and in accordance with the conditions provided for in the first paragraph of section 58 or to have the financial statements contained in the report audited as provided for in the second paragraph of that section or to have them audited by a professional referred to in the second paragraph,

(6) to send the results referred to in the first paragraph of section 63 to the designated management body or to send them within the prescribed time,

(7) to have the rates referred to in section 78 audited or to have them audited by a chartered professional accountant or any other person referred to in the second paragraph of section 58,

(8) to submit a remedial plan, in contravention of the second paragraph of section 82 or to submit it within the prescribed time,

(9) to have the information referred to in section 86.3 audited or to have it audited by a chartered professional accountant or any other person referred to in the second paragraph of section 58,

(10) to give access to the documents and information requested by a professional engaged to perform an audit, in contravention of the fourth paragraph of section 86.3,

(11) to comply with the time limit set out in section 87,

(12) to send the information referred to in section 122, section 125 or section 126 to a designated management body or to send it within the prescribed time,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 and, in other cases, to a fine of \$7,500 to \$1,500,000.”

**51.** Section 136 is amended

(1) by replacing paragraphs 1 and 2 by the following:

“(1) fails to begin a mediation process, in contravention of the first paragraph of section 21, or to begin it within the prescribed time,

“(2) fails to pay the average compensation referred to in the first paragraph of section 22, or to pay it at the prescribed time,

“(2.1) enters into an agreement that does not contain all the elements referred to in section 24, section 25 or, as the case may be, section 29,”;

(2) by replacing “sections 49 to” in paragraph 4 by “the first paragraph of section 50, sections 51 and”;

(3) by inserting the following after paragraph 4:

“(4.1) fails to submit a change to a remedial plan or to submit it within the time limit set out in the third paragraph of section 82,”;

(4) by replacing paragraph 7 by the following:

“(7) fails to provide the information referred to in section 120 to the designated management body,

“(8) fails to provide the documents and information requested pursuant to section 122, section 124.1 or section 127 or to provide them within the prescribed time,

“(9) fails to participate in the system of collective collection implemented pursuant to this Regulation, in contravention of the first paragraph of section 123, or to make recovery bins available, in contravention of the second paragraph of that section or section 124,

“(10) fails to comply with a clause of a contract entered into pursuant to this Regulation, en contravention avec section 140,”.

**52.** The following is inserted after section 136:

“**136.1.** Every person who

(1) to take the steps referred to in the second paragraph of section 48,

(2) to comply with the obligations set out in sections 92, 94 and 95,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 and, in other cases, to a fine of \$24,000 to \$3,000,000.”

**53.** Section 137 is amended

(1) by striking out “or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or both,” in the part following paragraph 5;

(2) by replacing “\$15,000 to \$3,000,000” in the part following paragraph 5 by “\$30,000 to \$6,000,000”;

(3) by replacing paragraphs 3 and 4 by the following:

“(3) to take steps to enter into a contract referred to in section 18 within the prescribed time and on the prescribed conditions or to take steps to enter into a contract referred to in section 20 within the prescribed time and on the prescribed conditions,

“(4) to enter into a contract referred to in subparagraph 1 of the first paragraph of section 19 or to undertake itself the obligation set out in subparagraph 2 of the first paragraph of that section, to enter into a contract referred to in subparagraph 1 of the first paragraph of section 22.3 or to undertake itself the obligation set out in subparagraph 2 of the first paragraph of that section, to enter into a contract referred to in subparagraph 1 of the third paragraph of section 23 or to undertake itself the obligation set out in subparagraph 2 of the third paragraph of that section or to enter into a contract referred to in paragraph 1 of section 23.2 or to undertake itself the obligation set out in paragraph 2 of that section, or to comply with the time limits set out in those sections to fulfill those obligations,

“(5) to take steps to enter into a contract for the collection and transportation of residual materials referred to in section 22.1, the first paragraph of section 23 or the first paragraph of section 23.1, within the prescribed time and on the prescribed conditions,

“(6) to enter into any contract for the sorting, conditioning and reclamation of residual materials referred to in section 27, within the time and on the conditions set out in that section and in section 28,

“(7) to designate a body, in contravention of section 30,

“(8) to continue to meet its obligations pursuant to the first paragraph of section 48 or to assume obligations pursuant to section 49,

“(9) to be a member of a designated management body in accordance with section 118,

“(10) to comply with the terms and conditions determined by the designated management body, in contravention of section 121.”;

(4) by replacing “5” in paragraph 5 by “11”.

**54.** 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 section 281,

(1) by replacing “those referred to in section 2 of the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10)” in paragraph 1 by “the residual materials generated by containers, packaging and printed matter referred to in sections 4 to 6, 8 and 9 of the Regulation respecting a system of selective collection of certain residual materials (chapter Q-2, r. 46.01)”;

(2) in the French text, by replacing “textiles” in paragraph 4 by “textile”.

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

106442

Gouvernement du Québec

## O.C. 1366-2023, 23 August 2023

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6)

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs  
(chapter M-30.001)

### Development, implementation and financial support of a deposit-refund system for certain containers — Amendment

Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers

WHEREAS, under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, in particular, require any person, in particular any person operating an industrial or commercial establishment, who manufactures, markets or otherwise distributes containers, packaging or packaging materials, printed matter or other products, who markets products in containers or packaging acquired for that purpose or, more generally, whose activities generate residual materials, to develop, implement and contribute financially to, on the terms and conditions fixed, programs or measures to reduce, recover or reclaim residual materials generated by the containers, packaging, packaging materials, printed matter or other products, or generated by their activities, with the goal of extended responsibility of these persons, all while taking into account basic principles of the circular economy and taking into account the social economy within the meaning of the Social Economy Act (chapter E-1.1.1);

WHEREAS, under subparagraph 8 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, in particular prescribe the information or documents that a person, a municipality, a group of municipalities or an Aboriginal community, represented by its band council, must transmit to a person who must, under a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of the section, meet the obligations referred to in the regulation as well as the other terms and conditions applicable to the transmission and the time limit for doing so;

WHEREAS, under section 53.30.2 of the Act, a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Act that requires, as a measure, certain persons to develop, implement and contribute financially to a deposit system may, in particular,

— under paragraph 1 of the section, determine the products concerned by the system;

— under paragraph 2 of the section, prescribe the time limits and the terms and conditions applicable to the entering into of contracts, if applicable, between the persons, the municipalities, the groups of municipalities and any Aboriginal community, represented by its band council, determined in the regulation and the minimum content of such contracts;

— under paragraph 3 of the section, determine the terms and conditions applicable to the return, transportation, sorting and conditioning of returnable products, including their storage, to recover and reclaim such products;

— under paragraph 4 of the section, determine, in addition to the persons who are required to develop, implement and contribute financially to the system, the other persons, municipalities, groups of municipalities and Aboriginal communities, represented by their band councils, that are concerned by the system;

— under paragraph 5 of the section, determine the obligations, rights and responsibilities of the persons, municipalities, groups of municipalities and Aboriginal communities, represented by their band councils, that are concerned by the system;

— under paragraph 6 of the section, determine, in particular with respect to the obligations referred to in paragraph 5, the obligations that certain persons concerned by the system must meet as regards their participation in the organization of the return of returnable products;

— under paragraph 7 of the section, fix a deposit payable on the purchase of any of the products referred to in paragraph 1 that, upon return, is refundable in whole or, as determined under paragraph 8, in part only, or prescribe the parameters to be used by a body designated under a regulation made under section 53.30.3 of the Act to fix such a deposit, which is not payable until it has been approved by the Minister;

— under paragraph 9 of the section, determine the persons who are required to collect and refund, in the cases and on the conditions it prescribes, the deposit fixed under paragraph 7;

— under paragraph 10 of the section, fix the indemnity payable for management costs, or the parameters to be used to fix it by a body designated under a regulation made under section 53.30.3 of the Act, in particular for the handling and storage of products referred to in paragraph 1 following their return, and determine the persons who are entitled to receive such an indemnity, the persons who are required to pay such an indemnity and the terms and conditions applicable to the payment of such an indemnity;

— under paragraph 11 of the section, prescribe a mechanism for resolving disputes that may arise following the entering into or performance of contracts referred to in paragraph 2 or the obligation to prescribe such a mechanism in such contracts;

WHEREAS, under section 53.30.3 of the Environment Quality Act, the Government may, by a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 and section 53.30.2 of the Act, in particular,

— under paragraph 1 of the section, prescribe that the responsibility for developing, implementing and contributing financially to a measure imposed by the regulation on certain persons the regulation determines be conferred, for the period it fixes, on a non-profit body designated by the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks or the Société québécoise de récupération et de recyclage;

— under paragraph 2 of the section, exempt, in whole or in part, persons who are required, under the regulation, to meet obligations that are the responsibility of a body under paragraph 1 from meeting such obligations;

— under paragraph 3 of the section, prescribe the rules applicable to the designation of the body referred to in paragraph 1;

— under paragraph 4 of the section, prescribe the minimum obligations that the body must meet and the minimum rules that must be provided for in its general by-laws for it to be designated;

— under paragraph 5 of the section, prescribe the obligations, rights and responsibilities of the designated body and its method of financing;

— under paragraph 6 of the section, prescribe the obligations to the designated body that the persons referred to in paragraph 1 have, in particular the obligations to become a member of the body and to provide the body with the documents and information it requests to enable it to meet the responsibilities and obligations conferred on it by the regulation, prescribe the conditions for preserving and transmitting such documents and information, and determine which such documents and information are public;

—under paragraph 7 of the section, prescribe the documents and information that the designated body must provide to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks or the Société québécoise de récupération et de recyclage, determine their form and content and the conditions for preserving and transmitting them, and determine which such documents and information are public;

WHEREAS, under subparagraph 9 of the first paragraph of section 95.1 of the Act, the Government may make regulations to exempt any person, municipality or class of activity it determines from all or part of the Act and prescribe, in such cases, environmental protection and quality standards applicable to the exempted persons, municipalities and activities, which may vary according to the type of activity, the territory concerned or the characteristics of the milieu;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made under the Act or the Acts concerned, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty and the regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them, which may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act, the Government may determine the provisions of a regulation the Government has made under that Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, under subparagraph 19 of the first paragraph of section 15.4.40 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001), any other sum provided for by law or a regulation of the Government or a regulation of the Minister is credited to the Fund for the Protection of the Environment and the Waters in the Domain of the State;

WHEREAS, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers was published in Part 2 of the *Gazette officielle du Québec* dated 19 July 2023 with a notice stating that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers with amendments;

WHEREAS, under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and where the reason justifying such coming into force has been published with the regulation;

WHEREAS the Government is of the opinion that the urgency of the situation requires that the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers come into force on the day of its publication in the *Gazette officielle du Québec* as warranted by the following circumstances:

(1) the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) provides that some of the obligations it imposes are applicable from 1 November 2023, in particular concerning the persons required to comply such as retailers and establishments offering on-site consumption, the application of new deposit amounts, the types of containers concerned, and the minimum number of return sites that must be operational;

(2) the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers aims, in particular, to push back until 2025 the coming into force of the new deposit amounts for some of the containers concerned, to reduce substantially, until 2025, the number of establishments offering on-site consumption for which the designated management body must assume specific obligations, to reduce from 1 November 2023 the number of retailers subject to the obligations of the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, and to reduce the minimum number of return sites that must be operational by 1 November 2023. It is therefore important for the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers to be made as soon as possible prior to that date, in particular to allow the persons concerned to take the amendments into account and to ensure that the necessary amendments come into force in a timely manner;

(3) in addition, the amendments introduced by the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials, made on the same date as this Regulation, must come into force before 7 September 2023 and some of them include provisions similar to or that complement those proposed by this Regulation; it is therefore important for this Regulation to come into force on the same date as the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials, to ensure that the provisions of both Regulations and the systems to which they apply are consistent.

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

THAT the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers

Environment Quality Act  
(chapter Q-2, s. 53.30, 1st par., subpars 6 and 8, s. 53.30.2, pars. 1 to 7 and 9 to 11, s. 53.30.3, pars. 1 to 7, and s. 95.1, 1st. par., subpar. 9)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par. and s. 45, 1st par.)

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs  
(chapter M-30.001, s. 15.4.40, 1st par., subpar. 19)

**1.** The Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) is amended in section 2

(1) in the first paragraph

(a) by striking out “, provided that such liquid contains more than 0.5% of ethyl alcohol by volume” in the definition of “alcoholic beverage”;

(b) by replacing the definitions of “container” and “redeemable container” by the following:

““redeemable container” means a recipient, except a bag or a bag-in-box package, used to commercialize, market or otherwise distribute a product in a volume of not less than 100 ml and not more than 2 litres, of a type defined in section 3 and on which a deposit is paid; (*contenant consigné*)”;

(c) by replacing “in or outside the premises” in the definition of “establishment offering on-site consumption” by “on the premises, including but not limited to a hospital, a detention centre, a penitentiary, an establishment housing the elderly, a childcare centre and an educational institution”;

(2) by inserting “and except as regards the volume of ethyl alcohol contained in such liquids” after “meaning” in the second paragraph.

**2.** Section 5 is amended

(1) by replacing “containers” in the first paragraph by “redeemable containers”;

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

“(2) the product is commercialized, marketed or otherwise distributed in Québec without a name or trademark.”.

**3.** Section 11 is amended by inserting “with a capacity of 20 or more persons at a time or whose services include the supply of meals or snacks to 20 or more persons at time” after “consumption” in subparagraph 9 of the first paragraph.

**4.** Section 14 is amended in the part of paragraph 1 preceding subparagraph *a*

(1) by striking out “who is not employed by a producer or by a designated management body and”;

(2) by replacing “containers” by “redeemable containers”.

**5.** Section 17 is replaced by the following:

“17. The amount of the deposit for each redeemable container is

(1) \$0.25 for single-use or reusable containers made of glass or any other breakable material that are used to commercialize, market or otherwise distribute a product and that have a volume of not less than 500 ml and not more than 2 litres;

(2) \$0.10 for single-use or reusable containers made of glass or any other breakable material that are used to commercialize, market or otherwise distribute a product and that have a volume of not less than 100 ml and not more than 499 ml and for other types of containers.

The first paragraph applies from the following dates:

(1) 1 November 2023 for single-use or reusable containers made of metal that are mainly composed of aluminum and on which no deposit was payable prior to that date, containers in which beer or a carbonated soft drink is commercialized, marketed or otherwise distributed and for which a deposit, fixed in an agreement entered into pursuant to the Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (chapter V-5.001) as it read on (*enter here the date of coming into force of this Regulation*), was payable prior to that date, and containers on which a deposit, fixed under an unregulated deposit system, was payable prior to that date, with the exception of containers used to commercialize, market or otherwise distribute milk;

(2) 1 March 2025 for all containers referred to in section 3 on which no deposit was payable before that date.”.

**6.** Section 18 is amended

(1) in the part of the first paragraph preceding subparagraph 1

(a) by replacing “the expiry of a 5-year period beginning in the sixteenth month following 7 July 2022” by “30 November 2028”;

(b) by replacing “container” by “redeemable container”;

(2) in the second paragraph

(a) by replacing “containers” by “redeemable containers”;

(b) by replacing “format and volume of the containers” by “volume of the product commercialized, marketed or otherwise distributed in the type of redeemable containers concerned by the modification”;

(3) by replacing “container” in subparagraph 1 of the third paragraph by “redeemable container”;

(4) by replacing “container” in the fourth paragraph by “redeemable container”.

**7.** Section 19 is amended

(1) in the first paragraph

(a) by replacing “in the sixteenth month following 7 July 2022” by “on 1 November 2023”;

(b) by replacing “types of containers” by “types of redeemable containers”;

(2) in the second paragraph

(a) in the French text, by replacing “celles-ci” by “la fixation ou de la modification du montant”;

(b) by replacing “format and volume of the containers” by “volume of the product commercialized, marketed or otherwise distributed in the type of redeemable containers concerned by the specification or modification”.

**8.** Section 20 is amended by replacing “modifying or specifying” in the second paragraph by “specifying or modifying”.

**9.** Section 21 is amended by replacing “containers” in the first paragraph by “redeemable containers”.

**10.** Section 22 is revoked.

**11.** Section 23 is amended by adding the following paragraphs at the end:

“The first paragraph does not apply to the sale of a product in a redeemable container in a retail establishment in which that product is offered for sale only by means of one or more vending machines or a single commercial refrigerator measuring no more than 76.2 cm wide × 82.28 cm deep × 200.66 cm high or by an establishment offering on-site consumption and, in the latter case, the establishment may not demand payment of the deposit for such a container.

Despite the second paragraph, if the operator of such a retail establishment demands, without being required to do so, the payment of the deposit on a redeemable container in which a product is offered for sale as described in that paragraph, the person buying the product is required to pay the deposit.”.

**12.** The following is inserted before section 25:

“**24.1.** With the exception of the provisions of section 9, beginning on 1 November 2023 no deposit on a redeemable container may be refunded except under the provisions of this Regulation.”.



**13.** Section 25 is amended in the first paragraph

(1) in subparagraph 5

(a) by replacing “disposal of containers” by “disposal of redeemable or non-returnable containers that are”;

(b) by inserting “or non-returnable” after “redeemable”;

(2) by adding the following subparagraph after subparagraph 11:

“(12) access to the site and the use of its equipment to return redeemable containers and obtain a refund of the deposit must be provided free of charge.”

**14.** Section 35 is amended by replacing “containers from” by “redeemable containers from”.

**15.** Section 39 is amended by replacing “containers” in paragraph 2 by “redeemable containers”.

**16.** Section 41 is amended in the first paragraph:

(1) by replacing “in the sixteenth month following 7 July 2022” by “on 1 November 2023”;

(2) by replacing “1,500” by “1,200”;

(3) by adding “Beginning on 1 March 2025, a minimum of 1,500 return sites, excluding bulk return sites, must be functional.” at the end.

**17.** Section 42 is amended by replacing “containers” in the first paragraph by “redeemable containers”.

**18.** Section 44 is amended by replacing “the fifteenth day following 7 November” in the first paragraph by “15 December”.

**19.** Section 47 is amended in the first paragraph

(1) by replacing “the fourth month following 7 July 2022” in the part preceding subparagraph 1 by “1 November 2022”;

(2) by replacing “containers” in subparagraph 8 by “redeemable containers”;

(3) by inserting “redeemable or non-returnable” after “transport” in subparagraph 13;

(4) in subparagraph 14,

(a) in the French text, by inserting “ce que” after “jusqu’à”;

(b) by inserting “non-returnable” after “in the case of”;

(c) in the French text, by replacing “ce qu’une” by “une”;

(5) in the French text, by replacing “pas” in subparagraph *e* of subparagraph 15 by “non”.

**20.** Section 48 is amended

(1) by inserting “, except those set out in sections 52 and 53,” after “subdivision”;

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

“When such a group is formed, its members are required to allow any retailer who so wishes to join, even if the group is already formed. A retailer joining the group must comply with the rules set by its members and with the provisions of section 49.”

**21.** Section 50 is amended in the first paragraph

(1) by replacing “at the end of the ninth month following 7 July 2022” by “on 30 April 2023”;

(2) by replacing “after the time limit” by “of that date”.

**22.** Section 51 is amended

(1) in the first paragraph

(a) by replacing “the twelfth month following 7 July 2022” by “31 July 2023”;

(b) in the French text, by replacing “échéance” par “date”;

(2) in the second paragraph:

(a) by replacing “14” in subparagraph 1 by “15”;

(b) by adding the following subparagraph after subparagraph 2:

“(3) provide the retailer, within 3 months following 31 July 2023, with the name and logo of the system.”

**23.** Section 53 is amended by adding the following paragraph at the end:

“The requirement to post the address pursuant to the first paragraph also applies to retailers whose retail establishment is located in an isolated or remote territory.”

**24.** The following is inserted after section 54:

“**54.1.** Every retailer must, not later than 15 October 2023, use the application provided for that purpose by a producer on its website to supply the producer with the retailer’s name, telephone number and email address, the name of the retailer’s representative, the name, address and area of each establishment the retailer operates that is referred to in section 45, and the address of the return site planned for each establishment.

The producer must, not later than 1 October 2023, ensure that every retailer referred to in the first paragraph is able to supply the information listed in that paragraph using the application referred to in that paragraph.

“**54.2.** Every retailer referred to in section 45 that operates a retail establishment reduced to an area of less than 375 m<sup>2</sup> or that ceases to operate a retail establishment referred to in that section must, at least 15 days before the reduction becomes effective or the establishment ceases operations, notify every producer in writing.”

**25.** Section 55 is amended

(1) by replacing “within 18 months following 7 July 2022” by “not later than 7 January 2024”;

(2) by adding “and submit an updated list to them each year, with the annual report” at the end.

**26.** Section 56 is replaced by the following:

“**56.** Subject to the provisions of the second paragraph, the provisions of this subdivision apply only to retailers referred to in section 45, except for sections 52 and 53, which apply to all retailers.

The provisions of this subdivision do not apply to establishments offering on-site consumption, nor do they apply, except for sections 52 and 53, to retailers that operate a retail establishment in an isolated or remote territory or an unorganized territory.”

**27.** Section 57 is amended

(1) by striking out “in which products are sold” in the first paragraph;

(2) in the second paragraph

(a) by replacing “the fourth month following 7 July” in the part preceding subparagraph 1 by “1 November”;

(b) by replacing “containers” in subparagraph 9 by “redeemable containers”;

(c) by inserting “the redeemable containers that are” after “or” in subparagraph 13;

(d) by inserting “, whether redeemable or non-returnable,” after “transport containers” in subparagraph 13.

**28.** Section 58 is amended in the first paragraph

(1) by replacing “at the end of the ninth month following 7 July 2022” by “on 1 May 2023”;

(2) by replacing “after the time limit” by “of that date”.

**29.** Section 59 is amended in the first paragraph

(1) by replacing “by the end of the twelfth month following 7 July 2022” in the part preceding subparagraph 1 by “31 July 2023”;

(2) in the French text, by replacing “échéance” in the part preceding subparagraph 1 by “date”;

(3) by replacing “containers from the return sites, and transport, condition and, in the case of redeemable containers,” in the part preceding subparagraph by “redeemable containers and abandoned non-returnable containers from the return sites, transport them and, in the case of redeemable containers, condition and”.

**30.** Section 61 is replaced by the following:

“**61.** The cost of installing a return site referred to in sections 57 to 59 and the cost of the operational management of the site are borne by the producer.”

**31.** Section 62 is replaced by the following:

“**62.** The operator of an establishment offering on-site consumption must participate in the deposit-refund system developed and implemented pursuant to this Regulation.

The operator of an establishment offering on-site consumption with a capacity of 20 or more persons at a time or whose services include the supply of meals or snacks to 20 or more persons at time must, in order to comply with the requirement of the first paragraph and in addition to the requirements of sections 63 and 65, take the other necessary steps to do so within the establishment.”

**32.** Section 63 is amended

(1) by replacing “in the fourth month following 7 July” in the part preceding subparagraph 1 by “on 1 November”;

(2) by inserting “with a capacity of at least 75 persons whose services include the supply of meals or snacks to at least 75 persons at a time” after “establishments offering on-site consumption” in the part preceding paragraph 1;

(3) by inserting “the operator of” after “or with” in the part preceding subparagraph 1;

(4) by replacing “such establishments” in subparagraph 4 by “each establishment”;

(5) in the French text, by replacing “chacun de ces établissements” in subparagraph 5 by “chaque établissement”;

(6) by replacing “such establishments” in subparagraph 8 by “each establishment”;

(7) by replacing “the sixteenth month and a half following 7 July 2022” in subparagraph 9” by “1 November 2023”;

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

“Beginning on 1 March 2024, the steps referred to in the first paragraph must also be taken with establishments offering on-site consumption with a capacity of at least 20 persons and with establishments whose services include the supply of meals or snacks to at least 20 persons at a time, if they were not already covered by the first paragraph. The implementation schedule for collection services must, in the case of those establishments, provide for collection services to begin not later than 1 March 2025.”

### **33.** Section 64 is amended

(1) in the first paragraph

(a) by replacing “at the end of the eleventh month following 7 July 2022” by “on 1 July 2023 for the establishments referred to in the first paragraph of section 63 and 1 November 2024 for the establishments referred to in the second paragraph of section 63”;

(b) by replacing de “, as the case may be, an” by “the operator of an”;

(c) by replacing “the time limit” by “that date”;

(d) by replacing “, as the case may be, the” by “the operator of”;

(2) by replacing “, as the case may be,” in the second paragraph by “the operator of”;

(3) by replacing “, as the case may be,” in the third paragraph by “the operator of”;

### **34.** Section 65 is amended

(1) by replacing the part preceding paragraph 1 by:

“If, on 1 October 2023 or, as the case may be, 1 February 2025, the persons referred to in section 63 have still not succeeded in entering into a contract, the producer must, not later than beginning in the fifth week following either date, offer free of charge, to each establishment offering on-site consumption on whose behalf the group acts, that has consented and has not entered into a contract pursuant to section 63, and to the operator of each establishment offering on-site consumption acting individually, that has consented and has not entered into a contract pursuant to section 63, a collection service for redeemable containers, on the following conditions:”;

(2) by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) beginning in the fifth week following 1 October 2023 for the establishments offering on-site consumption referred to in the first paragraph of section 63: at least one collection per week;

“(2) beginning in the fifth week following 1 February 2025 for the establishments offering on-site consumption referred to in the second paragraph of section 63: at least two collections per month;”;

(3) by inserting “readout” after “digital” in paragraph 6;

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

“If, after four consecutive collections from an establishment offering on-site consumption carried out pursuant to the first paragraph, the producer observes that at each collection, the quantity of redeemable containers collected that are made of metal, plastic or fibre, including multi-layer containers, is less than 750, or that the quantity of redeemable containers collected that are made of glass or another breakable material is less than 250, it may reduce the frequency of the collections agreed on with the establishment. However, when, for all such types of containers, the quantity of redeemable containers collected that are made of metal, plastic or fibre, including multilayer containers, is equal to or greater than 375 and the quantity of redeemable containers collected that are made of glass or another breakable material is equal to or greater than 125, the producer must maintain the frequency of the collections agreed on with the establishment.”

**35.** The following is inserted after section 66:

“**66.1.** Every producer must, not later than 7 January 2024 for the establishments referred to in the first paragraph of section 63 and 1 March 2025 for the establishments referred to in the second paragraph of that section, provide a list of all the establishments offering on-site consumption referred to those paragraphs to the Société and the Minister, and send them an updated list annually at the same time as the annual report.

Every establishment offering on-site consumption referred to in the first paragraph must, not later than 15 October 2023 for the establishments referred to in the first paragraph of section 63 and not later than 1 March 2024 for the establishments referred to in the second paragraph of section 63, provide every producer with the name and address of the establishment, its capacity, the name of its representative, its telephone number and its email address. The producer must, not later than 1 October 2023, ensure that the establishments are able to provide and update the information using an application on the producer’s website.

“**66.2.** Every establishment offering on-site consumption referred to in the first paragraph of section 63 that began operations after 1 October 2023 or, for the establishments referred to in the second paragraph of section 63, after 1 March 2025 and every establishment offering on-site consumption whose capacity or delivery of services including the supply or meals or snacks is increased to 20 or more persons at a time after 1 March 2025 must, at least one month before beginning operations or before the increase takes effect, provide every producer with the information listed in the second paragraph of section 66.1, using the application on the producer’s website.

“**66.3.** Every establishment offering on-site consumption whose capacity or delivery of services including the supply or meals or snacks is decreased to less than 20 persons at a time or that ceases its operations must, at least 15 days before the decrease takes effect or operations cease, inform every producer in writing.”

**36.** The following is inserted after section 66:

“**§5. Personalized collection service for redeemable containers**

“**66.4.** A person may, for remuneration, offer a personalized service to collect redeemable containers from a home or an establishment offering on-site consumption, combined with a service to refund the deposit on the containers, provided the person first obtains the agreement of every producer that has developed and implemented a collection system.

“**66.5.** A person offering such a service must return the redeemable containers collected either to a return site or to a service provider having entered into a contract pursuant to section 67.

“**66.6.** A person offering such a service must also, when the redeemable containers are returned to a place other than a return site, inform a producer referred to section 66.4, at the frequency agreed with the producer, of

(1) the quantity, by type, of redeemable containers collected, by administrative region and by isolated or remote territory;

(2) the place where the containers were returned.

“**66.7.** The deposit on a redeemable container collected pursuant to this subdivision must be refunded in full.”

**37.** Section 69 is amended in paragraph 9

(1) by replacing “containers” by “redeemable containers”;

(2) by adding “, and in particular the measures concerning redeemable containers returned by a personalized collection service for redeemable containers”.

**38.** Section 73 is amended by replacing “containers” wherever it occurs in subparagraph 4 of the first paragraph by “redeemable containers”.

**39.** Section 74 is amended by replacing “sub-subdivision 8 of subdivision 1 of Division II of this Chapter” in paragraph 4 by “sections 119 to 123”.

**40.** Section 83 is amended by adding, at the end, “It must also, within the same time limit, notify the producers.”

**41.** Section 88 is amended in the first paragraph

(1) by replacing “and” by “, ”;

(2) by inserting “and comply with the obligation in paragraph 5 of section 74” after “Québec”.

**42.** Section 89 is amended by inserting the following paragraph after the first paragraph:

“Where this is the case and where the body for which the application is filed meets the requirements of sections 73 and 74, and provided the requirements of sections 71 and 72 have been met, the Société must give it priority over a body that it is considering designating pursuant to the first paragraph of section 88.”

**43.** Section 92 is amended in the first paragraph

(1) by striking out “representatives of” in subparagraph 1;

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

“(1.1) that the natural person representing a producer on the board of directors is active mainly in Québec and is employed by the producer;”;

(3) by replacing “containers commercialized, marketed or otherwise distributed in Québec by the producers in each sector” in subparagraph 3 by “redeemable containers used by the producers to commercialize, market or otherwise distribute products in Québec, in each category.”

**44.** The following is inserted after section 92:

“**92.1.** Not later than 1 February 2024, the designated management body must send a list of the producers to which this Regulation applies to the Société and the Minister, indicating the producers who are members of the body and, in each case, whether the producer is a minor, medium or major contributor and, where applicable, the name of the trademark or trademarks owned or used by the producer.

The designated management body must update the list each year and file it with its annual report.”

**45.** Section 95 is replaced by the following:

“**95.** The contribution a producer is required to pay pursuant to the third paragraph of section 94 is calculated by multiplying the quantity of redeemable containers used by the producer during the year for which the contribution is required to commercialize, market or otherwise distribute a product, by a per-container amount set by the designated management body.

In setting the amount referred to in the first paragraph, the designated management body first calculates a basic amount applicable to every redeemable container belonging to a type of container, which may vary depending on the product commercialized, marketed or otherwise distributed in the container.

Next, the designated management body varies the amount depending on whether the container to which it applies is single-use or reusable, increasing the amount for single-use containers and decreasing it for reusable containers. The basic amount for a reusable container may not, however, be more than 25% greater than the average basic amount for all types of single-use containers.

After calculating and varying the basic amount applicable to a container pursuant to the second and third paragraphs, the designated management body again varies the amount by taking into account the capacity of the deposit-refund system to take it in charge until its reclamation and, among other factors, the factors connected to the impact of the containers on the environment, including

(1) the materials of which the container is made;

(2) its actual recyclability;

(3) the existence of markets for all the materials of which it is made;

(4) the existence of markets in Québec for all the materials of which it is made;

(5) the inclusion of post-consumer recycled materials in the container;

(6) the effort made to reduce, at source, the materials used to manufacture the redeemable container.

The consideration given to the elements and factors in the fourth paragraph may lead to a different result for containers belonging to the same type of container.”

**46.** Section 96 is replaced by the following:

“**96.** The designated management body must post and update on its website, without restricting access,

(1) the basic amount referred to in the second paragraph of section 95, for each type of redeemable container and based on the volume of the product commercialized, marketed or otherwise distributed in each type of redeemable container;

(2) the manner in which it has taken into account, in varying the basic amount, the fact that the container concerned is a single-use or reusable container, the capacity of the system to take it in charge until its reclamation, and the factors connected with the container’s impact on the environment, including those listed in the fourth paragraph of section 95.”

**47.** Section 97 is amended by replacing “container” by “redeemable container”.

**48.** Section 98 is amended

(1) by replacing “disclosed” in the second paragraph by “made visible by the producer”;

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

“If a producer makes an internalized cost visible, any person who offers for sale, sells, distributes to a user or final consumer or otherwise makes available the product referred to in the first paragraph of section 95 may also, without being required to do so, make the amount visible. The person must, in such a case, include a mention for the same purpose as in the second paragraph and the same internet address.”.

**49.** Section 99 is amended

(1) in the first table,

(a) by replacing “70” in the second line by “55”

(b) by replacing “65” in the third line by “60”;

(c) by striking out the fourth and sixth lines;

(d) by replacing “containers” in the seventh line by “redeemable containers”;

(2) in the second table, by replacing “containers” in the eighth line by “redeemable containers”.

**50.** Section 100 is amended by inserting “referred to in that section” after “type of containers”.

**51.** Section 101 is amended by replacing “an independent third person who is a professional within the meaning of section 1 of the Professional Code (chapter C-26) and” by “a chartered professional accountant”.

**52.** Section 103 is amended

(1) in the first table,

(a) by replacing “68” in the second line by “53”

(b) by replacing “63” in the third line by “58”;

(c) by striking out the fourth and sixth lines;

(2) in the second table, by replacing “85” in the seventh line by “90”.

**53.** Section 105 is amended by striking out “redeemable”.

**54.** Section 106 is amended by striking out “redeemable”.

**55.** Section 108 is amended in the first paragraph

(1) by replacing “2028” in the fourth line of the table by “2027”;

(2) by replacing “2026” in the seventh line of the table by “2028”.

**56.** Section 109 is amended by striking out “redeemable”.

**57.** Section 110 is amended in the second paragraph by replacing “container” wherever it occurs by “redeemable container”.

**58.** Section 111 is amended by inserting “redeemable or non-returnable” after “new”, wherever it occurs.

**59.** Section 113 is amended

(1) in the second paragraph

(a) by replacing “one or more” by “several”;

(b) by replacing “sub-subdivision 9 of this subdivision” by “sections 127 to 135”;

(c) by striking out “, for information purposes,”;

(d) by adding “unless a remediation plan that is still in effect has already been sent for those rates” at the end;

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

“Every change to a remediation plan must be sent to the Société and to the Minister within 30 days of the date on which it is made.”.

**60.** Section 114 is amended

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

“(1) allow, by the end of the second year following the year in which the plan is sent, the rates prescribed for that second year to be achieved.”.

(2) by inserting “redeemable or non-returnable” after “new in subparagraph 2 of the second paragraph.”

**61.** Section 115 is amended

(1) by replacing “associated with” in the first paragraph by “of”;

(2) in the second paragraph

(a) by replacing the part preceding subparagraph 1 by “The amount of the financing provided for in the first paragraph is calculated as follows for a year, and the result of the calculation is multiplied by 3 to obtain the total amount of the financing.”;

(b) by replacing “Recovery rate – for the prescribed recovery rate, using the equation” in subparagraph 1 by “for prescribed recovery rates that have not been achieved using, for each rate, the equation”;

(c) by replacing “the year concerned” in the definition of “MFI” in subparagraph 1 by “a year”;

(d) by replacing “concerned” in the definition of “Qcm” in subparagraph 1 by “for which the rates have not been achieved”;

(e) by inserting “,” after “amount” in the definition of MC in subparagraph 1;

(f) by striking out “Reclamation rate, local reclamation rate and recycling rate –” in subparagraph 2;

(3) in the third paragraph

(a) by replacing “2 rates prescribed for a given year are not achieved” in subparagraph 2 by “neither the recovery rate nor the reclamation rate, except the local reclamation rate, for a given year is achieved”;

(b) in the French text, by striking out “pas” in subparagraph 2;

(c) by striking out subparagraph 3.

**62.** The following is inserted after section 115:

“**115.1.** If, before the expiry of a remediation plan, a rate achieved for the year during which the plan was sent or the year following is below the rate achieved that led to the sending of the plan, extra financing must be added to the financing initially provided for in the plan. The extra financing is calculated using the equation in the second paragraph of section 115, adapted to ensure that the rate used for the calculation is the rate for the year during which the plan was sent or the year following and applies until the expiry of the plan.

If, before the expiry of a remediation plan, a rate prescribed for the year during which the plan was sent or the year following is achieved, the designated management body may cease to implement the measures in the plan with respect to that rate and the associated financing.

On the expiry of a remediation plan, if the designated management body has disbursed only part of the amount provided to finance the measures in the plan and if the rate or rates prescribed for the second year have not been achieved, it must add to the amounts provided for the financing of the measures in the next plan an amount equivalent to the amount that has not been disbursed.

“**115.2.** Until the expiry of a remediation plan, the designated management body may use the financing associated with the plan at the time of its own choosing.”.

**63.** Section 116 is amended in the first paragraph

(1) by inserting “, calculated for one year,” after “financing”;

(2) by inserting “, for the last such year,” after “If”.

**64.** Section 119 is amended

(1) by inserting “redeemable or non-returnable” after “new” in subparagraph 5 of the first paragraph;

(2) by replacing “may be represented by a maximum of 2 persons as member of the monitoring committee” in the second paragraph by “must be represented on the monitoring committee by a member of the committee. The representation may not exceed 2 persons per member”.

**65.** Section 120 is replaced by the following:

“**120.** Every 2 years, one quarter of the members of the monitoring committee, representing persons or bodies listed in subparagraphs 1 to 8 of the first paragraph of section 119 must be replaced by new members meeting the conditions of that paragraph.”.

**66.** Section 127 is amended

(1) by adding “, the audit report on its statements as well as the data referred to in the third paragraph and the audit report on the information referred to in section 135.1” at the end of the first paragraph;

(2) by replacing “in the sixteenth month following 7 July 2022” in the second paragraph by “on 1 November 2023”;

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

“The financial statements and the data referred to in subparagraphs *b* to *g*, *j* and *k* subparagraph 2 and subparagraphs *a* to *d* of subparagraph 3 of the first paragraph of section 129, and those referred to in the second paragraph of that section, must be audited by a chartered professional accountant authorized by the professional order to which the accountant belongs to perform an audit engagement. They may also be audited by any other person legally authorized to perform such an activity in Québec.”.

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

“The person engaged to perform the audit referred to in the third paragraph must not be employed by the body.”

**67.** Section 129 is amended

(1) by inserting “redeemable or non-returnable” after “new” in subparagraph *j* of subparagraph 2 of the first paragraph;

(2) by replacing “containers” in subparagraph *k* of subparagraph 2 of the first paragraph by “redeemable containers”;

(3) by replacing “per-container amount used to calculate such contributions and the way in which the factors connected to the impact of the containers on the environment were applied when setting the per-container amount for calculating contributions” in subparagraph 1 of the second paragraph by “details for the calculation of the basic amount referred to in the second paragraph of section 95 and the method used to vary that amount for each container in accordance with the third paragraph of that section, as well as the method used to take into account, when varying the amount in accordance with the fourth paragraph of that section, the capacity of the deposit-refund system to take in charge until its reclamation the container targeted by the calculation and the factors connected to its impact on the environment, including those listed therein.”

**68.** Section 130 is amended by replacing “container” in paragraph 2 by “redeemable container”.

**69.** Section 132 is replaced by the following:

“**132.** Where a remediation plan has been produced by the designated management body, the annual report must also contain

(1) a detailed description of the measures in the plan that have been implemented during the year covered by the report;

(2) where applicable, the reason why some measures have not been implemented;

(3) the costs incurred or to be incurred for the implementation of the measures;

(4) the details of the calculation referred to in the second paragraph of section 115.1;

(5) where applicable, the information contained in the update of the plan sent during the year.”

**70.** The following is inserted after section 135:

“**§§10.1.** *Audit of the information provided by producers and conditioners*

“**135.1.** Beginning on 1 January 2026, the designated management body must, at least once every five years, have the information that must be provided by its members pursuant to section 141 concerning the type, quantity or weight of redeemable containers audited.

Beginning on 1 January 2026, the designated management body must also, at least once every three years, have the information referred to in subparagraphs *e*, *f* and *j* of subparagraph 2 of the first paragraph of section 129 that must be forwarded to it, pursuant to section 141.2, by each of the conditioners with which it has entered into a contract pursuant to section 67 audited.

The information referred to in the first and second paragraphs must be audited by a chartered professional accountant certified by the order to which the accountant belongs to perform an audit engagement. It may also be audited by any other person legally authorized to perform such an activity in Québec.

To allow the designated management body to fulfill the obligations in the first and second paragraphs, every member of the body or, as the case may be, every conditioner referred to in the second paragraph must give the person engaged to perform the audit, at the person’s request, access to the documents and information needed by the person for the audit.

A person engaged to perform an audit under this section may be employed by the person providing the engagement.”

**71.** Section 139 is amended by replacing “containers” in subparagraph *b* of paragraph 4 by “redeemable containers”.

**72.** The following is inserted after section 141:

“**§3.** *Of service providers towards the body*

“**141.1.** Every service provider, including every conditioner, with which the designated management body has entered into a contract pursuant to section 67 must provide the body, within the time it indicates, with the documents and information it requests to allow it to fulfill its duties and obligations under this Regulation.



“141.2. Every conditioner with which the designated management body has entered into an agreement pursuant to section 67 must provide it annually, within the time it indicates, with the information referred to in subparagraphs *e*, *f* and *j* of subparagraph 2 of the first paragraph of section 129.”

**73.** The following is inserted after the heading of Chapter IV:

“DIVISION I  
“GENERAL”.

**74.** Section 143 is amended by adding the following paragraph at the end:

“(6) the measures to be implemented to allow, as far as possible, for the sharing of the spaces used for each system, the costs involved in implementing the systems, and any other measure needed to optimize the use of the bodies’ resources.”

**75.** The heading of Division I of Chapter IV is amended by replacing “I” by “II”.

**76.** The heading of Division II of Chapter IV is amended by replacing “II” by “III”.

**77.** Section 173 is replaced by the following:

“173. A monetary administrative penalty of \$1,500 may be imposed on any designated management body that fails to establish the monitoring committee provided for in the first paragraph of section 119.”

**78.** Section 174 is amended

(1) by inserting the following after paragraph 3:

“(3.1) fails to provide the information referred to in the first or second paragraph of section 66.1, section 66.2 or the first paragraph of section 92.1;

“(3.2) fails to inform a producer in accordance with section 66.3;”;

(2) by inserting “section 54.2,” after “provided for in” in paragraph 5;

(3) by inserting the following paragraph after paragraph 6:

“(6.1) fails to update the list referred to in the first paragraph of section 92.1 and to file the list with its annual report, in contravention of the second paragraph of that section;”;

(4) by inserting “and on the conditions” after “limit” in paragraph 9;

(5) by replacing paragraph 11 by the following:

“(11) fails to have the information referred to in the first or second paragraph of section 135.1 audited on the conditions and at the times specified in that section;

“(12) fails to give access to the documents and information referred to in the third paragraph of section 135.1;

“(13) fails to comply with the time limit in section 142.”

**79.** Section 176 is amended

(1) in paragraph 3

(a) by replacing “container” by “redeemable container”;

(b) by inserting “the first paragraph of” after “contravention of”;

(2) by inserting “, the first paragraph of section 54.1” after “section 51” in paragraph 11;

(3) by inserting the following after paragraph 24:

“(24.1) fails to send a change to remediation plan or fails to send it within the time prescribed in section 113;”.

**80.** Section 179 is amended by striking out “monetary administrative” in paragraph 24.

**81.** Section 180 is replaced by the following:

“180. Every designated management body that fails to establish the monitoring committee provided for in the first paragraph of section 119 is liable to a fine of \$6,000 to \$600,000.”

**82.** Section 181 is amended

(1) by inserting the following after paragraph 3:

“(3.1) fails to provide the information referred to in the first or second paragraph of section 66.1 or the first paragraph of section 92.1,

“(3.2) fails to inform a producer in accordance with section 66.3;”;

(2) by inserting “section 54.2,” after “provided for in” in paragraph 5;

(3) by inserting the following paragraph after paragraph 6:

“(6.1) fails to update the list referred to in the first paragraph of section 92.1 and to file the list with its annual report, in contravention of the second paragraph of that section,”;

(4) by inserting “and on the conditions” after “limit” in paragraph 9;

(5) by replacing paragraph 11 by the following:

“(11) fails to have the information referred to in the first or second paragraph of section 135.1 audited on the conditions and at the times specified in that section,

“(12) fails to give access to the documents and information referred to in the third paragraph of section 135.1,

“(13) fails to comply with the time limit in section 142.”.

**83.** Section 183 is amended

(1) in paragraph 3

(a) by replacing “container” by “redeemable container”;

(b) by inserting “the first paragraph of” after “contravention of”;

(2) by inserting “, the first paragraph of section 54.1” after “section 51” in paragraph 11;

(3) by inserting the following after paragraph 24:

“(24.1) fails to send a change to remediation plan or fails to send it within the time prescribed in section 113,”.

**84.** The heading of Chapter IX is amended, in the French text, by replacing “TRANSITOIRE” by “TRANSITOIRES”.

**85.** The following is inserted before section 190:

“**189.1.** Despite section 17, the amount of a deposit on a contained fixed under an agreement entered into pursuant to the Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (chapter V-5.001) as it read on 31 October 2023, or fixed under an unregulated deposit system for redeemable containers from 1 November 2023, is, if greater than the deposit on such a container under this Regulation and for the 15 days following 31 October 2023, refundable in the amount fixed under the agreement or unregulated deposit system, and the provisions of this Regulation apply to the refund.

“**189.2** Despite the provisions of this Regulation, any producer to which this Regulation applies that, on 1 November 2023, operates an unregulated deposit system to apply a deposit, fixed by the producer, to containers referred to in section 3 that the producer uses to commercialize, market or otherwise distribute milk may continue to operate the system until 28 February 2025.

For 15 days after 28 February 2025, the deposit on the containers referred to in the first paragraph is refundable in the amount fixed under the unregulated system if it is greater than the amount of the deposit on such a container under this Regulation.

“**189.3** The designated management body must inform the population, not later than 15 October 2023 for containers referred to in section 189.1 or 15 February 2025 for containers referred to in section 189.2, of the provisions provided for in sections 189.1 and 189.2”.

**86.** Section 190 is amended

(1) by replacing “7 July 2022 ceases to have effect on the first day of the sixteenth month following that date” in the first paragraph by “the date on which that Act is repealed ceases to have effect on the same date”;

(2) by replacing “7 July 2022 terminates on the first day of the sixteenth month following that date” in the second paragraph by “the date on which that Act is repealed ceases to have effect on the same date”;

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

“The same applies to the agreement dated 17 May 1985 entered into by the Fonds québécois de récupération, the Association des détaillants en alimentation du Québec, the Association des épiciers en gros du Québec, the Conseil québécois du commerce de détail, the Canadian Grocery Distributors’ Institute, Ferme Carnaval inc., Les épiciers unis/Métro-Richelieu inc., Groupe Servi, represented by Aliments Servi inc., Hudon et Deaudelin ltée, Provigo inc., Steinberg inc. and the special retailers’ committee set up by the Association des détaillants en alimentation, in collaboration with the retail chains, and to any written agreement that replaces it which, if still in effect on the date of repeal of the Act referred to in the first paragraph, ends on that date.”.

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

106438

Gouvernement du Québec

## O.C. 1367-2023, 23 August 2023

Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5)

### Certain transitional measures needed for the application of the Act

Regulation respecting certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection

WHEREAS, under section 22 of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5), the Government may, by a regulation made before the date that is two years after the date of coming into force of that section, enact any other transitional measure required to carry out the Act;

WHEREAS Order in Council 1364-2023 dated 23 August 2023 fixes 30 August 2023 as the date of coming into force of section 22 of the Act;

WHEREAS it is expedient to enact, by regulation, certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection;

WHEREAS, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the draft Regulation respecting certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection was published in Part 2 of the *Gazette officielle du Québec* dated 19 July 2023 with a notice stating that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS it is expedient to make the Regulation respecting certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection without amendment;

WHEREAS, under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and where the reason justifying such coming into force has been published with the regulation;

WHEREAS the Government is of the opinion that the urgency of the situation requires that the Regulation respecting certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection come into force on the day of its publication in the *Gazette officielle du Québec* as warranted by the following circumstances:

(1) the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) specifies that the deposit system it concerns must be implemented starting on 1 November 2023, and sets the same date for the end of the deposit system currently regulated by the Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (chapter V-5.001) and the agreements made pursuant to that Act and the Regulation made under it;

(2) the Société québécoise de récupération et de recyclage is a party to those agreements and on 1 November 2023 it will hold amounts collected pursuant to the agreements that it must then remit to the persons who signed the agreements. As a result, it is important for the provisions of this Regulation authorizing the payment of such amounts to the management body designated to perform the obligations of the signing parties pursuant to the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers come into force as quickly as possible before that date to enable the financing of the new system;

(3) in addition, the amendments introduced by the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, made on the same date as this Regulation, must come into force before 7 September 2023, and some of them concern the termination of the current deposit system. It is therefore important for this Regulation to come into force on the same date to ensure that the provisions of both Regulations are consistent.

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

THAT the Regulation respecting certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## Regulation respecting certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection

Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5, s. 22)

### CHAPTER I PROVISIONS APPLICABLE WITH RESPECT TO DEPOSITS

**1.** The purpose of this Regulation is to enact certain transitional measures needed for the application of the Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5).

**2.** The Société québécoise de récupération et de recyclage, hereinafter the “Société”, must, not later than 15 December 2023, pay to the management body designated pursuant to the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) an amount equal to the amount that, on 31 March 2023, appeared as “Provision for amounts payable for container deposits”, for the Beer component, under the heading “Liabilities” in its financial statements for the 2022-2023 fiscal year.

The amount is reduced by any part of the provision already paid to the designated management body by the Société before the date of coming into force of this Regulation.

**3.** The amount referred to in the first paragraph of section 2 cannot be used for any purpose other than the development and implementation of a deposit-refund system for certain containers to which the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) applies.

**4.** The Société must, not later than 15 December 2023, send to the Minister, the designated management body and each party having signed an agreement entered into in accordance with the Beer and Soft Drinks Distributors’ Permits Regulation (chapter V-5.001, r. 1) covering redeemable containers in which beer is sold that is in force on 31 October 2023, the amount of the provision referred to in the first paragraph of section 2, the method used to calculate the amount of the provision, and the elements taken into account to perform the calculation, including:

(1) an estimate by the Société of the number of days, on average, that elapses before a redeemable container is returned for a refund of the deposit pursuant to that agreement;

(2) the daily average of deposits referred to in paragraph 1 that are refunded, including the encouragement bonus, for each deposit amount covered by the agreement;

(3) the amount of the provision, including the encouragement bonus, for redeemable containers in which beer is sold, for each deposit amount covered by the agreement.

### CHAPTER II PROVISIONS APPLICABLE TO COMPENSATION

**5.** On the expiry of the time limit set out in the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10) for the last payment of the compensation owed for the year 2025 to the municipalities to which the Regulation applies, a body certified pursuant to subdivision 4.1 of Division VII of Chapter IV of Title I of the Environment Quality Act (chapter Q-2) that has paid all the amounts of compensation it had to pay pursuant to that subdivision must, if it still holds amounts collected under that subdivision, remit them not later than the thirtieth day following the last payment of compensation owed for the year 2025 to the management body designated pursuant to the Regulation respecting a system of selective collection of certain residual materials (chapter Q-2, r. 46.01).

Despite the first paragraph, the certified body is not required to pay to the designated management body the amounts collected pursuant to section 53.31.13 of the Environment Quality Act to indemnify it for the management and other costs referred to in that section.

**6.** If a municipality has failed to send its declaration to the Société québécoise de récupération et de recyclage before the time limit set out in the third paragraph of section 8.8.6 of the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10), the Société must, within one month, repay to the certified body that collected contributions pursuant to the first paragraph of section 53.31.13 of the Environment Quality Act (chapter Q-2) and paid them to the Société pursuant to the first paragraph of section 53.31.12 of that Act, the compensation that the latter was bound to pay on or before that date.

### CHAPTER III MISCELLANEOUS AND FINAL PROVISIONS

**7.** Every amount owed pursuant to this Regulation bears interest, from the 31st day following the date on which a notice of claim is served, at the rate provided for in the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002).

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

106437

Gouvernement du Québec

#### **O.C. 1368-2023, 23 August 2023**

Environment Quality Act  
(chapter Q-2)

#### **Compensation for municipal services provided to recover and reclaim residual materials — Amendment**

Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials

WHEREAS, under the third paragraph of section 53.31.2 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, as regards one or more designated materials or classes of materials, specify which persons from among the persons referred to in subparagraph 6 of the first paragraph of section 53.30 of the Act are required to pay a compensatory contribution as compensation to the municipalities;

WHEREAS, under the first paragraph of section 53.31.3 of the Act, the annual compensation owed to the municipalities is based on the cost of the services they provide during a year to deal with the materials or classes of materials subject to compensation, that is, the collection, transportation, sorting and conditioning costs, including an indemnity for the management of those services;

WHEREAS, under the second paragraph of section 53.31.3 of the Act, the Société québécoise de récupération et de recyclage determines annually the amount of the compensation, by calculating for each municipality, in accordance with the calculation method and the performance and effectiveness criteria determined by regulation of the Government, the costs of the services provided that are eligible for compensation and the management indemnity to which the municipality is entitled, and by aggregating all the costs and fees calculated for the municipalities;

WHEREAS, under the first paragraph of section 53.31.4 of the Act, for the purposes of section 53.31.3 of the Act, the Government prescribes by regulation the information and documents a municipality is required to send to the Société québécoise de récupération et de recyclage and the conditions, including the date, under which they must be sent, and whereas the regulation must also specify the penalties applicable if those obligations are not met;

WHEREAS, under the second paragraph of section 53.31.4 of the Act, should a municipality fail to send the required information or documents to the Société québécoise de récupération et de recyclage before the date prescribed by a regulation made under the first paragraph of that section, the cost of the services provided by the municipality that is eligible for compensation is determined in accordance with the rules set by regulation, and, for that purpose, the Société may estimate the quantity of materials subject to compensation that was recovered or reclaimed in that municipality's territory by using the data from other municipalities in accordance with that regulation;

WHEREAS, under the third paragraph of section 53.31.4 of the Act, such a regulation may also include specific calculation rules in the case where the Société québécoise de récupération et de recyclage deems that a municipality's failure to comply results from special circumstances beyond its control;

WHEREAS, under section 53.31.5 of the Act, the Government may, by regulation and for every material or class of materials it specifies, set the maximum amount of the annual compensation payable and limit the amount of the annual compensation payable to a percentage it sets;

WHEREAS, under the first paragraph of section 53.31.12 of the Act, the certified body must remit to the Société québécoise de récupération et de recyclage, in trust, the amount of the compensation owed to the municipalities and determined in accordance with the second paragraph of section 53.31.3 of the Act;

WHEREAS, under the second paragraph of section 53.31.12 of the Act, the certified body must also remit to the Société québécoise de récupération et de recyclage, in addition to the compensation owed to the municipalities, the amount payable to the Société under section 53.31.18 of the Act;

WHEREAS, under the third paragraph of section 53.31.12 of the Act, the Government may, by regulation, determine how the amounts identified in the first and second paragraphs of that section are to be paid, including any interest or penalties due in case of non-payment, and the Société québécoise de récupération et de recyclage and the certified body may make arrangements regarding payment, subject to the applicable regulatory prescriptions;

WHEREAS, under the first paragraph of section 53.31.12.1 of the Act, if, by regulation, the Government subjects newspapers to the compensation regime provided for in Division VII of Chapter IV of Title I of the Act, it may determine on what conditions the amount of the annual compensation owed to the municipalities that is allotted to that class of materials may be paid in whole or in part through a contribution in goods or services, and prescribe the characteristics newspapers must possess to benefit from that mode of payment;

WHEREAS, under section 53.31.17 of the Act, the Société québécoise de récupération et de recyclage distributes to the municipalities the amount of the compensation paid by a certified body, in accordance with the distribution and payment rules determined by regulation of the Government;

WHEREAS, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials was published in Part 2 of the *Gazette officielle du Québec* dated 19 July 2023 with a notice stating that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials with amendments;

WHEREAS, under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and where the reason justifying such coming into force has been published with the regulation;

WHEREAS the Government is of the opinion that the urgency of the situation requires that the Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials come into force on the day of its publication in the *Gazette officielle du Québec* as warranted by the following circumstances:

(1) the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) provides that

some of the obligations it imposes are applicable from 1 November 2023, and the persons required to comply are the same as those covered by the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10); taken as a whole, the obligations imposed by both regulations are, although distinct, complementary and the persons to which they apply need to be designated in the same way, which is not presently the case;

(2) the amendments introduced by the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, made on the same date as this Regulation, must come into force before 1 November 2023 and some of them include provisions similar to those amended by this Regulation;

(3) in addition, the Regulation respecting a system of selective collection of certain residual materials (chapter Q-2, r. 46.01) specifies obligations for the same persons as those to whom the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials applies. The amendments introduced by the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials, made on the same date as this Regulation, must come into force before 7 September 2023, and some of them include provisions similar to the provisions amended by this Regulation;

(4) it is therefore important for this Regulation to come into force on the same date as the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers and the Regulation to amend the Regulation respecting a system of selective collection of certain residual materials, to ensure that the provisions of all the Regulations concerned are consistent.

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

THAT the Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials

Environment Quality Act  
(chapter Q-2, ss. 53.31.2 to 53.31.5, 53.31.12, 53.31.12.1 and 53.31.17)

**1.** The Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10) is amended in section 3

(1) in the first paragraph

(a) by replacing “owner of a brand, a name or a distinguishing guise” in the part preceding subparagraph 1 by “owner or, as the case may be, user of a name or trademark that has a domicile or establishment in Québec”;

(b) by replacing “that brand, name or distinguishing guise” in subparagraph 1 by “that name or trademark”;

(c) by replacing “that brand, name or distinguishing guise” in subparagraph 2 by “that name or trademark”;

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

“The requirement provided for in the first paragraph is incumbent on a person that has a domicile or establishment in Québec and that acts as the first supplier, other than the manufacturer of a product or containers and packaging of which the person that is the owner or user of the name of trademark has no domicile or establishment in Québec.”;

(3) in the third paragraph

(a) in the French text, by replacing “ayant un domicile ou” by “domicilié ou ayant”

(b) by replacing “first supplier in Québec of the products or of the containers and packaging, other than the manufacturer, is required to pay the contributions, whether or not that supplier is the importer” by “person having a domicile or establishment in Québec who acts as the first supplier in Québec of the products or of the containers and packaging, other than the manufacturer, is required to pay the contributions”;

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

“For the purposes of this section,

“trademark” means a sign or combination of signs used by a person for the purpose of distinguishing or so as to distinguish products manufactured, sold, leased or hired, or services hired or performed, by the person from those manufactured, sold, leased or hired, or those hired or performed, by others, but does not include a certification mark within the meaning of section 2 of the Trade-marks Act (R.S.C. 1985, c. T-13);

“name” means the name under which any business is carried on, whether or not it is the name of a legal person, a partnership or an individual.”.

**2.** Section 3.1 is amended

(1) in the first paragraph

(a) by replacing “have a brand, a name or a distinguishing guise” by “have a trademark or name”;

(b) by replacing “identified by a brand, a name or a distinguishing guise” by “identified by a trademark or name”;

(c) by replacing “the first supplier in Québec of that product or service, or those containers or packaging is required to pay a contribution pursuant to a schedule of contributions established under section 53.31.14 of the Act, whether or not that supplier is the importer” by “person having a domicile or establishment in Québec who acts as the first supplier in Québec of that product or service, or those containers and packaging, other than the manufacturer, is required to pay a contribution pursuant to a schedule of contributions established under section 53.31.14 of the Act”;

(2) by replacing “ “brand”, “name” and “distinguishing guise” ” in the third paragraph by “ “trademark” and “name” ”.

**3.** Section 6 is amended

(1) by replacing “The owner of a brand, a name or a distinguishing guise identifying material included in the newspapers or printed matter class of materials” in the first paragraph by “The owner or, as the case may be, user of a name or trademark identifying material included in the newspapers or printed matter class of materials that has a domicile or establishment in Québec”;

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

“The requirement provided for in the first paragraph is incumbent on a person that has a domicile or establishment in Québec and that acts as the first supplier, other than the manufacturer, of the materials concerned, where the person that is the owner or user of the name of trademark identifying the materials has no domicile or establishment in Québec.”;

(3) by striking out “, whether or not that supplier is the importer” in the third paragraph;

(4) by replacing “ “brand”, “name” and “distinguishing guise” ” in the fourth paragraph by “ “trademark” and “name” ”.

**4.** Section 6.1 is amended

(1) in the first paragraph

(a) by replacing “a brand, a name or a distinguishing guise” by “a trademark or name”;

(b) by striking out “, whether or not that supplier is the importer”;

(2) by striking out “, whether or not that supplier is the importer” in the second paragraph;

(3) by replacing “ “brand”, “name” and “distinguishing guise” ” in the third paragraph by “ “trademark” and “name” ”.

**5.** Section 6.3 is amended

(1) in the first paragraph

(a) in the French text, by replacing “engendrés” in the part preceding subparagraph 1 by “générés”;

(b) in the French text, by replacing “conclut” in subparagraph 2 by “conclu”;

(c) by replacing “nature” in subparagraph 3 by “type”;

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

“Where a contract referred to in the first paragraph replaces a contract that has expired and is intended to provide services in addition to or different from those covered by the expired contract, or is intended to provide the same type of services to more persons than under the expired contract, the costs generated in either situation are not considered to be supplementary costs for the purpose of calculating the compensation owed to the municipality that has entered into the new contract.”

**6.** The following is inserted after section 6.4:

“**6.4.1.** Despite section 6.4, for 2025 and any subsequent year, any correction to a declaration sent by a municipality before 1 September of the year for which compensation is owed to it must be received by the Société québécoise de récupération et de recyclage not later than 31 December of the same year.

The conditions provided for in the fourth paragraph of section 6.2 apply to the corrected declaration.

Adjustments arising from a correction made to a declaration referred to in the first paragraph are applied to the amount of the compensation owed to the municipality for the year during which the declaration is sent, in accordance with the terms and conditions in subparagraph 2 of the third paragraph of section 8.10.”

**7.** Section 8.8.2 is amended, in the French text, by replacing “engendrés” in the definition of the variable “S” in the second paragraph by “générés”.

**8.** The following is inserted after section 8.8.3:

“**8.8.3.1.** Despite section 8.8.3, when the compensation rate of a municipality for the year 2023 referred to in the second paragraph of section 8.8.2 is zero, the rate used for each of the following years is the average rate for the municipalities of the group to which the municipality belongs pursuant to section 8, for each of those years.

“**8.8.3.2.** For the purpose of calculating the compensation rate of a municipality for 2023 referred to in the second paragraph of section 8.8.2, section 8.7 does not apply.”

**9.** Section 8.8.4 is amended

(1) in the French text, by replacing “engendrés” in the first paragraph by “générés”;

(2) in the second paragraph

(a) in the French text, by replacing “engendrés” in the definition of the variable “S” by “générés”;

(b) by inserting “types of” after “Only the” in the definition of the variable “ENC”.

**10.** Section 8.8.6 is amended by replacing “30 June of the year that follows the year for which compensation is owed” in the third paragraph by “31 December 2025 for compensation owed for the year 2025 or 31 December of each following year to the compensation owed for each of those years”.

**11.** Section 8.12.1 is amended by adding the following paragraph at the end:

“Where the contribution in goods or services consists of disseminating a message referred to in the second paragraph, the dissemination must be carried out not later than eighteenth months following the dissemination of the schedule in the *Gazette officielle du Québec*.”



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

106439

Gouvernement du Québec

## O.C. 1369-2023, 23 August 2023

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling  
the enforcement of environmental  
and dam safety legislation  
(chapter M-11.6)

### Recovery and reclamation of products by enterprises — Amendment

Regulation to amend the Regulation respecting the  
recovery and reclamation of products by enterprises

WHEREAS, under subparagraphs 1 and 2 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, classify recoverable and reclaimable residual materials and prescribe or prohibit, in respect of one or more classes of residual materials, any mode of recovery or reclamation;

WHEREAS, under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, require any person, in particular any person operating an industrial or commercial establishment, who manufactures, markets or otherwise distributes containers, packaging or packaging materials, printed matter or other products, who markets products in containers or packaging acquired for that purpose or, more generally, whose activities generate residual materials, to develop, implement and contribute financially to, on the terms and conditions fixed, programs or measures to reduce, recover or reclaim residual materials generated by the containers, packaging, packaging materials, printed matter or other products, or generated by their activities, with the goal of extended responsibility of these persons, all while taking into account basic principles of the circular economy and taking into account the social economy within the meaning of the Social Economy Act (chapter E-1.1.1);

WHEREAS, under subparagraph *c* of subparagraph 6 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, require those persons

to keep registers and furnish to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks or the Société québécoise de récupération et de recyclage, on the terms and conditions fixed, reports on the quantity and composition of the containers, packaging, packaging materials, printed matter or other products, on the residual materials generated by their activities, and on the results obtained in terms of reduction, recovery or reclamation;

WHEREAS, under subparagraph *a* of subparagraph 7 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, exempt from all or any of the requirements prescribed pursuant to subparagraph 6 of the first paragraph of the section any person that is a member of an organization, except the requirements prescribed under both subparagraph *b* of that paragraph and, as the case may be, section 53.30.1 or 53.30.2 of the Environment Quality Act, the purpose or one of the purposes of which is to develop and implement, as a measure, a system to recover or reclaim residual materials, or to contribute financially to the development and implementation of such a system, in both cases in accordance, in particular, with the provisions of the regulation;

WHEREAS, under subparagraph 11 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish measures providing for the use of economic instruments, including tradeable permits, emission, effluent and waste-disposal fees or charges, advance elimination fees or charges, and fees or charges related to the production of hazardous residual materials or the use, management or purification of water, with a view to protecting the environment and achieving environmental quality objectives for all or part of the territory of Québec;

WHEREAS, under subparagraph 12 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish any rule that is necessary for or relevant to carrying out measures referred to in subparagraph 11 of the first paragraph of the section and that pertains, in particular, to the determination of persons or municipalities required to pay the fees or charges referred to in that subparagraph, the conditions applicable to their collection and the interest and penalties payable if the fees or charges are not paid;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks by any person or municipality carrying on an activity governed by the Environment Quality Act or the regulations, and determine the terms and conditions governing their sending;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made under the Act or the Acts concerned, specify that a failure to comply with a provision of the regulation may give rise to a monetary administrative penalty, set out the conditions for applying the penalty and determine the amounts or the methods for calculating them. The amounts may vary according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act, the Government may, in particular, determine the provisions of a regulation made under the Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises was published in Part 2 of the *Gazette officielle du Québec* dated 19 July 2023 with a notice stating that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises with amendments;

WHEREAS, under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and where the reason justifying such coming into force has been published with the regulation;

WHEREAS, the Government is of the opinion that the urgency of the situation requires that the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises come into force on the day of its publication in the *Gazette officielle du Québec* as warranted by the following circumstances:

(1) the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) provides that some of the obligations it imposes are applicable from 1 November 2023, and the persons required to comply are the same as those covered by the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1); some obligations are, in addition, similar in both Regulations and others are complementary;

(2) the amendments introduced by the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, made on the same date as this Regulation, must come into force before 1 November 2023 and some of them include provisions similar to those proposed by this Regulation; it is therefore important for this Regulation to come into force on the same date as the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, to ensure that the provisions of both Regulations and the systems to which they apply are consistent.

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

THAT the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises**

Environment Quality Act  
(chapter Q-2, s. 53.30, 1st par., subpars. 1, 2, 6 and 7, and s. 95.1, 1st par., subpars. 11, 12 and 21)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par. and s. 45, 1st par.)

**1.** The Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1) is amended in section 2

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

“Every enterprise that owns or, as the case may be, uses a name or brand and that has its domicile or an establishment in Québec, is required to recover and reclaim, as a measure under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), by means of a recovery and reclamation program developed in accordance with section 5, any new product to which this Regulation applies that is marketed in Québec under that name or brand and is returned to one of its drop-off centres, or for which it provides a collection service.”

(2) in the second paragraph

- (a) by inserting “name or” after “one”;
- (b) by striking out “, name or distinguishing guise”;
- (c) by replacing “design” by “manufacture”;
- (3) in the third paragraph

(a) by replacing “that acts as the first supplier in Québec” in the part preceding subparagraph 1 by “that has its domicile or an establishment in Québec and that acts as the first supplier in Québec, excluding the manufacturer,”;

(b) by replacing “referred to in the first or second paragraph” in subparagraph 1 by “that owns or uses the name or brand”;

- (c) by replacing subparagraph 2 by the following:

“(2) the product is marketed with no name or brand.”.

- (4) by striking out the fourth, fifth and sixth paragraphs.

**2.** The following is inserted after section 2:

“**2.1.** Where a new product covered by this Regulation is acquired outside Québec in the course of a sale governed by the laws of Québec by a person that has its domicile or an establishment in Québec, by a municipality or by a public body within the meaning of section 4 of the Act respecting contracting by public bodies (chapter C-65.1) for that enterprise’s, that person’s, that municipality’s or that public body’s own use, the obligations provided for in the first paragraph of section 2 fall

(1) on the enterprise that operates a transactional website, by means of which the product was acquired, enabling an enterprise that has no domicile or establishment in Québec to market a product in Québec;

(2) on the enterprise from which the product was acquired, whether or not it has a domicile or establishment in Québec, in other cases.

“**2.2.** Where enterprises referred to in section 2 or 2.1 do business under the same banner, whether pursuant to a franchise contract or another form of affiliation, the obligations set out in the first paragraph of section 2 apply to the owner of the banner if that owner has a domicile or establishment in Québec.

“**2.3.** Sections 2 to 2.2 do not apply to an enterprise that is a “small supplier” within the means of the Act respecting the Québec sales tax (chapter T-0.1).”.

**3.** Section 4.1 is amended

(1) by replacing “recover and reclaim, by means of a recovery and reclamation program developed in accordance with section 5, a product covered by this Regulation that is marketed by an enterprise referred to in section 2 or 3 that is a member of it” in the first paragraph by “assume the obligations that fall on them pursuant section 2, 2.1 or 3”;

(2) by inserting “, 2.1, 2.2,” after “section 2” in the third paragraph.

**4.** The following is inserted after section 4.4:

“**4.5.** The organization referred to in section 4 must take steps to discuss, with any management body designated pursuant to the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) or the Regulation respecting a system of selective collection of certain residual materials (chapter Q-2, r. 46.01) and with any organization referred to in subparagraph 7 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), ways to optimize the use of their resources.”.

**5.** Section 5 is amended

- (1) in the first paragraph

- (a) by replacing subparagraph 6 by the following:

“(6) provide for drop-off centres and, if applicable, collection services in accordance with Chapter V and, in the case of a product covered by

(a) Division 6 of Chapter VI, in accordance with section 53.0.4;

(b) Division 7 of Chapter VI, in accordance with sections 53.0.12 and 53.0.13;

(c) Division 8 of Chapter VI, in accordance with section 53.0.21;

(d) Division 9 of Chapter VI, in accordance with section 53.0.31;”;

(b) by replacing “each year” in the part preceding subparagraph *a* of subparagraph 8.1 by “not later than 30 September each year for the preceding calendar year”;

(c) by inserting “, 2.1, 2.2” after “section 2” in subparagraph 11;

(2) by replacing “and referred to in subparagraphs 3, 8 and 9 of the second paragraph must be” in the second paragraph by “must be discussed with the authorities responsible for the administration of the territory and”.

**6.** Section 6 is amended

(1) by inserting “, 2.1, 2.2” after “section 2” in the first paragraph;

(2) in the French text, by inserting “de” after “sous-catégorie” in subparagraph 8 of the second paragraph.

**7.** Section 7 is amended:

(1) by replacing “must be internalized in the price asked for the product as soon as it” in the first paragraph by “; if they are included in whole or in part in the sale price of the project, must be internalized in the sale price as soon as the product”;

(2) by replacing “section 2 or 3 that markets the product; in such case that information must be disclosed” in the second paragraph by “section 2, 2.1, 2.2 or 3 that markets the product; in such case that information must be made visible by the enterprise”;

(3) in the third paragraph

(a) by inserting “referred to in section 2, 2.1, 2.2 or 3” after “enterprise”;

(b) by replacing “a product, indicate to the purchaser” by “the product, indicate to the purchaser, by way of a mention, that the amount is used to ensure the recovery and reclamation of the product and include”;

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

“If an enterprise referred to in section 2, 2.1, 2.2 or 3 producer makes internalized costs visible, any person who offers for sale, sells, distributes to a user or final consumer or otherwise makes available the product to which the costs apply may also, without being required to do so, make the amounts visible. The person must, in such a case, include a mention for the same purpose as in the third paragraph and the same internet address.”.

**8.** Section 9 is amended

(1) in the first paragraph

(a) by inserting “, 2.1, 2.2” after “section 2” in the part preceding subparagraph 1;

(b) by inserting “, 2.1, 2.2” after “section 2” in subparagraph 2.2;

(c) by inserting the following after subparagraph 14:

“(15) a description of the steps taken pursuant to section 4.5 during the year covered by the report, as well as the means considered, agreed on and implemented with the organizations with which the discussions were conducted to optimize the use of their resources.”;

(2) by replacing “expert third person holding a permit to practise public accountancy issued by a professional order, who gives his or her opinion on the information’s reliability” in the third paragraph by “a chartered professional accountant authorized by the professional order to which the accountant belongs to perform an audit engagement. It may also be audited by any other person legally authorized to perform such an activity in Québec”;

(3) in the French text, by replacing “réalisée” in the part of the fourth paragraph preceding subparagraph 1 by “réalisé”;

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

“A person engaged to perform the audit referred to in the third or fourth paragraph must not be employed by the organization, the enterprise, its service suppliers or its subcontractors.”.

**9.** Section 14 is amended

(1) in the first paragraph

(a) by inserting “, 2.1, 2.2” after “section 2”;

(b) by replacing “or under” by “or, as the case may be, under both paragraphs and, where applicable”;

(2) in the third paragraph:

(a) by replacing subparagraph 1 by the following:

“(1) make it possible to attain, not later than the end of the second year following the year during which the plan was submitted, the rates prescribed in Chapter VI for that second year”.

(b) by adding “, the result of the multiplication being then multiplied by 3 to obtain the minimum total amount of the expenditures” at the end of subparagraph 2.

**10.** The following is inserted after section 14:

“**14.1.** When two or more rates prescribed pursuant to Chapter VI have not been attained during a year for various subcategories of products, a single remedial plan covering all the rates may be submitted, detailing for each rate the measures that will be implemented to attain them, unless a remedial plan has already been submitted and is still in effect.

“**14.2.** Every change to a remedial plan must be submitted to the Minister within 30 days of being made.

“**14.3.** If, before the expiry of a remedial plan, a rate attained for the year during which the plan was submitted or the year following is below the rate attained that led to the sending of the plan, extra financing must be added to the financing initially provided for in the plan. The extra financing is calculated using the equation in subparagraph 2 of the third paragraph of section 14, adapted to ensure that the rate to be attained in the formula is the rate for the year during which the plan was submitted or the year following, applying until the expiry of the plan.

If, before the expiry of a remedial plan, a rate prescribed for the year during which the plan was submitted or the year following is attained, the enterprise referred to in section 2, 2.1, 2.2 or 3 or, as the case may be, the organization referred to in section 4 may cease to implement the measures in the plan with respect to that rate and the associated financing.

On the expiry of a remedial plan, if the enterprise referred to in section 2, 2.1, 2.2 or 3 or, as the case may be, the organization referred to in section 4 has disbursed only part of the amount provided to finance the measures in the plan and if the rate or rates prescribed for the second year have not been attained, it must add to the amounts provided for the financing of the measures in the next plan an amount equivalent to the amount that has not been disbursed.

“**14.4.** Until the expiry of a remedial plan, if the enterprise referred to in section 2, 2.1, 2.2 or 3 or, as the case may be, the organization referred to in section 4 may use any amount that it must commit to finance the expenditures referred to in subparagraph 2 of the third paragraph of section 14 at a time of its own choosing.”

**11.** Section 21 is amended

(1) by replacing “sections 16, 17, 53.0.4, 53.0.12 and 53.0.21” by “Chapters V and VI”;

(2) by replacing “sections 19 and 20” by “those chapters”.

**12.** Section 22 is amended

(1) by replacing “activity trackers” in subparagraph 5 of the second paragraph by “physical activity trackers, smart watches,”;

(2) by replacing “telephone function” in the third paragraph “function allowing it to be used as a telephone, and whose dimensions are similar to those of a cellphone,”.

**13.** Section 29 is amended by striking out “listed therein” in the part of the first paragraph preceding subparagraph 1.

**14.** Section 43 is amended, in the French text, by inserting “de” in the second paragraph after “sous-catégorie”.

**15.** Section 46 is amended in the first paragraph

(1) by inserting “, 2.1, 2.2” after “section 2” in the part preceding subparagraph 1;

(2) by replacing “2024” in subparagraph 1 by “2026”.

**16.** Section 52 is amended in the first paragraph

(1) by inserting “, 2.1, 2.2” after “section 2” in the part preceding subparagraph 1;

(2) replacing “2024” in subparagraph 1 by “2026”.

**17.** Section 53.0.1 is amended in the second paragraph

(1) by replacing “300” by “400”;

(2) by replacing “Refrigerators and freezers” by “Refrigeration and freezing appliances”.

**18.** Section 53.0.3 is amended

(1) by replacing “section 2 or 8 that markets, acquires or manufactures” in subparagraph 1 of the first paragraph by “section 2, 2.1 or 8 that markets or acquires”;

(2) in the second paragraph

(a) by replacing “section 2 or 8 that markets, acquires or manufactures” by “section 2, 2.1 or 8 that markets or acquires”;

(b) by replacing “cooking, conservation or storage” by “the cooking, conservation or storage of food or drink”.

**19.** Section 53.0.4 is amended

- (1) by inserting “, 2.1, 2.2” after “section 2” in the first paragraph;
- (2) in the third paragraph
  - (a) by inserting “, 2.1, 2.2” after “section 2”;
  - (b) by inserting “, not later than the second full calendar of the program’s implementation and” after “provide”;
- (3) by inserting “, 2.1 or 2.2” after “section 2” in the fourth paragraph.

**20.** Section 53.0.8 is amended

- (1) in subparagraph 2
  - (a) in the French text, by replacing “culture” in subparagraph 2 by “culture,”;
  - (b) by adding “and that are designed and intended for non-household purposes” at the end;
- (2) in subparagraph 3
  - (a) in the French text, by replacing “sols et les” in subparagraph 3 by “sols, ainsi que les”;
  - (b) by adding “and that are designed and intended for non-household purposes” at the end;
- (3) by inserting “designed and” after “pesticides” in subparagraph 7;
- (4) by adding the following paragraph at the end:

“The products referred to in subparagraphs 1 and 4 to 6 of the first paragraph are those designed and intended for agricultural purposes. In addition, the agricultural products referred to in this Division that are designed and intended for agricultural purposes do not include those intended for household purposes.”

**21.** Section 53.0.21 is amended

- (1) by inserting “, 2.1 or 2.2” after “section 2”;
- (2) by inserting “, not later than the second full calendar year of program implementation,” after “set up”.

**22.** Section 53.0.24 is amended in the first paragraph

- (1) in subparagraph 1
  - (a) by striking out “; marketed or otherwise distributed in a community pharmacy or veterinary clinic”;
  - (b) in the French text, by replacing “compagnies” in subparagraph *a* by “compagnie”;
  - (c) in the French text, by replacing “compagnies” in subparagraph *b* by “compagnie”;
- (2) by replacing subparagraphs 2 and 3 by the following:

“(2) natural health products within the meaning of the Natural Health Products Regulations (SOR/2003-196); when the products are designed and intended for animals, only products designed and intended for companion animals within the meaning of the Animal Welfare and Safety Act (chapter B-3.1) are included;

“(3) cutting or sharp objects designed to perforate the skin and used for medical purposes, including everything designed to be attached to and be in contact with a product referred to in subparagraph 1; when the objects are designed and intended for animals, only objects designed and intended for companion animals within the meaning of the Animal Welfare and Safety Act (chapter B-3.1) are included.”

**23.** Section 53.0.26 is amended

- (1) by replacing “section 2 that markets, acquires or manufactures” by “section 2, 2.1 or 2.2 that markets or acquires”;
- (2) by replacing “; acquisition or manufacture” by “or acquisition”.

**24.** Section 53.0.31 is amended

- (1) in the first paragraph
  - (a) by inserting “, 2.1 or 2.2” after “section 2” in the part preceding subparagraph 1;
  - (b) by replacing “other business establishments” in subparagraph 1 by “community pharmacies or, if there are no community pharmacies in a regional municipality or territory, 100% of the dispensaries”;
  - (c) in the French text, by replacing “récupérés;” in subparagraph 2 by “récupérés.”;
- (2) by striking out the second paragraph.

**25.** Section 53.1 is amended

(1) by replacing paragraphs 0.1, 0.2 and 0.3 by the following:

“(0.1) to take the steps referred to in section 4.5;”

(2) by striking out paragraphs 3 to 8;

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

“(13) to comply with a provision of this Regulation for which no monetary administrative penalty is otherwise provided for.”

**26.** Section 53.2 is amended by striking out paragraph 1.**27.** Section 53.3 is amended

(1) by inserting the following after paragraph 1:

“(1.0.1) to submit the report referred to in the first paragraph of section 9, to include the information referred to in the second paragraph of that section, to have the information referred to in the third paragraph of that section audited or to have it audited by a person referred to in that paragraph, to submit the report or information within the time and on the conditions provided for in that section, or to comply with the last paragraph of that section”;

(2) by striking out paragraphs 2 to 8.

**28.** Section 53.4 is replaced by the following:

“**53.4.** 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

(1) to provide the information referred to in section 4.3 to another organization;

(2) to provide the information and documents referred to in section 4.4 to an organization referred to in section 4 of which it is a member or to provide them within the prescribed time;

(3) to submit to the Minister the information and documents listed in section 6.1 or to submit them within the prescribed time;

(4) to comply with the requirements of section 7;

(5) to comply with the prohibition in section 8.1 concerning the treatment of products to which this Regulation applies;

(6) to record in a register the information referred to in the first paragraph of section 12, to provide the Minister with a copy on request in accordance with that paragraph, or to keep the information during the period prescribed by the second paragraph of the section;

(7) to make the payment to the Fund for the Protection of the Environment and the Waters in the Domain of the State required under the fourth paragraph of section 14 and at the frequency and in the manner provided for in the fifth paragraph of section 14;

(8) to comply with the requirements of section 16, 17, 53.0.4, 53.0.12, 53.0.13 or 53.0.21 or the first paragraph of section 53.0.31;

(9) to establish a drop-off centre on the conditions provided for in the first paragraph of section 18;

(10) to comply with the conditions relating to drop-off centres or collection services for an industrial, commercial or institutional clientele provided for in the first paragraph of section 19;

(11) to offer a complementary collection service in the case and on the conditions provided for in the second paragraph of section 19;

(12) to offer access to and the deposit of products at the drop-off centres and the collection services free of charge as prescribed by section 21 or the second paragraph of section 53.0.31.

“**53.5.** 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 fails

(1) to comply with the requirements provided for in section 2, 3, 4.1, 4.2 or 5, the first or second paragraph of section 8, section 58 or section 59;

(2) to implement its recovery and reclamation program or to implement it within the period prescribed by section 24, 31, 37, 44, 50, 53.0.3, 53.0.10, 53.0.19 or 53.0.26.”

**29.** Section 54 is amended

- (1) by replacing “4.3, 4.4, 6, 6.1 or 7” by “4.5 or 6”;
- (2) “, 11 or 12” by “or 11”.

**30.** Sections 55, 56, 56.1 and 56.2 are replaced by the following:

“55. Every person who

(1) fails to provide the information referred to in section 4.3,

(2) fails to provide the information and documents referred to in section 4.4 to an organization referred to in section 4 or to provide them within the prescribed time,

(3) fails to submit to the Minister the information and documents listed in section 6.1 or to submit them within the prescribed time,

(4) fails to comply with the conditions set out in section 7,

(5) fails to comply with the prohibition in section 8.1,

(6) fails to record in a register the information referred to in the first paragraph of section 12, to provide the Minister with a copy on request in accordance with that paragraph, or to keep the information during the period prescribed by the second paragraph of the section,

(7) fails to make the payment to the Fund for the Protection of the Environment and the Waters in the Domain of the State required under the fourth paragraph of section 14 and at the frequency and in the manner provided for in the fifth paragraph of section 14,

(8) fails to comply with the requirements of section 16, 17, 53.0.4, 53.0.12, 53.0.13 or 53.0.21 or the first paragraph of section 53.0.31,

(9) fails to establish a drop-off centre on the conditions provided for in the first paragraph of section 18,

(10) fails to comply with the conditions relating to drop-off centres or collection services for an industrial, commercial or institutional clientele provided for in the first paragraph of section 19,

(11) fails to offer a complementary collection service in the case and on the conditions provided for in the second paragraph of section 19,

(12) fails to offer access to and the deposit of products at the drop-off centres and the collection services free of charge as prescribed by section 21 or the second paragraph of section 53.0.31,

(13) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, in other cases, to a fine of \$15,000 to \$3,000,000.

“56. Every person who

(1) fails to comply with the requirements of section 2, 2.1, 2.2, 3, 4.1, 4.2 or 5, the first or second paragraph of section 8, or section 58 or 59,

(2) fails to implement a recovery and reclamation program within the time prescribed by section 24, 31, 37, 44, 50, 53.0.3, 53.0.10, 53.0.19 or 53.0.26,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, in other cases, to a fine of \$30,000 to \$6,000,000.”

**31.** The Regulation is amended

(1) by replacing “section 2 or”, wherever it occurs in section 10, 13, 16, 17, 20 or 24, the second paragraph of section 26 or section 32, 33, 37, 44, 53.0.10, 53.0.19, 53.0.20 or 59.1 by “section 2, 2.1, 2.2 or”;

(2) by replacing “section 2,” wherever it occurs in section 4, 12, 31 or 50 by “section 2, 2.1, 2.2,”;

(3) by inserting “, 2.1 or 2.2” after “section 2” wherever it occurs in section 25, the first paragraph of section 26, or section 27, 38, 39, 53.0.6, 53.0.12, 53.0.14, 53.0.22, 53.0.28 or 53.0.30.

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

106440



Gouvernement du Québec

**O.C. 1376-2023, 23 August 2023**

Charter of the French language  
(chapter C-11)

**Charter of the French language  
— Authorization to the Minister of Higher  
Education, Research, Science and Technology  
to make an exception to the application  
of section 88.0.17**

Regulation to authorize the Minister of Higher Education, Research, Science and Technology to make an exception to the application of section 88.0.17 of the Charter of the French language

WHEREAS, under the second paragraph of section 97 of the Charter of the French language (chapter C-11), the Government determines, by regulation, the cases, conditions and circumstances where or whereunder an agency mentioned in Schedule I to the Act is authorized to make an exception to the application of one or several provisions of the Act in respect of a person who resides or has resided on a reserve, a settlement in which a native community lives or on Category I and Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation authorizing the Minister of Higher Education, Research, Science and Technology to make an exception to the application of section 88.0.17 of the Charter of the French language was published in Part 2 of the *Gazette officielle du Québec* of 17 May 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the French Language:

THAT the Regulation to authorize the Minister of Higher Education, Research, Science and Technology to make an exception to the application of section 88.0.17 of the Charter of the French language, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

**Regulation to authorize the Minister  
of Higher Education, Research, Science  
and Technology to make an exception  
to the application of section 88.0.17  
of the Charter of the French language**

Charter of the French language  
(chapter C-11, s. 97)

**1.** The Minister of Higher Education, Research, Science and Technology is authorized to make an exception to section 88.0.17 of the Charter of the French language (chapter C-11), in respect of a student who resides or has resided on an Indian reserve, a settlement in which a native community lives or on Category I and Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1), by issuing a Diploma of College Studies to a student who does not meet the condition set out in subparagraph 1 of the first paragraph of that section, provided that

(1) the student has received elementary or secondary instruction in English, in an Aboriginal language, or in English and an Aboriginal language for at least one year, as shown by a certificate of school attendance issued by the school that provided that instruction; and

(2) the student has received college instruction in English.

The certificate of school attendance provided for in subparagraph 1 of the first paragraph must indicate the period during which the student received the instruction and specify the language in which it was provided.

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

106436

**M.O., 2023-12****Order number D-9.2-2023-12 of the Minister of Finance, August 14, 2023**

Act respecting the distribution of financial products and services  
(chapter D-9.2)

CONCERNING Regulation to amend the Regulation respecting the compulsory professional development of the *Chambre de l'assurance de dommages*

WHEREAS paragraph 2 section 202.1 of the Act respecting the distribution of financial products and services (chapter D-9.2) provides that the *Autorité des marchés financiers* shall, for each sector, determine by regulation, the rules governing compulsory professional development for representatives other than financial planners;

WHEREAS section 284 of such Act provides, in particular, that the “*Chambre de l'assurance de dommages*” is hereby established;

WHEREAS the fourth paragraph of section 312 of such Act provides, in particular, that the *Chambre de l'assurance de dommages* shall exercise, in respect of its members, the regulatory power provided for in section 202.1 of the Act;

WHEREAS the first and the second paragraphs of section 194 of such Act provide, in particular, that the *Autorité des marchés financiers* shall publish in the information bulletin the draft regulation made by the *Chambre de l'assurance de dommages* under the fourth paragraph of section 312 of this Act and every draft regulation must be published with a notice stating the time that must elapse before the draft regulation may be made or be submitted for approval, and stating the fact that any interested person may, during that time, submit comments to the person designated in the notice;

WHEREAS the first and the third paragraphs of section 217 of such Act provide, in particular, that a regulation made by the *Chambre de l'assurance de dommages* under the fourth paragraph of section 312 of this Act must be submitted to the Minister of Finance for approval with or without amendment, that such regulation may not be submitted for approval before 30 days have elapsed since its publication as a draft and that such regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in this regulation;

WHEREAS the *Chambre de l'assurance de dommages* made, on December 6, 2022, by the decision no. R.993, Regulation to amend the Regulation respecting the compulsory professional development of the *Chambre de l'assurance de dommages*;

WHEREAS the draft Regulation to amend the Regulation respecting the compulsory professional development of the *Chambre de l'assurance de dommages* was published in the *Bulletin de l'Autorité des marchés financiers*, volume 20, no. 21 of June 1<sup>st</sup>, 2023;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend the Regulation respecting the compulsory professional development of the *Chambre de l'assurance de dommages* appended hereto.

August 14, 2023

ERIC GIRARD  
*Minister of Finance*

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## **Regulation to amend the Regulation respecting the compulsory professional development of the *Chambre de l'assurance de dommages***

Act respecting the distribution of financial products and services  
(chapter D-9.2, s. 202.1, subpar. 2 and s. 312, par. 4)

**1.** Section 2 of the Regulation respecting the compulsory professional development of the *Chambre de l'assurance de dommages* (chapter D-9.2, r. 12.1) is amended by replacing “January” by “April” in the definition of “reference period”.

**2.** Section 4 of the regulation is amended by replacing subparagraph b of paragraph 5 by the following:

“(b) customer service.”.

**3.** Section 11 of the regulation is amended by replacing “whose right to practise has been restricted, or who has had conditions imposed on such right,” by “who has conditions or restrictions imposed on his right to practice” in the second paragraph.

**4.** Section 14 of the regulation is repealed.

**5.** Section 15 of the regulation is amended by replacing “following the end of a reference period, the Chamber must send a notice of default to each representative who has not accumulated the number of PDUs required under section 3 and informs him of the consequences under section 14,” by “preceding the end of the reference period, the Chamber must send a notice to each representative who has not accumulated the number of PDUs required under section 3 and informs him of the consequences provided for”.

**6.** Section 16 of the regulation is repealed.

**7.** Section 17 of the regulation is amended by replacing “period referred to in section 16” by “reference period”.

**8.** Section 18 of the regulation is amended by replacing “send to the Chamber a list of representatives who took part in the training activity within 10 working days following the date on which such activity is held” by “enter, by means of the technological solution determined by the Chamber, a list of representatives who took part in the training activity within 30 days following the date on which such activity is held.”.

**9.** Section 19 of the regulation is amended by replacing “regarding each training activity recognized by the Chamber in which he took part and” by “demonstrating his participation in each training activity recognized by the Chamber in which he took part, in particular”.

**10.** Section 20 of the regulation is amended by replacing “attestations” by “documents”.

**11.** Section 21 of the regulation is amended:

(1) by replacing “3 years” by “one year” in the portion preceding subparagraph 1;

(2) by replacing “24” by “21” in subparagraph 1;

(3) by replacing “240” by “100” in subparagraph 2;

(4) by deleting subparagraph 3.

**12.** Section 22 of the regulation is amended:

(1) by inserting “contribute to the protection of the public and”, in the portion preceding subparagraph 1 of the first paragraph, after “if the activities”;

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

“An asynchronous training activity can be recognized if it incorporates features that control its duration and subjects the participant to active learning activities. A training activity in the form of a conference can also be recognized. A trainer does not need to be recognized for such training activities, but the name of a resource person or, as the case may be, the speaker, must be made available to the participants.”.

**13.** Section 24 of the regulation is amended, in the first paragraph:

(1) by replacing subparagraph 1 by the following:

“(1) a description of the training activity in question that includes, in particular, the items covered and a list of the categories referred to in section 4 that are dealt with in the training activity;”

(2) by inserting “format chosen for the” after the first “the” in subparagraph 2;

(3) by replacing subsections 4 and 5 by the following:

“(4) the name and contact information of the trainer or, as applicable, the resource person or speaker and a description of their work and pedagogical experiences;

(5) the means by which the Chamber can access the training or its content.”.

**14.** Section 26 of the regulation is amended by adding the following paragraph at the end:

“However, a training activity in the form of a conference is only valid for the day on which it is held.”.

**15.** Section 28 of the regulation is amended by inserting “a document to demonstrate his participation in the training activity, such as” after “provide”.

**16.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*, with the exception of subparagraph 2 of section 12, insofar as it concerns an asynchronous training activity, which comes into force 6 months after the date of this publication.

106416



## Draft Regulations

### Draft Regulation

Financial Administration Act  
(chapter A-6.001)

#### Borrowings made by a body — Amendment

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

The purpose of this draft regulation is to amend paragraph 3 of section 2 of the regulation by introducing a new reference rate as a condition to which a short-term borrowing or a borrowing by line of credit must be satisfied so that the authorization of the Minister of Finance referred to in the first paragraph of section 77.1 of the Financial Administration Act (chapter A-6.001) is not required for its conclusion. This draft regulation is also to suppress the exemption of authorization of the Minister of Finance referred to in section 4 of the regulation for a borrowing contracted by an institution referred to in the first paragraph of section 296 of the Act respecting health services and social services (chapter S-4.2).

Further information on the draft Regulation may be obtained by contacting Julie Simard, Coordinator – Documentation financière et conformité, Ministère des Finances, 390, boulevard Charest Est, 7<sup>e</sup> étage, Québec (Québec) G1K 3H4; telephone: 418-643-8887; email: julie.simard@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 Julie Simard, at the contact details mentioned above.

ERIC GIRARD  
*Minister of Finance*

### Regulation amending Regulation respecting borrowings made by a body

Financial Administration Act  
(chapter A-6.001, s. 77.1)

**1.** Section 2 of the Regulation respecting borrowings made by a body (chapter A-6.001, r. 3) is amended by replacing, in paragraph 3, subparagraph b by the following:

“b) the interest rate of the borrowing does not exceed:

i. for any borrowing whose reference rate is the CORRA rate, the CORRA rate published by Bank of Canada applicable on the dates of determination of the rate, increased by 0,62%, including all fees;

ii. for any other borrowing, the rate of Canadian bankers’ acceptances on the CDOR page of the Reuters system on the date of the borrowing, increased by 0.3%, including all fees;”

**2.** Section 4 of this Regulation is repealed.

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

106432

### Draft Regulation

Individual and Family Assistance Act  
(chapter A-13.1.1)

#### Individual and family assistance — 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 Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation increases the refundable rate for medical transportation by a private vehicle, as well as the refundable rate for transportation expenses incurred in connection with the enforcement of a claim for support if transportation is by a private vehicle.

The draft Regulation also provides that the deductions provided for in calculating the special benefit for the funeral expenses of an independent adult do not apply to an adult who is a recipient of last resort financial assistance and has a spouse who is a recipient under the Basic Income Program.

In addition, the draft Regulation provides for the exclusion applicable, according to the program, to a financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression.

The draft Regulation also provides for terminological amendments to take into account the various realities of sexual minorities and of trans or non-binary parents in the provisions that refer to the father and mother.

The draft Regulation also specifies that centres that offers addiction services and hold a temporary certificate of compliance or a certificate of compliance issued by an integrated health and social services centre are given the same consideration for the application of this Regulation.

Lastly, the draft Regulation makes certain adjustments to ensure that recipients under a last resort financial assistance program who used to be recipients under the Basic Income Program are not disadvantaged.

Further information on the draft Regulation may be obtained by contacting France Edma, Direction des politiques d'assistance sociale, Ministère de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1; telephone: 418 809-7259; email: france.edma@mtess.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 Responsible for Social Solidarity and Community Action, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

CHANTAL ROULEAU  
*Minister Responsible for Social Solidarity  
and Community Action*

## Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act  
(chapter A-13.1.1, s. 131, pars. 8 and 9, s. 132, pars. 1, 8, 10, 11, 15 and 17, s. 133, par. 3, s. 133.1, par. 6, s. 133.2, par. 6, and s. 134, par. 3).

**1.** The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 12 by replacing “or mother” by “, mother or parents or one of them”.

**2.** Section 13 is amended in the first paragraph

(1) by inserting “or parents” after “father and mother”;

(2) by inserting “or parents” after “the father, mother”.

**3.** Section 19 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in subparagraph 3.1 of the second paragraph.

**4.** Section 57 is amended in the first paragraph

(1) by replacing “or mother,” in the portion before paragraph 1 by “, mother or parents or one of them,”;

(2) by inserting “or the parents or one of them” after “mother” in subparagraph 1;

(3) by inserting “or the parents or one of them” after “mother” in subparagraph 2;

(4) by inserting “or the parents or one of them” after “mother” in subparagraph 4;

(5) in subparagraph 5

(a) by replacing “of the grandfather, grandmother,” by “of one of the grandparents,”;

(b) by replacing “or mother,” by “or mother or one of the parents,”;

(c) by inserting “or the parents or one of them” after “the father or mother”.

**5.** Section 58 is amended by inserting “or the parents or one of them” after mother” in the first paragraph.

**6.** Section 60 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in the second paragraph.

**7.** Section 61 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in the second paragraph.

**8.** Section 88.1 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in the first paragraph.

**9.** Section 89 is amended by replacing “\$0.145” in the second paragraph by “\$0.170”.

**10.** Section 95 is amended by replacing “\$0.145” in the second paragraph by “\$0.170”.

**11.** Section 101 is amended

(1) by inserting “or the breast-feeding parent” after “mother” in the first paragraph;

(2) by inserting “or to the breast-feeding parent” after “mother” in the second paragraph.

**12.** Section 110 is amended by inserting “, except, despite the second paragraph of section 3.1, an independent adult with a spouse who is a recipient under the Basic Income Program” after “independent adult” in the second paragraph.

**13.** Section 111 is amended

(1) by replacing “or mother,” in paragraph 5 by “, mother or parents or one of them,”;

(2) by inserting the following after paragraph 21.1:

“(21.2) the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression;”.

**14.** Section 112 is amended

(1) by inserting “or parents or one of them” after “mother” in paragraph 2;

(2) by inserting “or parents or one of them” at the end of paragraph 3.

**15.** Section 138 is amended by adding the following paragraph at the end:

“(18) for the month of its receipt, the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression.”.

**16.** Section 138.3 is amended by replacing “or the Basic Income Program” in the second paragraph by “the Aim for Employment Program or the Basic Income Program” .

**17.** Section 142 is amended by replacing “or the Aim for Employment Program” in the second paragraph by “, the Aim for Employment Program, the Basic Income Program”.

**18.** Section 152 is amended

(1) by inserting “or the parents” after “mother” in the first paragraph;

(2) by inserting “or parents” after “mother” in the second paragraph.

**19.** Section 153 is amended by inserting “or the parents” after “mother” in the portion before paragraph 1.

**20.** Section 164 is amended by replacing “or the Aim for Employment Program or” in the second paragraph by “the Aim for Employment Program or the Basic Income Program or during a month”.

**21.** Section 164.1 is amended by replacing “or the Aim for Employment Program” in the second paragraph by “the Aim for Employment Program or the Basic Income Program”.

**22.** Section 171 is amended by inserting “, the Basic Income Program” after “the Aim for Employment Program” in the third paragraph.

**23.** Section 172 is amended by inserting “or the Basic Income Program” after “last resort financial assistance program” in the first paragraph.

**24.** Section 173 is amended by inserting “, the Basic Income Program” after “last resort financial assistance program” in the third paragraph.

**25.** Section 177.29 is amended by inserting the following after paragraph 19.1:

“(19.2) the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression;”.

**26.** Section 177.108 is amended by inserting the following paragraph at the end:

“(13) for the month of its receipt, the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression.”.

**27.** Section 180 is amended by inserting “or parents or one of them” after “mother”.

**28.** This Regulation comes into force on 1 January 2024.

106433

## Draft Regulation

Professional Code  
(chapter C-26)

### Physiotherapy — Diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend section 1.14 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders (chapter C-26, r. 2) in order to add the diploma *Maîtrise ès sciences appliquées en physiothérapie* issued by the Université du Québec à Chicoutimi to the list of diplomas giving access to the permit of physiotherapist of the *Ordre professionnel de la physiothérapie du Québec*.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

With a view to obtaining their opinion, the draft Regulation will be submitted to the *Office des professions du Québec* and the *Ordre professionnel de la physiothérapie du Québec*. The Order’s opinion given to the Office will be sent to the Minister Responsible for Government Administration and Chair of the *Conseil du trésor* along with the Office’s own opinion following consultation with interested educational institutions, departments and bodies.

Further information on the draft Regulation may be obtained by contacting Marie-Pierre Harvey, Access to Professions and Ethics Advisor, *Direction de la veille et des orientations, Office des professions du Québec*, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912, extension 356, or 1 800 643-6912, extension 356; email: marie-pierre.harvey@opq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Annie Lemieux, Secretary of the *Office des professions du Québec*, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister Responsible for Government Administration and Chair of the *Conseil du trésor* and may also be sent to the *Ordre professionnel de la physiothérapie du Québec* and to interested persons, departments and bodies.

SONIA LEBEL  
*Minister Responsible for Government Administration  
and Chair of the Conseil du trésor*

## Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders

Professional Code  
(chapter C-26, s. 184, 1st par.)

**1.** Section 1.14 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders (chapter C-26, r. 2) is amended by adding the following paragraph:

“(e) *Maîtrise ès sciences appliquées en physiothérapie* from the Université du Québec offered by the Université du Québec à Chicoutimi.”

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

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