



Part 2

LAWS AND REGULATIONS

27 September 2023 / Volume 155

Summary

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Part 2 – LAWS AND REGULATIONS

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Regulations and other Acts

Gouvernement du Québec

O.C. 1446-2023, 13 September 2023

CONCERNING part of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, located in the territory of the municipality of Notre-Dame-du-Portage, declared property of the municipality of Notre-Dame-du-Portage

WHEREAS the autoroute numbered 20, also designated as Autoroute Jean-Lesage, including the service road, located in the territory of the city municipality of Notre-Dame-du-Portage, is State property under paragraph 1 of section 7 of the Act respecting Roads (chapter V-9), having been constructed under the Trans Canada Highway Act (14 George VI, 1950, c. 44, amended by 9-10 Elizabeth II, 1960-61, c. 8);

WHEREAS the Government, under section 46 of the Act respecting Roads, may determine, by Order in Council, that part of an autoroute that is the property of the State shall become, without indemnity, property of the local municipality in the territory of which it is located as of the publication of this Order in Council in the *Gazette officielle du Québec*;

WHEREAS, under the second paragraph of section 2 of the Act respecting roads, the service road located in the right-of-way of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, in the territory of the municipality of Notre-Dame-du-Portage, known as lots 4 789 586 of the Québec cadastre, of the registration division of Rivière-du-Loup, and 6 507 359 of the Québec cadastre, of the registration division of Témiscouata, is under the management of the municipality of Notre-Dame-du-Portage;

WHEREAS, in addition to managing the service road, it is expedient that this part of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, be declared property of the municipality of Notre-Dame-du-Portage, without indemnity, so as to be entitled to undertake all the actions and exercise all the rights of an owner as regards the service road;

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

THAT be declared property of the municipality of Notre-Dame-du-Portage, without indemnity, the service road located in the right-of-way of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, in the territory of the municipality of Notre-Dame-du-Portage, known as lots 4 789 586 of the Québec cadastre, of the registration division of Rivière-du-Loup, and 6 507 359 of the Québec cadastre, of the registration division of Témiscouata, shown on the plan prepared by M. Guy Saindon, land surveyor, on May 17, 2022, under number 1685 of his minutes and kept in the archives of the ministère des Transports et de la Mobilité durable under number TR-6508-154-21-7664.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

106474

Gouvernement du Québec

O.C. 1451-2023, 13 September 2023

Act respecting collective agreement decrees
(chapter D-2)

Automotive services industry – Drummond and Mauricie — Amendment

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation shall also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 of the Act apply to an application for amendment;

WHEREAS, in accordance with the first paragraph of section 4 of the Act, the contracting parties have addressed to the Minister of Labour, Employment and Social Solidarity an application for amendment to the Decree;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister of Labour may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions was published in Part 2 of the *Gazette officielle du Québec* of 31 May 2023, and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, notwithstanding section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE

*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

Act respecting collective agreement decrees
(chapter D-2, ss. 2, 4, 1st par., s. 6, 1st par.
and s. 6.1, 1st par.)

1. The Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) is amended by replacing section 9.01 by the following:

“**9.01.** The minimum hourly wage rates are the following:

Trades	As of 27 September 2023	As of 27 September 2024	As of 27 September 2025
1 Apprentice			
1st year	\$19.29	\$19.87	\$20.46
2nd year	\$20.48	\$21.09	\$21.73
3rd year	\$21.32	\$21.96	\$22.62
4th year	\$22.82	\$23.50	\$24.21
2 Journeyman			
A	\$28.87	\$29.74	\$30.63
B	\$27.81	\$28.64	\$29.50
C	\$25.43	\$26.19	\$26.98
3 Parts clerk			
Grade 1	\$17.52	\$18.05	\$18.59
Grade 2	\$18.75	\$19.31	\$19.89
Grade 3	\$19.79	\$20.38	\$21.00
Grade 4	\$20.89	\$21.52	\$22.16

Trades	As of 27 September 2023	As of 27 September 2024	As of 27 September 2025
Grade 5	\$21.45	\$22.09	\$22.76
Grade 6	\$22.80	\$23.48	\$24.19
Grade 7	\$23.50	\$24.21	\$24.93
4 Messenger*	—	—	—
5 Dismantler			
Grade 1	\$17.52	\$18.05	\$18.59
Grade 2	\$17.88	\$18.42	\$18.97
Grade 3	\$18.74	\$19.31	\$19.89
6 Washer*	—	—	—
7 Semiskilled worker			
Grade 1	\$18.25	\$18.80	\$19.36
Grade 2	\$19.82	\$20.41	\$21.03
Grade 3	\$21.37	\$22.01	\$22.67
8 Service attendant			
Grade 1	\$17.52	\$18.05	\$18.59
Grade 2	\$18.86	\$19.43	\$20.01
Grade 3	\$19.25	\$19.83	\$20.42
Grade 4	\$20.59	\$21.21	\$21.84
Grade 5	\$21.65	\$22.30	\$22.97

* The wage is equal to the minimum wage provided for in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3), increased by \$0.25.”.

2. This Decree comes into force on 27 September 2023.

106475

M.O., 2023

Order 2023-1005 of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks dated 13 September 2023

Replacement of the map and the conservation plan for the réserve de biodiversité projetée de la Montagne-du-Diable, situated in the Laurentides region

THE MINISTER OF THE ENVIRONMENT, THE FIGHT AGAINST CLIMATE CHANGE, WILDLIFE AND PARKS

CONSIDERING the first paragraph of section 64 of the Act to amend the Natural Heritage Conservation Act and other provisions (2021, chapter 1), which provides that sections 34 and 36 of the Natural Heritage Conservation

Act (chapter C-61.01), as they read on 18 March 2021, continue to apply, in particular, to proposed biodiversity reserves established as at that date under that Act, and that the same applies to the conservation plans adopted for each of the reserves concerned, as they read on 18 March 2021;

CONSIDERING the second paragraph of section 64 of the Act to amend the Natural Heritage Conservation Act and other provisions, which provides that those reserves are continued, without further formality, and are terminated if

(1) the area concerned is designated a protected area under Division III of Chapter II of the Natural Heritage Conservation Act, as enacted by section 35 of the Act to amend the Natural Heritage Conservation Act and other provisions, or under another Act; or

(2) the Government publishes a notice to that effect in the *Gazette officielle du Québec*;

CONSIDERING section 6 of the Regulation respecting certain transitional measures of the Act to amend the Natural Heritage Conservation Act and other provisions, enacted by Order in Council 198-2022 dated 23 February 2022, which provides that the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks may amend, in particular, the proposed biodiversity reserves referred to in section 64 of the Act to amend the Natural Heritage Conservation Act and other provisions on the conditions set out in sections 27, 29 and 30 of the Natural Heritage Conservation Act, as they read on 18 March 2021;

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act, as it read on 18 March 2021, which provides that, for the purpose of protecting land to be established as a new protected area, such as a park, the Minister must, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING that the réserve de biodiversité projetée de la Montagne-du-Diable covers part of the Montagne du Diable regional park;

CONSIDERING that changes to the map of the réserve de biodiversité projetée de la Montagne-du-Diable are required to exclude three sectors of small dimensions and allow the development of intensive development zones in the Montagne du Diable regional park, and that consequential amendments must be made to the conservation plan;

CONSIDERING Order in Council 1078-2022 dated 15 June 2022 authorizing in particular the Minister of the the Environment, the Fight Against Climate Change, Wildlife and Parks to change the map and the conservation plan of réserve de biodiversité projetée de la Montagne-du-Diable ;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 8 February 2023, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the proposed change to the map and the conservation plan for the réserve de biodiversité projetée de la Montagne-du-Diable, with a notice that it could be made by the Minister on the expiry of 45 days following its publication;

CONSIDERING that it is expedient to make the proposed change;

CONSIDERING the first paragraph of section 29 of the Natural Heritage Conservation Act, as it read on 18 March 2021, which provides that a notice is to be published in the *Gazette officielle du Québec*;

CONSIDERING that this Minister's Order constitutes the notice to be published in the *Gazette officielle du Québec* required by section 29 of the Act;

ORDERS AS FOLLOWS:

The map and the conservation plan for the réserve de biodiversité projetée de la Montagne-du-Diable, attached to this Order, are hereby made;

The map and the conservation plan come into force on the fifteenth day following the day of their publication in the *Gazette officielle du Québec* and replace, as of that date, any map and conservation plan previously approved for that proposed reserve.

Québec, September 13, 2023

BENOIT CHARETTE

Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

QUÉBEC STRATEGY FOR PROTECTED AREAS



**Réserve de
biodiversité
projetée de la
Montagne-
du-Diable**

Conservation plan



November 2022

Québec 

1. Protection status and toponym

The protection status for the following territory is a Proposed Biodiversity Reserve, governed mainly by sections 27, 34 and 36 of the *Natural Heritage Conservation Act* (R.S.Q., c. C-61.01) as set forth on March 18, 2021.

The envisaged permanent protection status is a “biodiversity reserve” per the *Natural Heritage Conservation Act*.

The provisional toponym is “réserve de biodiversité projetée de la Montagne-du-Diable.” The official toponym will be determined when the area is assigned permanent protection status.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the réserve de biodiversité projetée de la Montagne-du-Diable are shown on the map attached as Appendix 1. The current (2022) conservation plan reduces the size of the proposed biodiversity reserve by 2.01 km² as compared to its 2008 boundaries.

The réserve de biodiversité projetée de la Montagne-du-Diable is located in the Laurentides administrative region, between latitudes 46°39'45" and 46°45'40" North and 75°30'45" and 75°42'32" West. It lies approximately 12 km northwest of Mont-Laurier and approximately 50 km northeast of the Algonquin community of Kitigan Zibi, extending over an area of 64.17 km². It is partly located within the territory of the town of Mont-Laurier and partly on the territory of the municipality of Ferme-Neuve, both of which being parts of the Antoine-Labelle Regional County Municipality.

2.2. Ecological profile

The proposed biodiversity reserve lies within the Southern Laurentian natural province and is part of the Dépression du Mont-Laurier natural region and, more specifically, the Buttes du Lac Windigo ecological district.

The area, while of limited size, will serve to protect Mont Sir-Wilfrid (known commonly as Montagne du Diable) as well as a part of its foothills and piedmonts. Its relief rises gradually to form an oblong mass about 8 km long by 5 km wide. Some ten streams fed by sources on Mont Sir-Wilfrid delineate the elevation in all directions and drain into surrounding small, localized bodies of groundwater. This is a glacially formed landscape mainly comprised of thin till ranging in altitude from 290 m to 783 m at the peak of Mont Sir-Wilfrid, with an average of 560 m. To the south of Lac Windigo, the complex of till hummocks is dotted with sandy glaciofluvial deposits and, in the depressions, with a few peat bogs.

The substratum of this area, which is part of the Grenville geological province, is composed mainly of magmatite and paragneiss.

This area is characterized by a mild subpolar, subhumid climate and a long growing season and belongs to the balsam fir-yellow birch bioclimatic domain.

The proposed biodiversity reserve protects a large number of sugar maple stands, along with yellow birch bark beetle groves on the slopes and in the hollows. These are all mature forests with high ecological and forestry value. The highest portion of Mont Sir-Wilfrid is forested with balsam fir and white birch. This part of the reserve has a mix of young, older and mature stands. A few groves of black spruce and trembling aspen are found on sandy soil in the basin to the south of Lac Windigo, while tamarack take root on poorly drained sites of organic deposits. Cedar can also be found (but rarely) in the proposed reserve.

The line dividing the Rivière Gatineau and Rivière du Lièvre watersheds runs through the proposed biodiversity reserve.

The reserve abuts both portions of the exceptional old-growth Montagne-du-Diable forest ecosystem.

The reserve's wildlife includes beaver, snowshoe hare, moose, white-tailed deer, fox, red squirrel, black squirrel, eastern chipmunk, stone marten, black bear and wolf.

The reserve includes three habitat sites of a species likely to be designated as threatened or vulnerable: two habitats of the *Utricularia resupinata* vascular plant and one of Bicknell's thrush (*Catharus bicknelli*).

2.3. Land occupation and use

As the area is located in proximity to Mont-Laurier, it is partially occupied and used for a variety of purposes, with two resort and two commercial leases in effect. Additionally, nine recreational, sport and/or educational, community use and non-profit leases are currently in effect, as well as two leases for telecommunication towers fed by a power line. A network of snowmobile trails encircles Lac Windigo with some penetrating the reserve. A quad bike trail runs through the reserve to the top of Mont Sir-Wilfrid, as does one snowmobile trail segment. Three types of trails sometimes follow the same trajectory, from the northwest shore of Lac Windigo to the summit of Mont Sir-Wilfrid, enabling hiking, snowshoeing and horseback riding. At the eastern end of the reserve is a cross-country ski trail segment.

The reserve lies within fur-bearing animal management unit 22 and hunting area 11E.

A moderately developed network of unpaved roads criss-crosses the proposed biodiversity reserve.

3. Activities framework

§ 1. Introduction

The activities carried on within the proposed biodiversity reserve are governed mainly by sections 34 and 36 of the Natural Heritage Conservation Act, as they read on 18 March 2021.

This Division prohibits activities in addition to those prohibited under the Act and sets out the framework for certain activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed biodiversity reserve. Accordingly, certain activities require the prior authorization of the Minister.

Under section 34 of the Natural Heritage Conservation Act, as it read on 18 March 2021, the main activities prohibited in an area to which status as a proposed biodiversity reserve has been assigned are

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (CQLR, chapter A-18.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§ 2. Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§2.1 Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may introduce any individuals of a native or non-native species of fauna into the proposed biodiversity reserve, including by stocking, unless the person has been authorized by the Minister.

No person may stock a lake or watercourse for aquaculture, commercial fishing or any other commercial purpose.

No person may introduce in the proposed biodiversity reserve a non-native species of flora, unless the person has been authorized by the Minister.

3.2. No person may use fertilizers or fertilizing material in the proposed biodiversity reserve. Compost for domestic purposes is permitted if used at least 20 metres from the boundary of the littoral zone of a lake or watercourse.

The boundary of the littoral zone is determined in accordance with the Regulation respecting activities in wetlands, bodies of water and sensitive areas (CQLR, chapter Q-2, r. 0.1).

3.3. No person may in the proposed biodiversity reserve, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the natural drainage or water regime, including by creating or developing lakes or watercourses;
- (3) dig, fill, obstruct or divert a lake or watercourse;
- (4) install or construct a structure, infrastructure or new works in the littoral zone, on the banks or shores or the floodplains of a lake or watercourse; no authorization is however required for minor works — quay or platform, boat shelter — installed for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (CQLR, chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in subparagraphs 1 to 4 that is likely to directly and substantially affect the quality or biochemical characteristics of wetlands and bodies of water in the proposed biodiversity reserve, including by discharging or dumping residual materials or contaminants into the wetlands or bodies of water;
- (6) carry out soil development work or an activity likely to degrade the soil or a geological formation, or damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;
- (7) install or construct a structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide; no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to directly or significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed reserve at the same time; no authorization may be issued by the Minister if the activity involves motor vehicle traffic, unless it has been shown to the Minister that it is impossible to organize the activity elsewhere or that bypassing the proposed reserve is highly unfeasible.

The conditions for authorization prescribed by the Minister may pertain, in particular, to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of materials that may be used including the materials taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 10 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7 and 8 of the first paragraph of section 3.3, no authorization is required to carry out the following work when the requirements of the second paragraph are met:

(1) the maintenance, repair or upgrade of any structure, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(a) of a dependency or a facility ancillary to a trapping camp, a rough shelter, a shelter or a cabin, including a shed, a water withdrawal facility or a system for the discharge and disposal of waste water, grey water and toilet effluents; or

(b) of a trapping camp, a rough shelter, a shelter or a cabin if, on the effective date of the status as a proposed biodiversity reserve, such a building was permitted under the right of use or occupancy granted, but had not yet been carried out;

(3) the demolition or reconstruction of a trapping camp, a rough shelter, a shelter or a cabin, including a dependency or a facility ancillary to such a structure, including a shed, a water withdrawal facility or a system for the discharge and disposal of waste water, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following requirements:

(1) the work involves a structure, infrastructure or works permitted within the proposed biodiversity reserve;

(2) the work is carried out within the area of the land or right of way subject to the right to use or occupy the land in the proposed biodiversity reserve, whether the right results from a lease, a servitude or other form of title, permit or authorization;

(3) the nature of the work or elements installed by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (CQLR, chapter T-8.1) and, if applicable, the limits set under an authorization issued in connection with that structure, works or infrastructure;

- (4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the structure, infrastructure or works to which they are related, as well as in compliance with the applicable legislative and regulatory measures;
- (5) in the case of forest roads, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or install works or facilities to comply with the requirements of an environmental regulation.

3.5. No person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister or, in other cases, with the authorization of the Minister.

Despite the first paragraph, an outfitting operation does not need an authorization to use a disposal facility or site, in compliance with the Environment Quality Act (CQLR, chapter Q-2) and its regulations, if the outfitting operation was already using the facility or site on the effective date of the status as a proposed biodiversity reserve.

§2.2 Rules of conduct for users

3.6. Every person staying, carrying on an activity or travelling in the proposed reserve is required to maintain the site in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.7. Every person who makes a campfire must

- (1) first clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible material;
- (2) ensure that the fire is under the supervision of a person on the site; and
- (3) ensure that the fire is completely extinguished before leaving the site.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other users or interferes with their enjoyment of the site;
or
- (3) harass wildlife.

For the purposes of subparagraphs 1 and 2 of the first paragraph, behaviour that significantly disturbs other persons and constitutes unusual or abnormal conditions for the carrying on of an activity or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed biodiversity reserve if the signage installed by the Minister restricts access, traffic or certain activities in the sector in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

3.10. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed biodiversity reserve.

§2.3 Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed biodiversity reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the proposed biodiversity reserve, including for vacation purposes;

(b) installing a camp or shelter in the proposed reserve; and

(c) installing, burying or leaving property in the proposed reserve, including equipment, a device or a vehicle;

(2) the expression “same site” includes any other site within a radius of 1 km from the site.

Despite the first paragraph, an authorization is not required if a person,

(1) on the effective date of the status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (CQLR, chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(3) elects to acquire land the person legally occupies on the effective date of the status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. No person may carry on forest development activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, persons staying or residing within the proposed biodiversity reserve and who collect wood to make a campfire in the open are not required to obtain the authorization of the Minister.

No such authorization is required if a person collects firewood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the proposed biodiversity reserve in the following cases and on the following conditions:

(1) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued under the Sustainable Forest Development Act (CQLR, chapter A-18.1);

(2) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(3) in other cases:

(a) the wood is collected in a sector accepted by the Minister of Natural Resources and Forests as a sector that may be subject to the issuance of permits for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act, provided that sector has already been accepted by the Minister on the effective date of the status as a proposed biodiversity reserve;

(b) the wood is collected by a person who, on the effective date of the status as a proposed biodiversity reserve, or during the three preceding years, held a permit for the harvest of firewood for domestic purposes that enabled the person to harvest wood in the proposed biodiversity reserve;

(c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Forests under the Sustainable Forest Development Act.

In addition, no authorization to carry on a forest development activity is required if a person authorized by lease to occupy land within the proposed biodiversity reserve in accordance with this plan carries on the activity for the purpose of

(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including for access roads, stairs or other trails permitted under those provisions; or

(2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.15.

(3) Despite the first paragraph, an authorization to carry on a forest development activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

(a) the activity is carried on by a person who, on the effective date of the status as a proposed biodiversity reserve or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Forests under the Sustainable Forest Development Act allowing the person to carry on within the proposed biodiversity reserve the activities associated with operating a sugar bush;

(b) the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the effective date of the status as a proposed biodiversity reserve or in any of the three preceding years; or

(c) the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Forests under the Sustainable Forest Development Act.

§2.4 Authorization exemptions

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, an authorization is not required for a member of a Native community for an intervention within the proposed biodiversity reserve where that intervention is part of the exercise of rights covered by section 35 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom) and those rights are credibly asserted or established.

3.15. Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (hereinafter the “Société”) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

- (1) any activity or intervention required within the proposed biodiversity reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (CQLR, chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request.

The Société informs the Minister of the various activities or interventions referred to in this section it proposes to carry out before the work is begun within the proposed biodiversity reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and monitor the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

4. Activities governed by other statutes

Certain activities likely to be carried on within the proposed biodiversity reserve are also governed by other legislative and regulatory provisions, including some requiring a permit, authorization or the payment of fees, while others may be prohibited or limited by other statutes or regulations that apply within the proposed reserve.

Additionally, a special legal framework may govern activities permitted within proposed reserves in connection with the following:

- Environmental protection. Measures set out in the *Environment Quality Act* (R.S.Q., c. Q-2) and its regulations;
- Species designated as threatened or vulnerable. Measures prohibiting their harvesting per the *Act respecting threatened or vulnerable species* (R.S.Q., c. E-12.01);

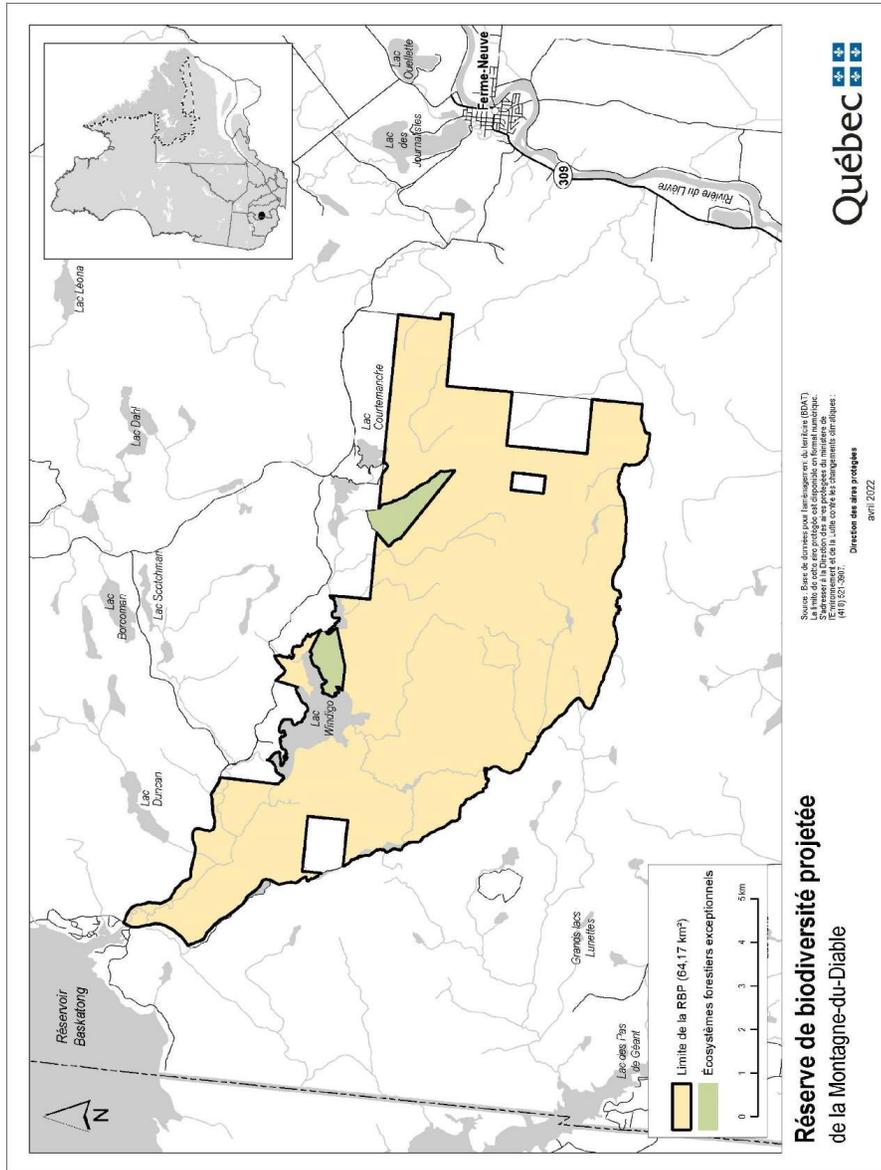
- Development and conservation of wildlife resources. Measures stipulated in the *Act respecting the conservation and development of wildlife* (R.S.Q., c. C-61.1) and its implementing regulation, the provisions of which pertain to threatened or vulnerable wildlife species, wildlife habitats, outfitting operations, controlled hunting and fishing zones, exclusive trapping leases and beaver reserves and measures contained in applicable federal fishery statutes and regulations;
- Archaeological research and discoveries. Measures set out in the *Cultural Heritage Act* (R.S.Q., c. P-9.002), *inter alia*;
- Access and land rights related to the domain of the State. Measures set out in the *Act respecting the lands in the domain of the State* (R.S.Q., c. T-8.1) and in the *Watercourses Act* (R.S.Q., c. R-13), *inter alia*;
- Traffic. Measures provided *inter alia* in the *Act respecting the lands in the domain of the State* as well as by the regulations on motor vehicle traffic in certain fragile environments enacted under the *Environment Quality Act*;
- Construction and development standards. Regulatory measures adopted by regional and local municipal authorities under applicable powers.

5. Responsibilities of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

The Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks is responsible for the implementation of the *Natural Heritage Conservation Act* and for the conservation and management of the réserve de biodiversité projetée de la Montagne-du-Diable. In particular, this includes monitoring and controlling activities that may take place there. To this end, the Minister benefits from the collaboration and participation of other government stakeholders with specific responsibilities on or near the reserve such as the Minister of Natural Resources and Forests and the Minister of Economy, Innovation and Energy as well as their delegates. In using their powers, they take into account the desired protection of these natural environments and the status of protection now granted to them. No additional conservation measures are, at this stage, envisaged. With regard to zoning, the conservation objectives for the interim protection period being the same throughout the area, the proposed reserve consists of only one conservation zone.

Appendix 1

Map of the réserve de biodiversité projetée de la Montagne-du-Diable



106472

M.O., 2023-13**Order number V-1.1-2023-13 of the Minister of Finance dated 15 September 2023**

Securities Act
(chapter V-1.1)

CONCERNING the Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators

WHEREAS paragraphs 1, 3, 9.2.1, 9.3, 9.5, 9.6, 11, 19.1 and 34 of section 331.1 of the Securities Act (chapter V-1.1) provide that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the Bulletin de l'Autorité des marchés financiers, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS, in accordance with section 331.2 of the said Act, the draft Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators was published in the Bulletin de l'Autorité des marchés financiers, vol. 20, no. 30 of 3 August 2023, with a notice that it could be approved by the Minister of Finance on the expiry of 90 days following that publication;

WHEREAS the Autorité des marchés financiers made, on 5 September 2023, by the decision no. 2023-PDG-0042, the Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators;

WHEREAS there is cause to approve this Regulation without amendment;

Consequently, the Minister of Finance approves without amendment the Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators appended hereto.

15 September 2023

ÉRIC GIRARD
Minister of Finance

REGULATION TO AMEND REGULATION 25-102 RESPECTING DESIGNATED BENCHMARKS AND BENCHMARK ADMINISTRATORS

Securities Act

(chapter V-1.1, s. 331.1, par. (1), (3), (9.2.1), (9.3), (9.5), (9.6), (11), (19.1) and (34), and s. 331.2)

1. Section 1 of Regulation 25-102 respecting Designated Benchmarks and Benchmark Administrators (chapter V-1.1, r. 8.2) is amended, in paragraph (1):

(1) by inserting, after the definition of “designated benchmark administrator”, the following:

““designated commodity benchmark” means a benchmark that is

(a) determined by reference to or an assessment of an underlying interest that is a commodity other than a currency, and

(b) designated for the purposes of this Regulation as a “commodity benchmark” by a decision of the securities regulatory authority;”;

(2) by inserting, after the definition of “expert judgment”, the following:

““front office” means any department, division or other internal grouping that performs any pricing, trading, sales, marketing, advertising, solicitation, structuring or brokerage activities on behalf of a benchmark contributor or an affiliated entity of a benchmark contributor;

““front office employee” means any employee or agent that performs any pricing, trading, sales, marketing, advertising, solicitation, structuring or brokerage activities on behalf of a benchmark contributor or an affiliated entity of a benchmark contributor;”;

(3) by adding, in the definition of “subject requirements” and after paragraph (e), the following, with the necessary changes:

“(f) paragraphs 40.13(1)(a) and (b);”.

2. Section 6 of the Regulation is amended, in paragraph (3):

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

“(a) in the case of a benchmark

(i) that is not a designated commodity benchmark, monitor and assess compliance by the designated benchmark administrator and its DBA individuals with securities legislation relating to benchmarks including, for greater certainty, the accountability framework referred to in section 5 and the control framework referred to in section 8, and

(ii) that is a designated commodity benchmark, monitor and assess compliance by the designated benchmark administrator and its DBA individuals with securities legislation relating to benchmarks including, for greater certainty, subsection 5(1) and section 40.3;”;

(2) by replacing subparagraph (ii) of subparagraph (b) by the following:

“(ii) in the case of a benchmark that is not a designated commodity benchmark, compliance by the designated benchmark administrator and its DBA individuals with securities legislation relating to benchmarks including, for greater certainty, the accountability framework referred to in section 5 and the control framework referred to in section 8,

“(ii.1) in the case of a designated commodity benchmark, compliance by the designated benchmark administrator and its DBA individuals with securities legislation relating to benchmarks including, for greater certainty, subsection 5(1) and section 40.3, and”.

3. Section 15 of the Regulation is amended:

(1) by inserting, in paragraph (4) and after “from any front office”, “, or front office employee.”;

(2) by striking out paragraph (5).

4. Section 39 of the Regulation is amended by replacing “conflict of interest identification and management procedures and communication controls,” , in subparagraph (e) of paragraph (3), by “measures to identify and eliminate or manage conflicts of interest, including, for greater certainty, communications controls.”.

5. Section 40 of the Regulation is replaced by the following:

“Provisions of this Regulation not applicable in relation to designated regulated-data benchmarks

“40. The following provisions do not apply to a designated benchmark administrator or a benchmark contributor in relation to a designated regulated-data benchmark:

- (a) subsections 11(1) and (2);
- (b) subsection 14(2);
- (c) subsections 15(1), (2) and (3);
- (d) sections 23, 24 and 25;
- (e) paragraph 26(2)(a).”.

6. The Regulation is amended by inserting, after section 40, the following part:

**“PART 8.1
DESIGNATED COMMODITY BENCHMARKS**

Provisions of this Regulation not applicable in relation to dual-designated benchmarks

40.1. (1) Sections 30 to 33 do not apply to a designated benchmark administrator in relation to a benchmark that is

- (a) a designated commodity benchmark, and
- (b) a designated critical benchmark.

(2) This Part does not apply to a designated benchmark administrator in relation to a designated commodity benchmark if

- (a) the benchmark is a designated critical benchmark, and
- (b) the underlying interest of the benchmark is gold, silver, platinum or palladium.

(3) Subsection (4) applies to a designated benchmark administrator in relation to a designated commodity benchmark if all of the following apply:

- (a) the benchmark is determined from input data arising from transactions of the commodity that is the underlying interest of the benchmark;
- (b) the commodity is of a type in respect of which parties to the transactions referred to in paragraph (a), in the ordinary course of business, make or take physical delivery of the commodity;
- (c) the benchmark is a designated regulated-data benchmark.

(4) The following provisions do not apply in the circumstances referred to in subsection (3):

- (a) subsections 11(1) and (2);
- (b) section 40.8;
- (c) section 40.9, other than subparagraph (f)(ii);
- (d) paragraph 40.11(2)(a);
- (e) section 40.13.

Provisions of this Regulation not applicable in relation to designated commodity benchmarks

40.2. The following provisions do not apply to a designated benchmark administrator, a benchmark contributor or any other person specified in the provisions in relation to a designated commodity benchmark:

- (a) Part 3, other than subsection 5(1) and sections 6, 11, 12 and 13;
- (b) Part 4, other than section 17;
- (c) sections 18 and 21;
- (d) Part 6;
- (e) Part 7.

Control framework

40.3. (1) A designated benchmark administrator must establish, document, maintain and apply policies, procedures and controls that are reasonably designed to ensure that a designated commodity benchmark is provided in accordance with this Regulation.

(2) Without limiting the generality of subsection (1), with respect to the provision of a designated commodity benchmark, a designated benchmark administrator must ensure that its policies, procedures and controls address all of the following:

- (a) management of operational risk, including any risk of financial loss, disruption or damage to the reputation of the designated benchmark administrator from any failure of its information technology systems;
- (b) business continuity and disaster recovery plans;
- (c) contingencies in the event of a disruption to the provision of the designated commodity benchmark or the process applied to provide the designated commodity benchmark.

Methodology

40.4. (1) A designated benchmark administrator must not follow a methodology for determining a designated commodity benchmark unless

- (a) the methodology is sufficient to provide a designated commodity benchmark that accurately and reliably represents the value of the underlying interest of the designated commodity benchmark for that part of the market that the benchmark is intended to represent, and
- (b) the accuracy and reliability of the designated commodity benchmark are verifiable.

(2) A designated benchmark administrator must establish, document, maintain, apply and publish the elements of the methodology of the designated commodity benchmark, including, for greater certainty, all of the following:

(a) all criteria and procedures used to determine the designated commodity benchmark, including the following, as applicable:

- (i) how input data is used;
- (ii) the reason that a reference unit is used;
- (iii) how input data is obtained;
- (iv) identification of how and when expert judgment may be exercised;
- (v) any model, method, assumption, extrapolation or interpolation that is used for analysis of the input data;

(b) the procedures reasonably designed to ensure that benchmark individuals exercise expert judgment in a consistent manner;

(c) the relative importance assigned to the criteria used to determine the designated commodity benchmark, including, for greater certainty, the type of input data used and how and when expert judgment may be exercised;

(d) any minimum requirement for the number of transactions or for the volume for each transaction used to determine the designated commodity benchmark;

(e) if the methodology of the designated commodity benchmark does not require a minimum number of transactions or minimum volume for each transaction used to determine the designated commodity benchmark, an explanation as to why a minimum number or volume is not required;

(f) the procedures used to determine the designated commodity benchmark in circumstances in which the input data does not meet the minimum number of transactions or the minimum volume for each transaction required in the methodology of the designated commodity benchmark, including, for greater certainty,

(i) any alternative methods used to determine the designated commodity benchmark, including, for greater certainty, any theoretical estimation models, and

(ii) if no transaction data exists, procedures to be used in those circumstances;

(g) the time period during which input data must be provided;

(h) the means used to contribute the input data, whether electronically, by telephone or by other means;

(i) the procedures used to determine the designated commodity benchmark if one or more benchmark contributors contribute input data that constitutes a significant proportion of the total input data for the determination of the designated commodity benchmark, including specifying what constitutes a significant proportion of the total input data for the determination of the benchmark;

(j) the circumstances in which transaction data may be excluded in the determination of the designated commodity benchmark.

Additional information about the methodology

40.5. A designated benchmark administrator must, with respect to the methodology of a designated commodity benchmark, publish all of the following:

(a) the rationale for adopting the methodology, including, for greater certainty,

(i) the rationale for any price adjustment techniques, and

(ii) a description of why the time period for the acceptance of input data is adequate for the input data to accurately and reliably represent the value of the underlying interest of the designated commodity benchmark;

(b) the process for the internal review and the approval of the methodology referred to in section 40.6 and the frequency of those reviews and approvals;

(c) the process referred to in section 17 for making significant changes to the methodology.

Review of methodology

40.6. A designated benchmark administrator must, at least once every 12 months, carry out an internal review and approval of the methodology of each designated commodity benchmark that it administers to ensure that the designated benchmark administrator complies with subsection 40.4(1).

Quality and integrity of the determination of a designated commodity benchmark

40.7. (1) A designated benchmark administrator must specify, and document and publish a description of, the commodity that is the underlying interest of a designated commodity benchmark.

(2) A designated benchmark administrator must establish, document, maintain and apply policies and procedures reasonably designed to ensure the quality and integrity of each determination of a designated commodity benchmark, including for greater certainty, policies and procedures reasonably designed

(a) to ensure that input data is used in accordance with the order of priority specified in the methodology of the designated commodity benchmark,

(b) to identify transaction data that a reasonable person would conclude is anomalous or suspicious,

(c) to ensure that the designated benchmark administrator maintains records of each decision, including the reasons for the decision, to exclude transaction data from the determination of the designated commodity benchmark,

(d) so that a benchmark contributor is not discouraged from contributing all of its input data that meets the designated benchmark administrator's criteria for the determination of the designated commodity benchmark, and

(e) to ensure that benchmark contributors comply with the designated benchmark administrator's quality and integrity standards for input data.

Transparency of determination of a designated commodity benchmark

40.8. A designated benchmark administrator must publish for each determination of a designated commodity benchmark, as soon as reasonably practicable, all of the following:

(a) an explanation of how the designated commodity benchmark was determined, including, for greater certainty, all of the following:

(i) the number of transactions and the volume for each transaction;

(ii) with respect to each type of input data

(A) the range of volumes and the average volume,

(B) the range of prices and the volume-weighted average price, and

(C) the approximate percentage of each type of input data to the total input data;

(b) an explanation of how and when expert judgment was used in the determination of the designated commodity benchmark.

Integrity of the process for contributing input data

40.9. A designated benchmark administrator must establish, document, maintain and apply policies, procedures and controls that are reasonably designed to ensure the integrity of the process for contributing input data for a designated commodity benchmark, including, for greater certainty, all of the following:

(a) criteria for determining who may contribute input data;

(b) procedures to verify the identity of a benchmark contributor and a contributing individual and the authorization of the contributing individuals to contribute input data on behalf of the benchmark contributor;

- (c) criteria for determining which contributing individuals are permitted to contribute input data on behalf of a benchmark contributor;
- (d) criteria for determining the appropriate contribution of transaction data by the benchmark contributor;
- (e) if transaction data is contributed from any front office, or front office employee, of a benchmark contributor, or of an affiliated entity of a benchmark contributor, procedures to confirm the reliability of the input data, and the criteria upon which the reliability is measured, in accordance with its policies;
- (f) procedures to
 - (i) identify any communications between contributing individuals and benchmark individuals that might involve manipulation or attempted manipulation of the determination of the designated commodity benchmark for the benefit of any trading position of the benchmark contributor, any contributing individual or third party,
 - (ii) identify any attempts to cause a benchmark individual not to apply or follow the designated benchmark administrator's policies, procedures and controls,
 - (iii) identify benchmark contributors or contributing individuals that engage in a pattern of contributing transaction data that a reasonable person would consider is anomalous or suspicious, and
 - (iv) ensure that the appropriate supervisors within the benchmark contributor are notified, to the extent possible, of questions or concerns by the designated benchmark administrator.

Governance and control requirements

40.10. (1) A designated benchmark administrator must establish and document its organizational structure in relation to the provision of a designated commodity benchmark.

(2) The organizational structure referred to in subsection (1) must establish well-defined roles and responsibilities for each person involved in the provision of the designated commodity benchmark, and include, if applicable, segregated reporting lines, to ensure that the designated benchmark administrator complies with the provisions of this Regulation.

(3) A designated benchmark administrator must establish, document, maintain and apply policies and procedures reasonably designed to ensure the integrity and reliability of the determination of a designated commodity benchmark, including, for greater certainty, policies and procedures reasonably designed to ensure

(a) that each of its benchmark individuals has the necessary skills, knowledge, experience, reliability and integrity for the duties assigned to the individual,

(b) that the provision of the designated commodity benchmark can be made on a consistent and regular basis,

(c) that succession plans exist to ensure the designated benchmark administrator follows the policies and procedures described in paragraphs (a) and (b) on an ongoing basis,

(d) that each of its benchmark individuals is subject to management and supervision to ensure that the methodology of the designated commodity benchmark is properly applied, and

(e) that the approval of an individual holding a position senior to that of a benchmark individual is obtained before each publication of the designated commodity benchmark.

Books, records and other documents

40.11. (1) A designated benchmark administrator must keep the books, records and other documents that are necessary to account for its activities as a designated benchmark administrator, its business transactions and its financial affairs relating to its designated commodity benchmarks.

(2) A designated benchmark administrator must keep books, records and other documents of all of the following:

(a) all input data, including how the data was used;

(b) each decision to exclude a particular transaction from input data that otherwise met the requirements of the methodology applicable to the determination of a designated commodity benchmark, and the rationale for doing so;

(c) the methodology of each designated commodity benchmark administered by the designated benchmark administrator;

(d) any exercise of expert judgment by the designated benchmark administrator in the determination of the designated commodity benchmark, including the basis for the exercise of expert judgment;

(e) changes in or deviations from policies, procedures, controls or methodologies;

(f) the identities of contributing individuals and of benchmark individuals;

(g) all documents relating to a complaint.

(3) A designated benchmark administrator must keep the records referred to in subsection (2) in a form that

(a) identifies the manner in which the determination of a designated commodity benchmark was made, and

(b) enables an audit, review or evaluation of any input data, calculation, or exercise of expert judgment, including in connection with any limited assurance report on compliance or reasonable assurance report on compliance.

(4) A designated benchmark administrator must retain the books, records and other documents required to be maintained under this section

(a) for a period of 7 years from the date the record was made or received by the designated benchmark administrator, whichever is later,

(b) in a safe location and a durable form, and

(c) in a manner that permits those books, records and other documents to be provided promptly on request to the regulator, except in Québec, or securities regulatory authority.

Conflicts of interest

40.12. (1) A designated benchmark administrator must establish, document, maintain and apply policies and procedures that are reasonably designed to

(a) identify and eliminate or manage conflicts of interest involving the designated benchmark administrator and its managers, benchmark contributors, benchmark users, DBA individuals and any affiliated entity of the designated benchmark administrator,

(b) ensure that expert judgment exercised by the benchmark administrator or DBA individuals is independently and honestly exercised,

(c) protect the integrity and independence of the provision of a designated commodity benchmark, including, for greater certainty, policies and procedures reasonably designed to

(i) ensure that the provision of a designated commodity benchmark is not influenced by the existence of, or potential for, financial interests, relationships or business connections between the designated benchmark administrator or its affiliates, its personnel, clients and any market participant or persons connected with them,

(ii) ensure that each of its benchmark individuals does not have any financial interests, relationships or business connections that adversely affect the integrity of the designated benchmark administrator, including, for greater certainty, outside employment, travel and acceptance of entertainment, gifts and hospitality provided by the designated benchmark administrator's clients or other commodity market participants,

(iii) keep separate, operationally, the business of the designated benchmark administrator relating to the designated commodity benchmark it administers, and its benchmark individuals, from any other business activity of the designated benchmark administrator if the designated benchmark administrator becomes aware of a conflict of interest or a potential conflict of interest involving the business of the designated benchmark administrator relating to any designated commodity benchmark, and

(iv) ensure that each of its benchmark individuals does not contribute to a determination of a designated commodity benchmark by way of engaging in bids, offers or trades on a personal basis or on behalf of market participants, except as permitted under the policies and procedures of the designated benchmark administrator,

(d) ensure that an officer referred to in section 6, or any DBA individual who reports directly to the officer, does not receive compensation or other financial incentive from which conflicts of interest arise or that otherwise adversely affects the integrity of the benchmark determination,

(e) protect the confidentiality of information provided to or produced by the designated benchmark administrator, subject to the disclosure requirements under sections 19, 20, 40.4, 40.5 and 40.8, and

(f) identify and eliminate or manage conflicts of interest that exist between the provision of a designated commodity benchmark by the designated benchmark administrator, including all benchmark individuals who participate in the determination of the designated commodity benchmark, and any other business of the designated benchmark administrator.

(2) A designated benchmark administrator must ensure that its other businesses have appropriate policies, procedures and controls designed to minimize the likelihood that a conflict of interest will adversely affect the integrity of the provision of a designated commodity benchmark.

(3) In establishing an organizational structure, as required under subsections 40.10(1) and (2), a designated benchmark administrator must ensure that the responsibilities of each person involved in the provision of a designated commodity benchmark administered by the designated benchmark administrator do not cause a conflict of interest or a potential conflict of interest.

(4) A designated benchmark administrator must promptly publish a description of a conflict of interest, or a potential conflict of interest, in respect of a designated commodity benchmark

(a) if a reasonable person would consider the risk of harm to any person arising from the conflict of interest, or the potential conflict of interest, is significant, and

(b) on becoming aware of the conflict of interest, or the potential conflict of interest, including, for greater certainty, a conflict or potential conflict arising from the ownership or control of the designated benchmark administrator.

(5) If a designated benchmark administrator fails to apply or follow a policy or procedure referred to in paragraph (1)(e), and a reasonable person would consider the failure to be significant, the designated benchmark administrator must promptly provide written notice of the significant failure to the regulator, except in Québec, or securities regulatory authority.

Assurance report on designated benchmark administrator

40.13. (1) A designated benchmark administrator must engage a public accountant to provide a limited assurance report on compliance or a reasonable assurance report on compliance, in respect of each designated commodity benchmark it administers, regarding the designated benchmark administrator's

(a) compliance with subsection 5(1) and sections 11 to 13, 40.3, 40.4, 40.6, 40.7, and 40.9 to 40.12, and

(b) following of the methodology applicable to the designated commodity benchmark.

(2) A designated benchmark administrator must ensure an engagement referred to in subsection (1) occurs once every 12 months.

(3) A designated benchmark administrator must, within 10 days of the receipt of a report provided for in subsection (1), publish the report and deliver a copy of the report to the regulator, except in Québec, or securities regulatory authority.”.

7. This Regulation comes into force on 27 September 2023.

106476

Draft Regulations

Draft Regulation

Code of Civil Procedure
(chapter C-25.01)

Basic Parental Contribution Determination Table — 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 Basic Parental Contribution Determination Table, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation replaces Schedule I to the Regulation respecting the Basic Parental Contribution Determination Table (chapter C-25.01, r. 12) so as to determine for the year 2024, according to the fiscal parameters of 2023, the basic contribution of parents as well as the amount of the basic deduction provided therein.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction du soutien aux orientations, des affaires législatives et de la refonte, Ministère de la Justice, 1200, route de l'Église, 4^e étage, Québec (Québec) G1V 4M1; telephone: 418 643-0424, extension 20172; email: annie.gauthier@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table

Code of Civil procedure
(chapter C-25.01, a. 443, 2nd par.)

1. The Regulation respecting the Basic Parental Contribution Determination Table (chapter C-25.01, r. 12) is amended by replacing Schedule I by Schedule I attached to this Regulation.

2. This Regulation comes into force on 1 January 2024.

ANNEXE

(s. 1)

BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE
(EFFECTIVE AS OF 1 JANUARY 2024)

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
1 - 1 000	500	500	500	500	500	500
1 001 - 2 000	1 000	1 000	1 000	1 000	1 000	1 000
2 001 - 3 000	1 500	1 500	1 500	1 500	1 500	1 500
3 001 - 4 000	2 000	2 000	2 000	2 000	2 000	2 000
4 001 - 5 000	2 500	2 500	2 500	2 500	2 500	2 500
5 001 - 6 000	3 000	3 000	3 000	3 000	3 000	3 000
6 001 - 7 000	3 500	3 500	3 500	3 500	3 500	3 500
7 001 - 8 000	3 890	4 000	4 000	4 000	4 000	4 000
8 001 - 9 000	3 910	4 500	4 500	4 500	4 500	4 500
9 001 - 10 000	3 920	5 000	5 000	5 000	5 000	5 000
10 001 - 12 000	4 050	6 000	6 000	6 000	6 000	6 000
12 001 - 14 000	4 090	6 370	7 000	7 000	7 000	7 000
14 001 - 16 000	4 190	6 460	7 730	8 000	8 000	8 000
16 001 - 18 000	4 300	6 630	7 970	9 000	9 000	9 000
18 001 - 20 000	4 480	6 880	8 320	9 780	10 000	10 000
20 001 - 22 000	4 770	7 320	8 890	10 450	11 000	11 000
22 001 - 24 000	5 040	7 740	9 420	11 080	12 000	12 000
24 001 - 26 000	5 320	8 180	9 980	11 780	13 000	13 000
26 001 - 28 000	5 600	8 560	10 550	12 500	14 000	14 000
28 001 - 30 000	5 850	8 900	10 970	13 090	15 000	15 000
30 001 - 32 000	6 040	9 150	11 380	13 620	15 820	16 000
32 001 - 34 000	6 210	9 390	11 760	14 070	16 410	17 000
34 001 - 36 000	6 410	9 610	12 070	14 520	16 970	18 000
36 001 - 38 000	6 540	9 870	12 330	14 810	17 300	19 000
38 001 - 40 000	6 730	10 060	12 580	15 110	17 640	20 000
40 001 - 42 000	6 890	10 250	12 850	15 410	17 980	20 560
42 001 - 44 000	7 060	10 480	13 090	15 680	18 280	20 870
44 001 - 46 000	7 220	10 670	13 330	15 980	18 630	21 300
46 001 - 48 000	7 370	10 920	13 620	16 350	19 060	21 780
48 001 - 50 000	7 560	11 120	13 930	16 730	19 530	22 320
50 001 - 52 000	7 750	11 370	14 260	17 160	20 030	22 930
52 001 - 54 000	7 940	11 640	14 590	17 530	20 500	23 460
54 001 - 56 000	8 120	11 890	14 940	18 020	21 070	24 110
56 001 - 58 000	8 330	12 170	15 300	18 410	21 560	24 690
58 001 - 60 000	8 530	12 410	15 640	18 860	22 090	25 300
60 001 - 62 000	8 720	12 680	15 980	19 280	22 580	25 860
62 001 - 64 000	8 900	12 930	16 340	19 720	23 120	26 520
64 001 - 66 000	9 090	13 200	16 690	20 160	23 620	27 090
66 001 - 68 000	9 300	13 420	16 980	20 560	24 120	27 690
68 001 - 70 000	9 440	13 660	17 310	20 990	24 650	28 320
70 001 - 72 000	9 600	13 890	17 640	21 360	25 120	28 860
72 001 - 74 000	9 770	14 120	17 960	21 790	25 640	29 470
74 001 - 76 000	9 970	14 340	18 270	22 220	26 160	30 100
76 001 - 78 000	10 100	14 520	18 520	22 540	26 530	30 530
78 001 - 80 000	10 240	14 730	18 800	22 870	26 940	31 020
80 001 - 82 000	10 380	14 910	19 040	23 190	27 320	31 470
82 001 - 84 000	10 510	15 100	19 310	23 520	27 740	31 940
84 001 - 86 000	10 710	15 290	19 580	23 830	28 120	32 380
86 001 - 88 000	10 820	15 440	19 780	24 120	28 460	32 790
88 001 - 90 000	10 900	15 580	19 950	24 320	28 690	33 080
90 001 - 92 000	11 000	15 700	20 160	24 570	29 030	33 460
92 001 - 94 000	11 100	15 840	20 320	24 790	29 250	33 720
94 001 - 96 000	11 210	15 960	20 500	25 020	29 550	34 060
96 001 - 98 000	11 270	16 060	20 610	25 190	29 760	34 340
98 001 - 100 000	11 360	16 150	20 750	25 330	29 940	34 540

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
100 001 - 102 000	11 430	16 250	20 900	25 530	30 180	34 820
102 001 - 104 000	11 500	16 330	21 030	25 680	30 390	35 050
104 001 - 106 000	11 580	16 430	21 150	25 870	30 590	35 300
106 001 - 108 000	11 640	16 540	21 310	26 050	30 830	35 550
108 001 - 110 000	11 710	16 620	21 450	26 220	31 030	35 790
110 001 - 112 000	11 790	16 710	21 580	26 360	31 240	36 040
112 001 - 114 000	11 860	16 780	21 710	26 530	31 460	36 270
114 001 - 116 000	11 950	16 880	21 840	26 700	31 650	36 510
116 001 - 118 000	12 020	16 970	21 980	26 850	31 870	36 760
118 001 - 120 000	12 090	17 060	22 120	27 050	32 070	36 980
120 001 - 122 000	12 160	17 150	22 230	27 190	32 280	37 220
122 001 - 124 000	12 220	17 250	22 370	27 370	32 490	37 450
124 001 - 126 000	12 290	17 340	22 500	27 510	32 710	37 710
126 001 - 128 000	12 380	17 420	22 650	27 690	32 910	37 960
128 001 - 130 000	12 440	17 520	22 780	27 850	33 110	38 200
130 001 - 132 000	12 510	17 620	22 930	28 010	33 320	38 430
132 001 - 134 000	12 580	17 700	23 050	28 210	33 540	38 680
134 001 - 136 000	12 650	17 790	23 180	28 360	33 740	38 920
136 001 - 138 000	12 740	17 870	23 330	28 510	33 970	39 160
138 001 - 140 000	12 800	17 980	23 460	28 700	34 170	39 410
140 001 - 142 000	12 880	18 060	23 590	28 860	34 380	39 650
142 001 - 144 000	12 950	18 170	23 730	29 030	34 600	39 900
144 001 - 146 000	13 030	18 250	23 860	29 180	34 820	40 140
146 001 - 148 000	13 100	18 340	24 020	29 390	35 020	40 390
148 001 - 150 000	13 180	18 450	24 150	29 540	35 250	40 640
150 001 - 152 000	13 260	18 540	24 280	29 700	35 450	40 880
152 001 - 154 000	13 320	18 620	24 410	29 880	35 670	41 110
154 001 - 156 000	13 400	18 720	24 570	30 040	35 890	41 360
156 001 - 158 000	13 460	18 810	24 680	30 180	36 060	41 590
158 001 - 160 000	13 530	18 890	24 790	30 340	36 270	41 820
160 001 - 162 000	13 590	18 960	24 930	30 510	36 470	42 040
162 001 - 164 000	13 670	19 050	25 060	30 670	36 650	42 250
164 001 - 166 000	13 730	19 150	25 190	30 820	36 860	42 500
166 001 - 168 000	13 790	19 240	25 320	30 980	37 070	42 720
168 001 - 170 000	13 860	19 320	25 430	31 130	37 260	42 940
170 001 - 172 000	13 940	19 400	25 570	31 290	37 470	43 190
172 001 - 174 000	14 010	19 500	25 700	31 450	37 650	43 400
174 001 - 176 000	14 080	19 570	25 830	31 610	37 870	43 650
176 001 - 178 000	14 150	19 670	25 940	31 770	38 070	43 880
178 001 - 180 000	14 220	19 770	26 110	31 940	38 260	44 110
180 001 - 182 000	14 300	19 850	26 220	32 090	38 470	44 350
182 001 - 184 000	14 360	19 940	26 350	32 250	38 670	44 560
184 001 - 186 000	14 420	20 020	26 480	32 410	38 860	44 810
186 001 - 188 000	14 500	20 100	26 620	32 580	39 080	45 040
188 001 - 190 000	14 560	20 190	26 740	32 720	39 280	45 280
190 001 - 192 000	14 640	20 280	26 870	32 900	39 470	45 500
192 001 - 194 000	14 710	20 380	26 990	33 070	39 680	45 750
194 001 - 196 000	14 780	20 460	27 150	33 220	39 890	45 980
196 001 - 198 000	14 840	20 560	27 270	33 380	40 070	46 210
198 001 - 200 000	14 910	20 650	27 400	33 540	40 310	46 440
Disposable income greater than \$200,000 ⁽²⁾	14 910 plus 3.5% of excess amount	20 650 plus 4.5% of excess amount	27 400 plus 6.5% of excess amount	33 540 plus 8.0% of excess amount	40 310 plus 10.0% of excess amount	46 440 plus 11.5% of excess amount

(1) If the number of children is greater than 6, the basic parental contribution is determined by multiplying the difference between the amounts prescribed in the Table for 5 and 6 children by the number of additional children and by adding the product thus obtained to the amount prescribed for 6 children (s. 1, 2nd par. of the Regulation respecting the Basic Parental Contribution Determination Table).

(2) For the part of income exceeding \$200,000, the percentage indicated is shown for information purposes only. The court may, if it deems it appropriate, fix for that part of the disposable income an amount different from the amount that would be obtained using that percentage (s. 10 of the Regulation respecting the determination of child support payments (chapter C-25.01, r. 0.4)).

Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2024: \$13,085

Draft Regulation

Sustainable Forest Development Act
(chapter A-18.1)

Forestry permits — Amendment

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

The draft Regulation extends the transitional period before the application of some of the new standards for tapping maple trees.

Study of the matter has shown that the draft Regulation will have no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Nicolas-Pascal Côté, Director, Direction de la gestion de l’approvisionnement en bois, Ministère des Ressources naturelles et des Forêts, 5700, 4^e Avenue Ouest, bureau A-202, Québec (Québec) G1H 6R1; telephone: 418 627-8646, extension 704200; email: Nicolas-Pascal.Cote@mffp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Alain Sénéchal, Associate Deputy Minister for Forests, Ministère des Ressources naturelles et des Forêts, 5700, 4^e Avenue Ouest, bureau A-405, Québec (Québec) G1H 6R1.

MAÏTÉ BLANCHETTE VÉZINA
Minister of Natural Resources and Forests

Regulation to amend the Regulation respecting forestry permits

Sustainable Forest Development Act
(chapter A-18.1, s. 87, par. 3)

1. The Regulation respecting forestry permits (chapter A-18.1, r. 8.1) is amended by replacing section 58 by the following:

“**58.** Despite paragraph 2 of section 24, where a sugar bush forestry permit has been issued by the Minister before 15 December 2023, only maple trees at least

(1) 19.1 cm in diameter at 1.30 m above the highest ground level may be tapped until 30 April 2031, and

(2) 21.1 cm in diameter at 1.30 m above the highest ground level may be tapped until 30 April 2038.

Despite paragraph 3 of section 24, until the end of the period provided for in subparagraph 1 or 2 of the first paragraph, as applicable, the maximum number of tapholes in the same maple tree is determined according to the diameter of the tree, in accordance with the following table:

Diameter of maple tree at 1.30 m above the highest ground level	Maximum number of tapholes
Between 19.1 cm and 39 cm	1
39.1 cm and more	2

This section does not apply to parts of territory added after 14 December 2023 for which a sugar bush forestry permit has been issued.”

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

106478

Treasury Board

Gouvernement du Québec

T.B. 229041, 12 September 2023

Act respecting contracting by public bodies
(chapter C-65.1)

Definition of certain expressions for the purposes of Division IV of Chapter II of the Act respecting contracting by public bodies

Regulation respecting the definition of certain expressions for the purposes of Division IV of Chapter II of the Act respecting contracting by public bodies

WHEREAS, under section 14.5 of the Act respecting contracting by public bodies (chapter C-65.1), the Conseil du trésor defines, by regulation, the expressions “small enterprises in Québec and elsewhere in Canada”, “Québec or otherwise Canadian value added” and “Québec or otherwise Canadian goods, services or construction work” for the purposes of sections 14.1 and 14.4 of the Act, and the expression “Québec goods, services or construction work” for the purposes of sections 14.2 and 14.3 of the Act;

WHEREAS, under the second paragraph of section 14.1 of the Act, the Conseil du trésor determines, by regulation, the form and maximum percentage of the preference a public body may grant based on the Québec or otherwise Canadian value added;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the definition of certain expressions for the purposes of Division IV of Chapter II of the Act respecting contracting by public bodies was published in Part 2 of the *Gazette officielle du Québec* of 1 March 2023 with a notice that it could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation respecting the definition of certain expressions for the purposes of Division IV of Chapter II of the Act respecting contracting by public bodies, attached hereto, be made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation respecting the definition of certain expressions for the purposes of Division IV of Chapter II of the Act respecting contracting by public bodies

Act respecting contracting by public bodies
(chapter C-65.1, s. 14.1, 2nd par., and s. 14.5)

1. The expression “small enterprises in Québec and elsewhere in Canada” means enterprises that have an establishment in Québec or elsewhere in Canada with less than 50 employees, including employees of any related enterprise.

Two enterprises are related where one has direct or indirect legal control of the other or where a third enterprise has direct or indirect legal control of the other two.

The number of employees of a small enterprise in Québec or elsewhere in Canada or a related enterprise is determined by calculating,

(1) in the case of an enterprise that has been in operation for 12 months or more on the date on which the tender is submitted, the average of the number of employees registered in the enterprise register per pay period in the 12 months preceding the date on which the tender is submitted; and

(2) in the case of an enterprise that has been in operation for less than 12 months on the date on which the tender is submitted, the average of the number of employees registered in the enterprise register per pay period between the date from which the enterprise has been in operation and the date on which the tender is submitted.

2. The expression “Québec or otherwise Canadian value added” means

(1) in the case of goods, the proposal

(a) of goods in the natural state obtained entirely in Québec or elsewhere in Canada;

(b) of goods entirely produced in Québec or elsewhere in Canada from goods referred to in subparagraph a only; or

(c) of goods whose last substantial transformation was carried out in Québec or elsewhere in Canada; and

(2) in the case of services or construction work, the portion of the tendered price for the services or construction work corresponding to those for which an enterprise assigns for the carrying out of the work natural persons residing in Québec or elsewhere in Canada.

For the purposes of this Regulation, “substantial transformation” means a fundamental change to goods in terms of function, character or nature that gives them their essential characteristics.

3. The preference a public body may grant based on the Québec or otherwise Canadian value added must be in the form of a preferential margin applicable on the tendered price for goods, services or construction work, for the sole purpose of determining the successful tenderer for the contract.

The preference must not have a value greater than 10%.

4. The expression “Québec or otherwise Canadian goods, services or construction work” means,

(1) in the case of goods,

(a) goods in the natural state obtained entirely in Québec or elsewhere in Canada;

(b) goods entirely produced in Québec or elsewhere in Canada from goods referred to in subparagraph *a* only; or

(c) goods whose last substantial transformation was performed in Québec or elsewhere in Canada; and

(2) in the case of services or construction work, the services or construction work for which an enterprise assigns for the carrying out of the work natural persons residing in Québec or elsewhere in Canada in a proportion equal to 70% or more of the tendered price for the services or construction work.

For the purposes of subparagraph 2 of the first paragraph, “tendered price” is replaced by “amount of the fees” where a public body solicits only a quality demonstration via a call for tenders.

5. The expression “Québec goods, services or construction work” means,

(1) in the case of goods,

(a) goods in the natural state obtained entirely in Québec;

(b) goods entirely produced in Québec from goods referred to in subparagraph *a* only; or

(c) goods whose last substantial transformation was performed in Québec; and

(2) in the case of services or construction work, the services or construction work for which an enterprise assigns for the carrying out of the work natural persons residing in Québec in a proportion equal to 70% or more of the tendered price for the services or construction work.

For the purposes of subparagraph 2 of the first paragraph, “tendered price” is replaced by “amount of the fees” where a public body solicits only a quality demonstration via a call for tenders and by “agreed price” in the case of a contract by mutual agreement.

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

106473