

## Decisions

### Decision 6402, 5 March 1996

An Act respecting the marketing of agricultural, food and fish products (R.S.Q., c. M-35.1)

#### Fees exigible by the Régie des marchés agricoles et alimentaires du Québec

WHEREAS section 41.1 of the Act respecting the marketing of agricultural, food and fish products authorizes the Régie des marchés agricoles et alimentaires du Québec to determine a tariff of fees in respect of the applications submitted to it and the services it provides;

WHEREAS the Régie, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), published a draft of the Regulation respecting the fees exigible by the Régie des marchés agricoles et alimentaires du Québec in Part 2 of the *Gazette officielle du Québec* on 3 May 1995 in its French version and on 17 January 1996 in its English version, with a notice that it could be made by the Régie upon the expiry of 45 days from that publication;

WHEREAS the Régie has received the comments of the persons interested in the draft regulation;

WHEREAS it is expedient to make the Regulation with amendments;

THEREFORE, please note that the Régie des marchés agricoles et alimentaires du Québec, by its decision 6402 of 5 March 1996, made the Regulation respecting the fees exigible by the Régie des marchés agricoles et alimentaires du Québec, the text of which follows.

CLAUDE RÉGNIER,  
*Secretary*

#### Regulation respecting the fees exigible by the Régie des marchés agricoles et alimentaires du Québec

An Act respecting the marketing of agricultural, food and fish products (R.S.Q., c. M-35.1, s. 41.1)

**1.** The Régie des marchés agricoles et alimentaires du Québec shall issue free of charge and upon application

(1) to each of the persons and parties addressing the Régie, a copy of the vouchers and documents filed dur-

ing a hearing and of the decision rendered based on the hearing;

(2) to each permit holder, a copy of his permit; and

(3) to the parties to an agreement, a copy of the attestation of homologation of the agreement.

**2.** The Régie shall issue to any applicant a copy of any document it holds, upon payment of

(1) \$0.25 per page for a printed document;

(2) \$10.00 per diskette for a computerized document; and

(3) \$10.00 per audiocassette.

Where the fees exigible amount to more than \$100, the Régie shall receive a partial payment equivalent to half of the approximate amount of the fees before forwarding the requested documents.

The Régie shall deduct \$5 from the fees exigible under subparagraph 1 of the first paragraph.

**3.** Any person may obtain a copy of the following documents for a period of one year following the date of his application or during the period from 1 January to 31 December of the year in which he files his application, after payment of the following fees:

(1) all decisions: \$375;

(2) a specific category of decisions: \$200;

(3) all attestations of homologation of an agreement: \$600;

(4) all homologated agreements: \$1 200;

(5) a specific part of the attestations of homologation of an agreement: \$150; and

(6) a specific part of the homologated agreements: \$300.

**4.** The Régie shall distribute free of charge a copy of the annual register of factory permits issued pursuant to the provisions of the Dairy Products and Dairy Products Substitutes Act (R.S.Q., c. P-30) to each permit holder, to a certified association representing the permit holders or to every person referred to in section 48 of that Act. Any other person may obtain a copy upon payment of \$10.

**5.** Any person applying for a permit to operate under the Dairy Products and Dairy Products Substitutes Act shall pay \$100 with his application.

Any person applying for an amendment to a permit to operate a dairy plant or a plant manufacturing dairy substitutes shall pay \$25 with his application.

**6.** The Régie shall distribute free of charge a copy of a list of persons who have deposited a guarantee of financial liability that it administers or a copy of a list of the holders of permits issued under the Act respecting the marketing of agricultural, food and fish products (R.S.Q., c. M-35.1) to the certified associations representing them or to the producer marketing boards applying therefor. Any other person may obtain a copy upon payment of \$10.

**7.** For any investigation and inspection work carried out under Chapter XII of Title III of the Act respecting the marketing of agricultural, food and fish products, the Régie shall bill the body making the application

(1) \$50 per hour of work or \$230 per day of work, whichever is less;

(2) the costs of meals and lodging paid; and

(3) the travel expenses that are necessary for carrying out the work and have been paid or, where such is not the case, expenses calculated at a rate of \$0.34 per kilometre.

This section does not apply to investigation and inspection work pertaining to the application of the Règlement sur les livres, registres et rapports des entreprises laitières (1993, 125 G.O. II, 8417).

**8.** Any person who registers for a training course on grain grading shall pay \$75 with his application.

For any verification of that training or for any upgrading session, the Régie shall bill the person or body making the application

(1) \$29 per hour of work; and

(2) a flat charge of \$35 per verification or per upgrading session requiring an employee of the Régie to travel.

**9.** Any person who registers for the upgrading program for grain handlers shall pay \$35 with his application.

**10.** For holders of permits issued in accordance with the Grain Act (R.S.Q., c. G-1.1), the Régie shall verify and approve, once a year and free of charge, the accuracy of the hygrometers used to determine the moisture

content of grain, pursuant to section 52 of the Regulation respecting grain made by Order in Council 1724-92 dated 2 December 1992.

Any person may ask the Régie to determine the accuracy of the same hygrometer more than once during the same 12-month period upon payment of the fees provided for in the second paragraph of section 8.

**11.** Any person may ask the Régie to verify the performance of a grain dryer or a grain cleaner or to make a sketch of a project for the installation of those devices upon payment of \$140 per verification of per sketch.

**12.** Any person may obtain authorization from the Régie to use its software entitled "Calcul des coûts d'opération des centres régionaux" upon payment of \$300; that amount includes installation of the software in the proper computer and the necessary operating instructions.

**13.** Any person may ask the Régie to program the HP 48-G, HP 27-S and HP 42-S calculators to replace the moisture conversion tables 919/3,5, and the specific grain weight tables upon payment of

(1) \$25 for the HP 48-G model; and

(2) \$50 for the HP 27-S and HP 42-S models.

**14.** As of 1 April 1996, the amounts fixed in this Regulation shall be indexed on 1 April of each year, on the basis of the rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada for the 12-month period ending on 31 January preceding that indexation.

The amounts thus indexed shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Régie shall inform the public of the indexation carried out under this section through Part 1 of the *Gazette officielle du Québec* and by any other means it considers appropriate.

**15.** The fees exigible pursuant to this Regulation do not include the applicable taxes.

**16.** The Public Protector and the Auditor General are exempted from the fees provided for in this Regulation.

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