

M.O., 1997

Order of the Minister of the Environment and Wildlife dated 24 October 1997

An Act to amend the Act to preserve agricultural land and agricultural activities and other legislative provisions in order to promote the preservation of agricultural activities (1996, c. 26)

CONCERNING the amendment to the Guidelines concerning the Prevention of Air Pollution in Livestock Operations

WHEREAS the Act to amend the Act to preserve agricultural land and agricultural activities and other legislative provisions in order to promote the preservation of agricultural activities (1996, c. 26) was assented to on June 20, 1997;

WHEREAS section 79.17 of the Act to preserve agricultural land, enacted by section 47 of the amending Act, provides for immunity from prosecution with regard to odours resulting from agricultural activities in an agricultural zone, insofar as such activities are exercised in accordance with the municipal regulatory standards adopted under the third paragraph of section 113 of the Act respecting land use planning and development;

WHEREAS under section 87 of the amending Act, until the coming into force of a regulation respecting odours and passed by a municipality, immunity from prosecution also applies with regard to odours caused by agricultural activities exercised in an agricultural zone in the territory of that municipality, if such activities are exercised in accordance with the standards provided by the Guidelines concerning the Prevention of Air Pollution in Livestock Operations, drafted by the Minister of the Environment and Wildlife and published in the *Gazette officielle du Québec*;

WHEREAS Guidelines concerning the Prevention of Air Pollution in Livestock Operations was published in the *Gazette officielle du Québec* on September 25, 1996;

WHEREAS under section 87 of the amending Act, the Minister of the Environment and Wildlife has the power to amend the published Guidelines and that the immunity from prosecution shall apply to persons who have complied with the required distances as indicated in the amended Guidelines;

WHEREAS citizens may wish or agree to relinquish the recourse which would be available to them in the

event of non-compliance with the Guidelines' standards, and, in which case, a dispensation of the Guidelines would be acceptable and it would be advisable to ensure continuity thereof;

THEREFORE the Minister of the Environment and Wildlife amends and publishes the amendment to the "Guidelines concerning the Prevention of Air Pollution in Livestock Operations", whose text appears below; such amendment has the effect of allowing for the relinquishment of the recourse provided in the event of the non-compliance with the Guidelines' standards concerning the distance standards with regard to the odours resulting from agricultural activities in an agricultural zone where such relinquishment arises from a servitude that is duly constituted and registered in the land register of the registry office against the lot of the owner consenting to the servitude.

Québec City, October 24, 1997

PAUL BÉGIN,
Minister of the Environment and Wildlife

Amendment to the Guidelines concerning the Prevention of Air pollution in Livestock Operations

1. The Guidelines concerning the Prevention of Air Pollution in Livestock Operations, published in the *Gazette officielle du Québec* on September 25, 1996, are hereby amended by replacing subparagraph *c* of the "SITTING STANDARDS" Division, "**Location**" section, by the following:

"(c) at a distance of less than that stipulated in Schedules A to L between the livestock operation or manure storage site and a population centre, protected immovable, neighbouring dwelling, owner's dwelling, public highway or lot line, depending on the type of livestock concerned, except where a servitude is duly constituted and registered in the land register against the lots of all neighbouring owners who, through such servitude, consent that a distance of less than that stipulated in Schedules A to L be respected and relinquish the recourse otherwise available to them had such distance standard not been respected, the preceding in favour of the lot where the livestock production operation or manure storage site is located;"

2. The section "**Proximity of neighbouring dwellings**" under the "ELIMINATION OF MANURE" Division of these Guidelines is replaced by the following:

“Proximity of neighbouring dwellings:

Liquid manure shall be spread at least 300 metres from any neighbouring dwelling and solid manure, at least 75 metres from such dwelling, unless one of the following two conditions is met:

(a) the manure is buried in the ground during spreading or it is oxygenized and odourless at the time of spreading;

(b) a servitude is duly constituted and registered in the land register against the lot of the owner of the neighbouring dwelling who, through such servitude, authorizes the manure to be spread at a distance of less than 300 metres or 75 metres, depending on the case, and relinquishes the recourse otherwise available to that person had such distance standard not been respected, the preceding in favour of the livestock production operation.”.

3. This amendment of the Guidelines comes into force on the date on which it is published in the *Gazette officielle du Québec*.

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Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Classification of employers, statement of wages and rates of assessment

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 16 October 1997, adopted the Regulation respecting the classification of employers, the statement of wages and the rates of assessment.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published in the *Gazette officielle du Québec* of 23 July 1997 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

TREFFLÉ LACOMBE,
*Chairman of the Board
and Chief Executive Officer
of the Commission de la santé
et de la sécurité du travail*

Regulation respecting the classification of employers, the statement of wages and the rates of assessment

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c A-3.001, s. 454, 1st par., subpars. 4.3, 5, 5.1 and 6, 1996, c. 70)

**CHAPTER 1
INTRODUCTORY PROVISION**

1. The purpose of this regulation is to determine the units of classification as well as the rates applicable to each of these units, to establish the rules of classification of employers under these units and to provide certain rules for employers' statement of gross wages.

**CHAPTER 2
DEFINITIONS**

2. In this regulation,

“auxiliary worker” means a worker who contributes, without participating directly therein, to activities referred to by more than one unit under which his employer is classified;

“exceptional unit” means the units of classification 90010 or 80020 in Schedule 1.

**CHAPTER 3
CLASSIFICATION**

3. The rules for the classification of employers provided under this chapter apply subject to the specific rules provided in Schedule 1.

**DIVISION 1
GENERAL RULES**

4. The Commission classifies each employer under a unit according to the nature of the sum of activities that he carries on.

5. If the activities carried on by an employer do not appear among the units of classification in Schedule 1, the employer is then classified under the unit that best corresponds to those activities.

6. Where an employer has failed to transmit the information required by law as to the nature of his activities, the Commission shall identify the units of classification which, according to the information available, may correspond to the activities of this employer and classify him under the unit, among those identified, with the highest rate of assessment.