

engagement of performing, recording and film artists (R.S.Q., c. S-32.1) which Act was amended by Chapter 26 of the Statutes of 1997, the Commission de reconnaissance des associations d'artistes et des associations de producteurs may by by-law adopt rules of proof and procedure;

WHEREAS under that provision, the Commission adopted the By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes and it was published in Part 2 of the *Gazette officielle du Québec* of 18 March 1998, page 1307, with a notice that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS under section 65 of the Act such a regulation adopted by the Commission shall be approved by the Government;

WHEREAS the Commission received no comments respecting that draft By-law;

WHEREAS it is expedient to approve that By-law;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

## **By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes<sup>(\*)</sup>**

An Act respecting the professional status and conditions of engagement of performing, recording and film artists  
(R.S.Q., c. S-32.1, s. 65, par. 2)

**1.** The title of the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes is amended by adding “et des associations de producteurs” at the end.

<sup>\*</sup> The Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes made by Order in Council 1538-90 dated 31 October 1990 (1990, *G.O.* 2, 2791) have not been amended.

**2.** Section 1 is amended

(1) by substituting “or producers’ association applying to the Commission de reconnaissance des associations d'artistes et des associations de producteurs” for “applying to the Commission de reconnaissance des associations d'artistes”;

(2) by substituting “doivent” for “doit” in the French text.

**3.** Section 3 is amended by deleting the word “artists”.

**4.** Section 8 is amended by substituting “a producer or an association of artists or producers that” for “association of artists or producer who”.

**5.** Sections 33 to 36 shall be renumbered as sections 29 to 32 respectively.

**6.** This By-law comes into force on the date of its approval by the Government.

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Gouvernement du Québec

## **O.C. 737-98, 3 June 1998**

Environment Quality Act  
(R.S.Q., c. Q-2)

### **Reduction of pollution from agricultural sources — Amendments**

Regulation to amend the Regulation respecting the reduction of pollution from agricultural sources

WHEREAS under paragraphs *a*, *c*, to *f*, *h* and *l* of section 31, subparagraphs *c* and *k* of the first paragraph of section 70, and section 109.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations respecting the matters set forth therein;

WHEREAS the Government made the Regulation respecting the reduction of pollution from agricultural sources by Order in Council 742-97 dated 4 June 1997;

WHEREAS it is expedient to amend the Regulation respecting the reduction of pollution from agricultural sources;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in sec-

tion 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force within a shorter period than that provided for in section 17 of that Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments provided for in the Regulation attached to this Order in Council must come into force as soon as possible since the application of certain provisions of the Regulation respecting the reduction of pollution from agricultural sources currently in force prevents the construction, between now and next winter, of a large number of manure storages, which would unduly delay the attainment of the environmental objectives pursued by the Regulation and, on the other hand, it prevents the enlargement of several livestock facilities, which would be seriously prejudicial to the farm operators in question and the development of agriculture;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting the reduction of pollution from agricultural sources, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the reduction of pollution from agricultural sources \***

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, pars. *a, c, d, e, f, h* and *l*, s. 70,  
1st par., subpars. *c* and *k*,  
ss. 109.1 and 124.1)

**1.** Section 30 of the Regulation respecting the reduction of pollution from agricultural sources is amended by adding the following after the first paragraph:

\* The Regulation respecting the reduction of pollution from agricultural sources was made by Order in Council 742-97 dated 4 June 1997 (1997, *G.O.* 2, 2607).

“In addition, subparagraphs 3 to 7 of the first paragraph of section 29, as well as section 31, do not apply to the works or activities mentioned therein and carried out in the 30 m space around an individual well, provided that the works or activities are carried out in respect of a livestock facility whose construction or operation has begun on or before 3 July 1997 and that the well belong to the owner of the livestock facility.”

**2.** The following is substituted for the first item of subparagraph *b* of paragraph 1 of section 44:

“— 75 m of a spring, an individual surface water intake or an individual well. However, this 75 m distance does not apply in the case of an individual well that belongs either to the owner of the livestock facility whose construction or operation has begun on or before 3 July 1997, or to the owner of the storage that does not serve any livestock facility that has been the subject, after 3 July 1997, of works mentioned in subparagraph 1 or 2 of the first paragraph of section 29;”

**3.** Section 55 is amended

(1) by substituting the words “Notwithstanding the fourth paragraph” for the words “In addition” in the third paragraph; and

(2) by adding the following paragraph after the third paragraph:

“The operator or owner of parcels located in a municipality mentioned in Schedule VII may enter into or renew an agreement with a manure management organization for spreading on those parcels liquid manure that originates from another municipality included in a limited activity zone.”

**4.** The words and figures “the second paragraphs of sections 91.1 and 91.2, the second paragraph of section 92 and sections 92.1 and” are substituted for the words and figures “the second paragraph of section 92, and section” in the fourth and fifth lines of the introductory paragraph of section 84.

**5.** The third paragraph of section 88 is amended

(1) by substituting the words “ratios fixed in” for the words “table in”; and

(2) by adding the following second sentence: “In addition, only lands owned or leased by the agricultural operation and cultivated by it shall be considered for determining those areas.”

**6.** The following is substituted for section 91:

“91. Any exemption granted to an agricultural operations under section 88, 89 or 90 shall cease to be applicable where the Minister authorizes in respect of that operation, under section 22 of the Environment Quality Act and after 17 June 1998, the erection of a livestock facility, the changing of a building not used for breeding purposes into a livestock building or the operation of a livestock facility, and where, within a radius of 150 m from the facility or building covered by the authorization:

- there is no other livestock facility and no storage; or
- if there is another livestock facility or a storage, it is not part of the same agricultural operation or, if so, it was established on or after 17 June 1998.

**91.1** Where an application for authorization for a livestock project pertains to works or activities other than those mentioned in section 91, and where the resulting increase in the number of livestock units for a group of facilities will be equal to or less than 50 in relation to the number of livestock units already raised in accordance with the Environment Quality Act, the applicant is exempt, notwithstanding the last paragraph of section 77, from providing an agro-environmental fertilization plan with his application for authorization. That exemption is also valid for any application for authorization concerning projects for the erection, alteration or enlargement of a storage with an increase in the number of livestock units that does not exceed the above-mentioned increase.

The certificate of authorization shall be issued, where applicable, on the basis of the land areas required in accordance with the ratios provided for in Schedule III. Notwithstanding the foregoing, the agro-environmental fertilization plan required under section 14 shall be prepared and the spreading shall be carried out according to that plan, as the case may be, not later than one of the dates mentioned in the second paragraph of section 88 or section 90. In the meantime, the spreading shall be carried out without exceeding the maximum annual quantities provided for in Schedule III.

The first paragraph applies to any application for authorization mentioned in it that is submitted to the Minister after 17 June 1998 and before the expiry of the period during which the agricultural operation concerned by that application is exempted under section 88 or 90.

**91.2** Where an application for authorization for a livestock project pertains to works or activities other than those mentioned in section 91 and where the resulting increase in the number of livestock units will be greater than 50 in relation to the number of livestock units already raised in accordance with the Environment

Quality Act, the certificate of authorization shall be issued, where applicable and notwithstanding section 77, not on the basis of the data in the agro-environmental fertilization plan that must be submitted with the application, but instead on the basis of the land areas required following the ratios provided for in Schedule III. Notwithstanding the foregoing, if the proposed project pertains to the method for managing liquid manure in a municipality included in a limited activity zone but not mentioned in Schedule VII, the certificate of authorization shall be issued, where applicable, on the basis of the land areas required in relation to the phosphorus uptake by crop for parcels classified as rich or excessively rich according to the criteria established in Schedule VIII and on the basis of the ratios provided for in Schedule III for the other parcels.

The spreading of livestock waste may be carried out, notwithstanding section 14, without complying with the agro-environmental fertilization plan provided with the application for authorization, for a period not extending beyond 1 October 2003. In the meantime, the spreading shall be carried out without exceeding the maximum annual quantities provided for in Schedule III.

The first paragraph applies to any application for authorization mentioned in it that is submitted to the Minister after 17 June 1998 and before the expiry of the period during which the agricultural operation concerned by that application is exempted under section 88 or 90.”.

**7.** The following is inserted after section 92:

“**92.1** An operator of a livestock facility or a storage located in a territory not served by a manure management organization may, notwithstanding the first paragraph of section 55, spread liquid manure on parcels not owned by him and located in such a territory if, in respect of those parcels, there is a spreading agreement to which he is a party, entered into or renewed before the expiry of the period during which the agricultural operation including that livestock facility or storage is exempt under section 88 or 90.

In addition, where the spreading agreement is entered into after 17 June 1998, it shall, in order to be valid for the purposes of the first paragraph, be filed with the municipality where the parcels concerned are located, for public consultation purposes. Finally, if the parcels concerned are in the Chaudière-Appalaches administrative region (region 12), the spreading agreement shall also be prepared by a notary.

Also, the operator or owner of parcels located in a territory not served by a manure management organization may, notwithstanding the third paragraph of section 55, enter into or renew an agreement for spreading on

those parcels liquid manure that originates from a municipality other than that where the parcels are located, provided that the municipality of origin of the manure is included in such a territory and in a limited activity zone, that the spreading agreement is entered into or renewed before the expiry of the period during which the agricultural operation of origin of the liquid manure is exempt under section 88 or 90 and that the agreement meets the conditions prescribed in the second paragraph of this section.

Sections 56 to 58, 68 and 69 apply to the spreading agreements referred to in this section and entered into or renewed after 17 June 1998.

This section applies subject to the provisions of section 33.”

**8.** The following is substituted for the regulatory provisions referred to under the title of Schedule III:

“(ss. 14, 32, 88, 91.1, 91.2 and 92)”.

**9.** The following is substituted for the regulatory provisions referred to under the title of Schedule VII:

“(ss. 32, 55 4th par. and 91.2)”.

**10.** The following is substituted for the regulatory provisions referred to under the title of Schedule VIII:

“(ss. 86 and 91.2)”.

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

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Gouvernement du Québec

## O.C. 749-98, 3 June 1998

Professional Code  
(R.S.Q., c. C-26)

### Auxiliary nurses — Standards of equivalence for diplomas and training for the issue of a permit

Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec

WHEREAS under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of a

professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS under that paragraph, the Bureau of the Ordre des infirmières et infirmiers auxiliaires du Québec, at its meetings of March 19 and 20, 1997 duly made the Regulation respecting equivalence standards for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), that draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 21 May 1997, with a notice that it could be submitted to the Government for approval with or without amendment, upon the expiry of 45 days following its publication and inviting any person having comments to make to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec;

WHEREAS following the publication of the Regulation, the Chairman of the Office received no comments;

WHEREAS under section 95 of the Professional Code and subject to sections 95.1 and 95.2 of the Code, any regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and shall be submitted, with the recommendation of the Office, to the Government, which may approve it with or without amendment;

WHEREAS the Regulation was sent to the Office which examined it and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*