

## Regulations and other acts

Gouvernement du Québec

### O.C. 711-2002, 12 June 2002

An Act respecting the Ministère de l'Environnement  
(R.S.Q., c. M-15.2.1)

#### Rules for the signing of certain documents

Rules for the signing of certain documents of the  
Ministère de l'Environnement

WHEREAS, under the second paragraph of section 7 of the Act respecting the Ministère de l'Environnement (R.S.Q., c. M-15.2.1), no deed, document or writing is binding on the Minister or may be attributed to him unless it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government;

WHEREAS, under the first paragraph of section 8 of the same Act, the Government may, on the conditions it determines, allow the signature of the Minister or Deputy Minister to be affixed by means of an automatic device to the documents it determines;

WHEREAS following the enactment of various legislative provisions and following administrative reorganizations in the Ministère de l'Environnement, it is expedient to make new rules for the signing of documents of the Department;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Municipal Affairs and Greater Montréal, the Environment and Water and Minister of the Environment:

THAT the Rules for the signing of certain documents of the Ministère de l'Environnement, attached to this Order in Council, be made;

THAT this Order in Council replace Order in Council 677-95 dated 17 May 1995;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

#### SCHEDULE

#### RULES FOR THE SIGNING OF CERTAIN DOCUMENTS OF THE MINISTÈRE DE L'ENVIRONNEMENT

1. Subject to the other conditions of validity that may be prescribed by law, the documents listed hereinafter that are signed by the officers or holders of positions at the Ministère de l'Environnement and authorized to sign them under these provisions are binding on the Minister and may be attributed to him or her as though the Minister signed them personally.

The same applies where those documents are signed by a person authorized in writing to temporarily replace such an officer or holder of a position.

2. The assistant deputy ministers, directors general, the secretary general and director general of the Direction générale des services à la gestion, directors and regional directors and assistant directors are authorized to sign any document respecting

(1) the issue and renewal of any certificate, authorization, permit, approval and permission referred to in sections 22, 32, 32.1, 32.2, 32.7, 32.9, 33, 45.4, 48, 53.7, 53.8, 54, 55, 65, the first paragraph of section 70.8, sections 70.11, 70.12 and 116.2 of the Environment Quality Act (R.S.Q., c. Q-2) and in any regulation made under paragraph *d* of section 87 or paragraph *a* of section 92 of that Act;

(2) the transfer of any certificate of authorization provided for in the second paragraph of section 24 and of any permit provided for in section 70.17 of that Act;

(3) the nature, the scope and the extent of the environmental impact assessment statement that the proponent must prepare under section 31.2 of that Act;

(4) the transfer of any permit provided for in section 32.4 of that Act;

(5) the information and analysis required under subparagraph 6 of the first paragraph of section 31.23 and sections 68.1, 70.5 and 70.6, under the second paragraph of section 70.8 and under section 70.10 of that Act;

(6) the notices of the Minister provided for in sections 31.15.1, 31.15.2, 31.18, 31.21.1, subparagraph 3 of the third paragraph of section 31.25 and sections 53.17, 53.20 and 53.21 of that Act;

(7) the decisions of the Minister provided for in section 31.19 of that Act;

(8) the issue of a depollution attestation provided for in sections 31.22 and 31.28 of that Act;

(9) the measures to be taken to clean, collect or contain contaminants that are or that are likely to be emitted, deposited, discharged or ejected into the environment or to prevent their being emitted, deposited, discharged or ejected into the environment, in accordance with the provisions of the first paragraph of section 115.1 of that Act;

(10) the issue of any authorization provided for in section 18 of the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

(11) the issue and renewal of any permit provided for in section 2 of the Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (R.S.Q., c. V-5.001);

(12) the issue of any permit, certificate or attestation provided for in sections 34, 40, 50 and 125 of the Pesticides Act (R.S.Q., c. P-9.3) and their renewal or transfer provided for in sections 39, 43 and 55 of that Act;

(13) the alienation, lease, occupation or limits of the water property in the domain of the State and the establishment of servitudes or acts of sufferance on the water property in the domain of the State, in accordance with the Watercourses Act (R.S.Q., c. R-13);

(14) the issue of any authorization granted under section 6 or 7 of the Ecological Reserves Act (R.S.Q., c. R-26.1);

(15) any information or document required for the purposes of section 3 of the Act respecting nature reserves on private land (2001, c. 14), the registration of an agreement or its amendments entered into for the purposes of sections 6 to 9, the application for cancellation of a registration provided for in section 12 and the publication of the notices provided for in sections 5 and 12 of that Act;

(16) the notice of taking of possession provided for in section 62 of the Act respecting the lands in the public domain (R.S.Q., c. T-8.1);

(17) the amendment or revocation of any of the documents indicated in this section, where the amendment or revocation has been requested by the holder; and

(18) the refusal to issue any of the documents indicated in this section.

3. The director general of the Centre d'expertise hydrique du Québec is authorized to sign any document respecting

(1) authorizations and approvals provided for in sections 5, 9 and 17 of the Dam Safety Act (R.S.Q., c. S-3.1.01);

(2) information, documents, studies, expert opinions and reports required for the purposes of sections 7 and 33 of that Act;

(3) the Minister's intention to classify a dam and the classification of a dam provided for in section 14 of that Act;

(4) the establishment and updating of the register of dams provided for in section 31 of that Act; and

(5) the orders given for the purposes of section 33 of that Act.

4. Assistant deputy ministers, directors general and the secretary general and director general of the Direction générale des services à la gestion are authorized to sign any agreement.

Directors, regional directors and assistant directors are authorized to sign agreements of a local or regional nature or of a technical nature, except agreements conferring upon a municipality the application of all or part of an Act under the jurisdiction of the Minister.

This section applies neither to the amendments made to an agreement entered into for the purposes of section 8 of the Act respecting natural reserves on private land nor to the decision of the Minister made for the purposes of section 10 of that Act to withdraw the recognition of a private property as a nature reserve.

5. Assistant deputy ministers, directors general and the secretary general and director general of the Direction générale des services à la gestion are authorized to sign loan contracts, sponsorship contracts and credit agreements.

6. Assistant deputy ministers, directors general, the secretary general and director general of the Direction générale des services à la gestion, directors, regional directors and assistant directors are authorized to sign

- (1) contracts for the acquisition or leasing of immovable property;
- (2) contracts for the purchase or leasing of movable property;
- (3) services contracts;
- (4) construction contracts;
- (5) concession or authorization contracts;
- (6) contracts relating to a servitude;
- (7) research contracts;
- (8) documents relating to grants, except for the document awarding the grant; and
- (9) the certificates that the Minister may issue in accordance with the Taxation Act (R.S.Q., c. I-3).
7. Service heads, division heads and project managers are authorized to sign
- (1) services contracts;
- (2) contracts for the purchase or leasing of movable property; and
- (3) construction contracts.
8. The Minister's signature may be affixed by means of an automatic device on
- (1) any certificate attesting to the capacity of a person to act as an inspector of plant life under section 28 of the Act respecting threatened or vulnerable species, to act as an inspector under section 79 of the Pesticides Act, to act under section 84 of the Watercourses Act, to act under sections 119, 119.1, 120 and 120.1 of the Environment Quality Act or to act as an inspector under section 12 of the Ecological Reserves Act;
- (2) any document authorizing a person to be in an ecological reserve or to carry out therein an activity authorized by the Minister under section 6 or 7 of the Ecological Reserves Act;
- (3) acknowledgements of receipt and form letters from the department; and
- (4) letters by which the Minister communicates with various agencies governed by the laws and regulations that the Minister is responsible for administering, other than letters relating to a financial commitment.

9. Assistant deputy ministers, directors general, the secretary general and general director of the Direction générale des services à la gestion, the director for institutional matters, regional directors and assistant directors are authorized to certify documents and copies of documents originating from the department or forming part of its records.

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Gouvernement du Québec

### **O.C. 728-2002, 12 June 2002**

An Act respecting immigration to Québec  
(R.S.Q., c. I-0.2)

#### **Selection of foreign nationals — Amendments**

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS, under section 3.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Minister shall issue a selection certificate to a foreign national wishing to settle permanently in Québec who meets the conditions and criteria of selection determined by regulation;

WHEREAS, under section 3.1.1 of the Act, the Minister allows a person or group of persons who meets the statutory conditions to subscribe to an undertaking where an undertaking is required in the cases determined by regulation;

WHEREAS, under section 3.2 of the Act, the Minister shall issue a certificate of acceptance to a foreign national seeking temporary admission to Québec to work, study or receive medical treatment;

WHEREAS the Immigration and Refugee Protection Act (S.C. 2001, c. 27) comes into force on 28 June 2002 as well as the Immigration and Refugee Protection Regulations the first version of which was published in two sets on 15 December 2001 and 9 March 2002;

WHEREAS the new federal legislation brings changes to fundamental concepts of immigration law, among others: definition of dependants (in particular, the addition of *de facto* spouse), certain essential characteristics of immigration classes (family, independants, cases of distress), certain features relating to the subscription of undertakings (in particular, an undertaking that may apply to a *de facto* spouse or conjugal partner) and certain requirements for temporary stays (in particular regarding a foreign student and a temporary worker);