

Draft Regulations

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Natural Heritage Conservation Act
(2002, c. 74)

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

Bureau d'audiences publiques sur l'environnement — Public consultation on proposed protected areas — Rules of procedure

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Rules of procedure governing public consultation on proposed protected areas, the text of which appears below, may be approved by the Government upon the expiry of 60 days following this publication.

The Rules of procedure will govern public consultations held by the Bureau d'audiences publiques sur l'environnement under the Natural Heritage Conservation Act.

The Rules promote public participation by requiring the publication of notices in regional newspapers, the issue of news releases and the use of the Bureau's website to inform the public about the proposed protected area which is the subject of the consultation.

The public will have access to the record through reference and information centres. The hearing will be held by a commission of the Bureau d'audiences publiques sur l'environnement; it will be public and conducted in two parts, with an interval of at least 21 days between the two parts. Any person may submit relevant questions to the commission, bring matters of interest to the commission's attention, and present an opinion orally or in a written brief.

Lastly, the Rules provide that the commission will write a report which will be submitted to the Minister of the Environment, and that the Bureau will forward a copy of the report to any person requesting it after the Minister has made the report public.

Further information may be obtained by contacting Jean-Claude Dallaire at the Bureau d'audiences publiques sur l'environnement, 575, rue Saint-Amable, bureau 2.10, Québec (Québec) G1R 6A6, by telephone at (418) 643-7447, or by email at jean-claude.dallaire@bape.gouv.qc.ca

Any person having comments to submit on the matter is asked to send them in writing, before the expiry of the 60-day period, to the undersigned at the Bureau d'audiences publiques sur l'environnement, 575, rue Saint-Amable, bureau 2.10, Québec (Québec) G1R 6A6, or by email at andre.harvey@bape.gouv.qc.ca

ANDRÉ HARVEY,
*President, Bureau d'audiences
publiques sur l'environnement*

Rules of procedure governing public consultation on proposed protected areas

Natural Heritage Conservation Act
(2002, c. 74, s. 40)

Environment Quality Act
(R.S.Q., c. Q-2, s. 6.6)

DIVISION I GENERAL PROVISIONS

1. These Rules of procedure govern public consultations held by the Bureau d'audiences publiques sur l'environnement under the Natural Heritage Conservation Act (2002, c. 74).

2. The public notices referred to in these Rules must be at least 10 centimetres by 10 centimetres or occupy a minimum of 175 agate lines of space.

3. Any change, correction or clarification to the particulars stated in the notices referred to in these Rules may be announced in a news release and posted on the Bureau's website.

DIVISION II ACCESS TO RECORD

4. After receiving a mandate from the Minister of the Environment to hold a public consultation, the Bureau shall make accessible the record relating to the proposed protected area.

5. The record must include the plan of the proposed protected area and the conservation plan for the land set aside.

6. The Bureau shall make the record accessible through the reference centres in Québec and Montréal and an information centre in the region concerned or in the region closest to the proposed protected area.

7. The record must remain accessible through the centres until the Bureau has submitted its report to the Minister.

8. The secretary of the Bureau shall publish a notice of the mandate given to the Bureau in a regional newspaper distributed in the region concerned or in the region closest to the proposed protected area if there is no such newspaper in the region concerned.

The notice must state the location of the centres through which the record can be accessed.

The notice must also state the date, place and time of the first part of the hearing, if known.

9. The information contained in the notice must also be published in a news release issued by the Bureau and on the Bureau's website.

DIVISION III COMMISSION

10. The president of the Bureau shall form a commission and designate one of its members as its head.

11. If a member of the commission is unable to act, the president may appoint another person to replace the member and continue the commission's work.

12. The secretary of the Bureau shall give notice to the Minister of the formation of a commission and designation of its head as well as notice of any replacement of a member of the commission.

13. The commission coordinates Bureau activities relating to the carrying out of the public consultation mandate it has received.

14. Before the start of the hearing, the commission may hold pre-hearing meetings to prepare the sessions and to ensure all required documents are available.

15. The Bureau may summon to the hearing any person whose testimony the commission considers necessary.

16. When the commission wishes to hear the opinion of a Government department or body, the summons is issued to the Deputy Minister of the department or the president of the body concerned.

DIVISION IV HEARING

§1. Announcement of the hearing sessions

17. The secretary of the Bureau shall publish a notice of the start of the hearing in a regional newspaper distributed in the region concerned or in the region closest to the proposed protected area if there is no such newspaper in the region concerned.

The notice is not necessary if the start of the hearing was announced as provided in section 8.

18. The Bureau shall announce the hearing sessions in a news release and on its website.

19. The hearing may not begin before the expiry of 30 days after the publication of the notice described in section 8 and, where applicable, before the expiry of 5 days after the publication of the notice described in section 17.

§2. Conduct of hearings

20. Hearings are conducted in two parts, as described in subdivisions III and IV.

21. All hearings are public and must be accessible to the public.

22. Each part of a hearing may extend over several consecutive or non-consecutive days.

23. No fewer than 21 days may elapse between the first and second part of a hearing.

24. The head of the commission shall chair the hearing and establish the order of interventions and the speaking time allotted to each participant.

25. If the head of the commission is absent, another member of the commission will chair the hearing in his or her place.

26. A hearing may be adjourned for any reason considered valid by the commission; the adjourned date is announced in a news release, on the Bureau's website or in a notice posted on the door of the room where the hearing was to be held.

27. The commission shall determine if the interventions will be recorded in writing or by any appropriate means or if they will be included in a record of proceedings.

28. The content of interventions must be made accessible through the reference centres and information centres.

29. All filed documents and briefs must be made accessible through the reference centres and information centres.

30. The commission may hear any person in order to correct facts relating to the record that have been raised before the commission.

§3. First part of the hearing

31. The member who chairs the hearing shall read the mandate given to the Bureau, and explain the Bureau's role and jurisdiction, the principal provisions of the code of ethics and professional conduct of the members of the Bureau and the conduct of the hearing.

32. The Ministère de l'Environnement representative shall summarize the project for the creation of the protected area, its proposed boundaries and the conservation plan that has been submitted.

33. The commission may hear any other person who has been summoned pursuant to sections 15 and 16.

34. After the testimony referred to in sections 32 and 33, any person may raise relevant questions before the commission to complement the information already provided, bring matters of interest to the commission's attention, or give an opinion on any matter in the record.

§4. Second part of the hearing

35. The Bureau shall announce the second part of the hearing at least 10 days before the start of the hearing in a news release and on its website.

36. Any person may send a brief to the commission before the end of the hearing.

37. Any person wishing to submit a brief must send it to the commission at least 4 days before the start of the second part of the hearing.

38. The commission shall hear any person wishing to submit a brief or present orally an opinion and suggestions on the proposal.

DIVISION V REPORT

39. The commission shall write the report constituting the Bureau's report on the public consultation mandate given to it by the Minister.

40. After the Minister has made the report public, the Bureau shall forward a copy to any person who requests it.

41. These Rules comes into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*, after their approval by the Government.

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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 — Amendments

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that at the expiry of a period of forty-five (45) days from the date of this publication, the "Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment" will be adopted by the Commission de la santé et de la sécurité du travail, with or without amendment.

The aim of this draft regulation is to clarify the rules for classifying an employer in more than one unit by confirming in particular that the activities in support of an activity referred to in a unit are not various kinds of activities making it possible to classify the employer in an additional unit. This draft regulation also seeks to limit and clarify the scope of the rules for classifying an employer who is part of a related group so that these rules can henceforth only apply to the administrative or management services offered by such an employer.

This draft regulation also seeks to establish the obligation, for those employers classified in several units and who want to distribute the wages of their workers with respect to these units in order to benefit from the rate-setting advantage that this distribution represents, to prepare a document in which they record in particular the distribution of the wages of each of their workers with respect to each of the units in which they are classified. While this document will not have to be systematically submitted to the Commission, it will have to be kept by the employer.