

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 23 October 2002 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks and of the Minister for Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting operating permits for wood processing plants, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting operating permits for wood processing plants*

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpars. 16 and 17)

1. Section 1 of the Regulation respecting operating permits for wood processing plants is amended

(1) by replacing “cogeneration industries and wood-based or wood-waste-based energy product industries” in paragraph 6 by “wood processing industries for energy production or metallurgical purposes and industries”;

(2) by inserting the following after paragraph 6:

“(6.1) industries processing shrubs or half-shrubs or branches from shrubs or half-shrubs for the production of substances intended for pharmaceutical use;” and

(3) by striking out “and chips for shipment outside Québec or for use for energy or metallurgical purposes” in paragraph 7.

2. Section 2 is amended by adding “where such authorization is required” at the end of paragraph 2.

* The Regulation respecting operating permits for wood processing plants, made by Order in Council 908-88 dated 8 June 1988 (1988, *G.O.* 2, 2351), was last amended by the regulation made by Order in Council 1400-94 dated 7 September 1994 (1994, *G.O.* 2, 4166). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

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

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Gouvernement du Québec

O.C. 862-2003, 20 August 2003

Forest Act
(R.S.Q., c. F-4.1)

Forests in the domain of the State — Scaling of timber harvested

Regulation to amend the Regulation respecting the scaling of timber harvested in forests in the domain of the State

WHEREAS, under section 26 and subparagraph 4 of the first paragraph of section 172 of the Forest Act (R.S.Q., c. F-4.1), the Government may, by regulation, establish the scaling standards for timber harvested in forests in the domain of the State, specifying, in particular, scaling methods, the place where scaling must take place, the standards applicable depending on whether scaling takes place before or after the timber is transported, and the standards applicable to transportation, the forwarding of scaling or inventory data, the verification of data and the scaling corrections to be made, including the assistance that the permit holder must provide to the Minister;

WHEREAS, under Order in Council 563-2003 dated 29 April 2003, it is ordered that the Minister of Natural Resources be henceforth designated under the name Minister of Natural Resources, Wildlife and Parks;

WHEREAS, under subparagraph 19 of the first paragraph of section 172 of the Act, the Government may, by regulation, prescribe which of the regulations under that section carry a penalty pursuant to section 181 of the Act in the event of contravention;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 March 2003 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS, following that consultation, the draft Regulation was amended to take into account the comments received;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the scaling of timber harvested in forests in the domain of the State, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the scaling of timber harvested in forests in the domain of the State*

Forest Act
(R.S.Q., c. F-4.1, ss. 26 and 172, 1st par., subpars. 4 and 19)

- 1.** Section 2 of the Regulation respecting the scaling of timber harvested in forests in the domain of the State is amended by adding “or to the third party entrusted with carrying out the work” after “State” at the end of the first and second paragraphs.
- 2.** Section 6 is amended by inserting “or in any other place indicated by the Minister” after “scaled”.
- 3.** Section 7 is amended by replacing paragraph 3 by the following:

“(3) the registration numbers of the vehicle and trailers; and”.
- 4.** Section 11 is amended by adding “by the Minister” after “indicated” in the first paragraph.
- 5.** Section 13 is amended by striking out the second sentence in the first paragraph.
- 6.** Section 16 is replaced by the following:

“**16.** Timber scaled on the cutting area must be left undisturbed at the place where it was scaled for at least 2 working days after the paper copy of the scaling forms containing the data relating to the scaled timber is deposited in the sealed container.

Timber scaled after transport must be left undisturbed at the place where it was scaled for at least one working day after the paper copy of the scaling forms containing the data relating to the scaled timber is deposited in the sealed container, except for timber last scaled according to each of the methods or combinations of methods used under section 3, which must be left at the place where it was scaled for 5 working days or until other timber is scaled according to the same methods or combinations of methods.

The first and second paragraphs also apply where a correction to the scaling modifies the duties to be paid. The prescribed time periods are calculated from the date of the transmission to the Minister of the new form indicating the correction.”.

7. Section 17 is amended

(1) by replacing “re-scaled or the scaling corrected” in the first paragraph by “re-scaled or the scaling corrected or cancelled”;

(2) by replacing “first paragraph” in the second paragraph by “first or second paragraph”.

8. Section 19 is amended by inserting “or the third party entrusted with carrying out the work” after “State” in the second paragraph.

9. Section 20 is amended by inserting the words “or the third party entrusted with carrying out the work” after “State”, by striking out “and” after “State” and by replacing “17” by “18”.

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

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* The Regulation respecting the scaling of timber harvested in forests in the domain of the State was made by Order in Council 1266-99 dated 17 November 1999 (1999, *G.O.* 2, 4392) and has not been amended since it was made.