

WHEREAS comments on the draft Regulation were 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 respecting energy produced by cogeneration, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting energy produced by cogeneration

An Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01, s. 112, 1st par., subpars. 2.1 and 2.2)

1. For the purpose of fixing the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), for the purposes of the supply plan provided for in section 72 of the Act and for the purposes of a tender solicitation by the electric power distributor under section 74.1 of the Act, the energy block produced in Québec by cogeneration facilities having a maximum capacity of 200 megawatts each shall be produced from a total installed capacity of 800 megawatts before 2013, the first block of 200 megawatts to be produced as soon as possible, but no later than 2008.

The average efficiency rate for each cogeneration facility must be equal to or greater than 70%, computed according to the formula [efficiency rate = (A + B - 0.5 C)/D];

A = the energy content of the annual production of electricity;

B = the energy content of the annual production of available heat;

C = the energy content of the heat produced annually by a boiler integrated into the cogeneration system, using residual materials or forest biomass;

D = the energy content of the fossil fuel used for the annual production of electricity and available heat.

For every installation that does not use fossil fuel, the efficiency rate is presumed to be greater than 70%.

The energy content of the annual production of available heat may not be lower than 10% of the energy content of the total annual production of electricity and available heat.

For the purposes of this Regulation,

“residual materials” means combustible residual materials rejected or not accepted following reclamation activities and intended for disposal in landfill sites or incinerators, recovered combustible residual materials for which other reclamation methods are not technically possible or in whose respect the costs associated with the other reclamation methods are detrimental to the competitiveness of the promoter or operator;

“forest biomass” means residual forest biomass consisting of bark, sawdust, shavings, trim ends, scraps, primary, secondary and de-inking sludge, cooking liquors from pulp and paper mills, pruning or thinning residues and logging residues such as limbs, tree tops, short logs, slash and culls referred to in section 94 of the Forest Act (R.S.Q., c. F-4.1).

2. The electric power distributor must, no later than 6 April 2004, solicit public tenders for the first block of 200 megawatts referred to in section 1.

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. 1327-2003, 10 December 2003

An Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6)

Bingo licences and bingo hall manager's licences — Suspension of the issue

CONCERNING suspension of the issue of bingo licences and bingo hall manager's licences

WHEREAS, under section 138 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), the Minister of Public Security is responsible for the administration of that Act;

WHEREAS, under section 2 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., c. R-6.1), the Régie des alcools, des courses et des jeux is responsible for the carrying out of the Act respecting lotteries, publicity contests and amusement machines;

WHEREAS, under paragraph 1 of section 23 of the Act respecting the Régie des alcools, des courses et des jeux and section 34 of the Act respecting lotteries, publicity contests and amusement machines, the board issues bingo licences and bingo hall manager's licences;

WHEREAS, under the second paragraph of section 34 of the Act respecting lotteries, publicity contests and amusement machines, the Government may designate a local body as the body responsible for issuing bingo licences on a reserve or settlement determined by regulation where a Native community resides;

WHEREAS, under section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines, the board may, in plenary session, if the public interest so requires, suspend the issue of licences for all or part of the territory of Québec for the period, not exceeding one year, determined by the board;

WHEREAS, under the second paragraph of that section, a suspension measure may indicate the licence applications that are exempted from its application;

WHEREAS, under the third paragraph of that section, a suspension measure must be submitted to the Government for approval and shall take effect on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned therein;

WHEREAS the board in plenary session on 9 December 2003 decided, in the public interest, to suspend for a period of one year from the date of publication of the suspension measures, the issue of:

(1) bingo licences for all of the territory of Québec, except certain parts of the territory, and to exempt certain types of licence applications from the application of that suspension measure; and

(2) bingo hall manager's licences for all of the territory of Québec, except certain parts of the territory, and to exempt certain types of licence applications from the application of that suspension measure;

WHEREAS it is expedient to approve the suspension measures;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the suspension measures concerning the issue of bingo licences and bingo hall manager's licences, taken by the Régie des alcools, des courses et des jeux on 9 December 2003 and attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Decision No. 4

CONCERNING suspension of the issue of bingo licences for the 2003-2004 period

WHEREAS, under section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), hereinafter called "the Act", the Régie des alcools, des courses et des jeux (the board) may, in plenary session, if the public interest so requires, suspend the issue of licences for all or part of the territory of Québec for the period, not exceeding one year, determined by the board;

WHEREAS a suspension measure taken under that section applies to licence applications filed before the measure becomes effective and in respect of which the board has not made a decision;

WHEREAS a suspension measure may indicate the licence applications that are exempted from its application;

WHEREAS a suspension measure must be submitted to the Government for approval and shall take effect on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned therein;

WHEREAS the board is the body responsible for regulating bingos and issuing bingo licences;

WHEREAS, under the second paragraph of section 34 of the Act, the Government may designate a local body as the body responsible for issuing bingo licences on a reserve or settlement determined by regulation where a Native community resides;

WHEREAS, under that paragraph, an agreement must first be reached between the Government and a Native community concerning the establishment of a local body;

WHEREAS, under the third paragraph of that section, any agreement so reached with a Native community must be tabled before the National Assembly within 15 days of being adopted by the Government or, if the Assembly is not sitting, within 15 days of resumption;

WHEREAS, under section 34.1, the provisions of the Act apply to the organization, administration, conduct and operation of a bingo game held under a licence issued by a local body;

WHEREAS a reform of bingo was undertaken in 1997 which was intended to solve the urgent problems in the business, especially the lack of controls over the integrity of the game, tensions between the various stakeholders, saturation of the market owing to too many licences issued in certain geographical regions of Québec and a decrease in the percentage of profits being paid to charitable or religious organizations holding a licence;

WHEREAS to re-establish balance in the bingo industry in Québec, the board decided to suspend the issue of bingo licences in the fall of 1997;

WHEREAS the board consulted extensively in the spring of 1999, which resulted in the submission to the Minister of Public Security of a report entitled "Le Bingo au Québec, État de la question et pistes de solution", made public on 12 April 2000;

WHEREAS the report analyses the bingo reform carried out at that date and identifies existing problems associated with the industry;

WHEREAS the report proposes a course of action aimed at giving new impetus to the bingo industry in Québec;

WHEREAS the course of action seeks to enable the bingo industry to develop harmoniously, to enhance the integrity of the game and to maximize the financial gains used to finance charitable and religious organizations;

WHEREAS, in order to implement the course of action, the board decided at various times to take other suspension measures in effect until 10 December 2003;

WHEREAS section 57.0.1 of the Act established two consultative bodies in the bingo sector, namely the Forum des organismes de charité ou religieux titulaires de licence de bingo and the Secrétariat du bingo, which are exchange and coordination groups composed of stakeholders in the industry;

WHEREAS, on 17 April 2002, the Minister of Public Security appointed the members of the provisional board of directors of those consultative bodies, which have held their first general assembly but have not yet elected their respective boards of directors;

WHEREAS those consultative bodies are still engaged in discussions with the board on the orientations to be given to future regulation to stimulate the bingo industry;

WHEREAS, after several consultations with the bingo industry and certain amendments to the Act, there is still disagreement over how bingo should be developed;

WHEREAS the survival of the bingo industry requires rationalization of the market in order to achieve balance;

WHEREAS the implementation of the measures required to achieve that balance requires preventive, coherent and protective measures;

WHEREAS it is expedient to enhance the integrity of the game of bingo and to improve the relations among the various stakeholders;

WHEREAS it is necessary, in order to pursue the above-mentioned objectives, for the board to once again suspend the issue of bingo licences;

WHEREAS the consultative bodies support the decision of the board to suspend the issue of bingo licences;

WHEREAS certain Native communities wish to assume greater autonomy over the issue of bingo licences on their reserve or in their settlement determined by regulation;

WHEREAS in certain cases, the Native communities believe that a new local body should be created to better monitor bingo activities on their reserve or in their settlement determined by regulation;

WHEREAS it is not advisable to deprive certain charitable and religious organizations of the financial benefits resulting from the issue of a bingo licence on territories where the market may absorb the presence of new bingo licences, so long as satisfactory profitability is preserved;

WHEREAS the issue of recreational bingo licences under which the total maximum value of the prizes is \$200 or less has no significant impact on the profitability of the other bingo licences;

THEREFORE, the board, meeting in plenary session on 9 December 2003, hereby decides to suspend the issue of bingo licences for a period of one year from the date of publication of this suspension measure, for all of the territory of Québec, except:

(1) a territory where a Native community referred to in the second paragraph of section 34 of the Act resides and for which a local body is duly designated;

(2) the territory comprised of the territory of the following regional county municipalities:

Rimouski-Neigette; Charlevoix-Est; Charlevoix; L'Île d'Orléans; La Jacques-Cartier; La Nouvelle-Beauce; Robert-Cliche; L'Érable; Mékinac; Bécancour; Coaticook; Memphrémagog; La Haute-Yamaska; Maskinongé; Le Haut-Saint-Laurent; La Vallée-de-la-Gatineau; Témiscamingue; Sept-Rivières; Minganie;

(3) the territory comprised of the territory of the following local municipalities:

Les Îles-de-la-Madeleine; Ville de Shawinigan; Ville de Mirabel; Ville de Lévis; Côte-Nord-du-Golfe-du-Saint-Laurent; Gros-Mécatina; Saint-Augustin; Blanc-Sablon; Bonne-Espérance;

(4) the territory comprised of the territory of the Kativik Regional Government; and

(5) the territory comprised of the territory of the Reserve of La Romaine and the territory of the Native Settlement of Pakuashipi.

The suspension measure does not apply to an application for a recreational bingo licence under which the total maximum value of the prizes is \$200 or less.

The suspension measure applies to bingo licence applications received before or after the date of its publication and in respect of which the board has not made a decision.

The suspension measure shall not prevent the board from modifying the operating conditions for bingo licences in force on the date of its publication, particularly with regard to the number of events, the hours, days and place of operation or the value of the prizes offered.

The suspension measure shall not prevent the board from issuing a bingo licence to a holder of a bingo licence in force on the date of its publication.

Québec, 9 December 2003

FRANÇOIS CÔTÉ,
Secretary of the board

Decision No. 5

CONCERNING suspension of the issue of bingo hall manager's licences for the 2003-2004 period

WHEREAS, under section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), hereinafter called "the Act", the Régie des alcools, des courses et des jeux (the board) may, in plenary session, if the public interest so requires, suspend the issue of licences for all or part of the territory of Québec for the period, not exceeding one year, determined by the board;

WHEREAS a suspension measure taken under that section applies to licence applications filed before the measure becomes effective and in respect of which the board has not made a decision;

WHEREAS a suspension measure may indicate the licence applications that are exempted from its application;

WHEREAS a suspension measure must be submitted to the Government for approval and shall take effect on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned therein;

WHEREAS the board is the body responsible for regulating bingos and issuing bingo licences;

WHEREAS a reform of bingo was undertaken in 1997 which was intended to solve the urgent problems in the business, especially the lack of controls over the integrity of the game, tensions between the various stakeholders, saturation of the market owing to too many licences issued in certain geographical regions of Québec and a decrease in the percentage of profits being paid to charitable or religious organizations holding a licence;

WHEREAS the board consulted extensively in the spring of 1999, which resulted in the submission to the Minister of Public Security of a report entitled "Le Bingo au Québec, État de la question et pistes de solution", made public on 12 April 2000;

WHEREAS the report analyses the bingo reform carried out at that date and identifies existing problems associated with the industry;

WHEREAS the report proposes a course of action aimed at giving new impetus to the bingo industry in Québec;

WHEREAS the course of action seeks to enable the bingo industry to develop harmoniously, to enhance the integrity of the game and to maximize the financial gains used to finance charitable and religious organizations;

WHEREAS to re-establish balance in the bingo industry in Québec, the board decided to suspend the issue of bingo hall manager's licences from 25 November 2000 to 24 November 2001, that suspension being followed by other suspension measures in effect until 10 December 2003;

WHEREAS section 57.0.1 of the Act established two consultative bodies in the bingo sector, namely the Forum des organismes de charité ou religieux titulaires de licence de bingo and the Secrétariat du bingo, which are exchange and coordination groups composed of stakeholders in the industry;

WHEREAS, on 17 April 2002, the Minister of Public Security appointed the members of the provisional board of directors of those consultative bodies, which have held their first general assembly but have not yet elected their respective boards of directors;

WHEREAS those consultative bodies are still engaged in discussions with the board on the orientations to be given to future regulation to stimulate the bingo industry;

WHEREAS, after several consultations with the bingo industry and certain amendments to the Act, there is still disagreement over how bingo should be developed;

WHEREAS the survival of the bingo industry requires rationalization of the market in order to achieve balance;

WHEREAS the implementation of the measures required to achieve that balance requires preventive, coherent and protective measures;

WHEREAS it is expedient to enhance the integrity of the game of bingo and to improve the relations among the various stakeholders;

WHEREAS it is necessary, in order to pursue the above-mentioned objectives, for the board to once again suspend the issue of bingo hall manager's licences;

WHEREAS the consultative bodies support the decision of the board to suspend the issue of bingo hall manager's licences;

WHEREAS the board has decided on this day to suspend the issue of bingo licences for a period of one year from the date of publication of the suspension measure, for all of the territory of Québec, except certain parts of the territory;

THEREFORE, the board, meeting in plenary session on 9 December 2003, hereby decides to suspend the issue of bingo hall manager's licences for a period of one year from the date of publication of this suspension measure, for all of the territory of Québec, except:

(1) a territory where a Native community referred to in the second paragraph of section 34 of the Act resides and for which a local body is duly designated; and

(2) the territory comprised of the territory of the following regional county municipalities:

Rimouski-Neigette; Charlevoix-Est; Charlevoix; L'Île d'Orléans; La Jacques-Cartier; La Nouvelle-Beauce; Robert-Cliche; L'Érable; Mékinac; Bécancour; Coaticook; Memphrémagog; La Haute-Yamaska; Maskinongé; Le Haut-Saint-Laurent; La Vallée-de-la-Gatineau; Témiscamingue; Sept-Rivières; Minganie;

(3) the territory comprised of the territory of the following local municipalities:

Les Îles-de-la-Madeleine; Ville de Shawinigan; Ville de Mirabel; Ville de Lévis; Côte-Nord-du-Golfe-du-Saint-Laurent; Gros-Mécatina; Saint-Augustin; Blanc-Sablon; Bonne-Espérance;

(4) the territory comprised of the territory of the Kativik Regional Government; and

(5) the territory comprised of the territory of the Reserve of La Romaine and the territory of the Native Settlement of Pakuashipi.

The suspension measure applies to bingo hall manager's licence applications received before or after the date of its publication and in respect of which the board has not made a decision.

The suspension measure shall not prevent the board from authorizing a change in the place of operation of a bingo hall manager's licence in force on the date of its publication.

The suspension measure shall not prevent the board from issuing a bingo hall manager's licence to a holder of a bingo hall manager's licence in force on the date of its publication.

The suspension measure does not apply to an application for a bingo hall manager's licence made to the board:

(1) by reason of the death of the holder of the licence, by the liquidator of the succession, the legatee by particular title or heir of the holder of the licence or by a person designated by them; or

(2) by a trustee, a liquidator, a sequestrator or a trustee in bankruptcy who is temporarily administering a bingo hall for which a licence has been issued; or

(3) by reason of the alienation of a bingo hall for which a licence has been issued, of the leasing or retaking of possession following the exercise of a right to take in payment or the carrying out of a similar agreement.

Québec, 9 December 2003

FRANÇOIS CÔTÉ,
Secretary of the board

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Gouvernement du Québec

O.C. 1334-2003, 10 December 2003

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Contribution rates

Regulation to amend the Regulation respecting contribution rates

WHEREAS, under paragraph 7 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1), the Commission des normes du travail may, by regulation, fix contribution rates;

WHEREAS, under section 39.0.2 of the Act, the employers of certain sectors of the clothing industry shall pay a supplementary contribution;

WHEREAS the Regulation respecting contribution rates was adopted by the Commission des normes du travail and approved by the Government by Order in Council 680-2000 dated 1 June 2000;

WHEREAS the Commission des normes du travail has adopted the Regulation to amend the Regulation respecting contribution rates in order to eliminate the supplementary contribution payable by the employers of certain sectors of the clothing industry;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided in section 8 of that Act, if the authority making it is of the opinion that one of the reasons provided for in that section warrants it;

WHEREAS, under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the date applicable under section 17 of that Act where the authority that has approved it is of the opinion that one of the reasons provided for in that section warrants 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 reason justifying the absence of prior publication and such coming into force is that the purpose of the draft Regulation is to repeal a norm of a fiscal nature;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting contribution rates, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting contribution rates*

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 29, par. 7 and s. 39.0.2)

1. Section 2 of the Regulation respecting contribution rates is revoked.

2. This Regulation comes into force on 1 January 2004.

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* The Regulation respecting contribution rates was made by Order in Council 680-2000 dated 1 June 2000 (2000, *G.O.* 2, 2651) and has not been amended since that date.