

(1) for reproduction, depending on the medium:

(a) sheet of paper:

\$0.30 per photocopied page;  
 \$0.30 per printed page;  
 \$0.30 per microfilm page;  
 \$0.30 per microfiche page;

(b) photograph:

\$5.95 to produce a negative;  
 \$4.00 per photograph;

(c) slide:

\$1.20 per slide;

(d) videocassette:

\$50.00 per cassette;

(e) audiocassette:

\$11.75 per cassette;  
 \$33.25 per hour of recording;

(2) for transcription:

hourly rate when transcription of computerized documents must be done manually: \$20.00;

(3) for transmission:

the fees payable for the transmission of a copy or the transcription of a document are the actual fees paid by the board in connection with the transmission.

**7.** Where the transcription or reproduction of a document must be done by a third person, the fees payable for the transcription or reproduction are the actual fees paid to the third person by the board.

**8.** The Agence nationale d'encadrement du secteur financier is exempt from payment of the fees, duties and charges provided for in this Regulation.

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

## Draft Regulation

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

### Recovery and reclamation of residual materials — Compensation for municipal services

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, the text of which appears below, may be made by the Government at the expiry of 60 days from this publication.

The draft Regulation establishes the parameters of the regime of financial compensation to municipalities under sections 53.31.1 and following of the Environment Quality Act (R.S.Q., c. Q-2) by designating the materials or classes of materials to which the regime applies, by specifying which persons are required to pay a contributory compensation, and by determining the maximum amount of the compensation and payment terms and conditions.

The purpose of the compensation regime is to make product manufacturers, marketers and distributors more accountable for the environmental impact of the residual materials generated by their activities. Municipalities have been assuming that responsibility through municipal services provided to residents. The compensation regime seeks to re-establish the responsibility of the businesses concerned by requiring them to pay a share of those municipal costs. Implementation of the regime will therefore reinforce municipal curbside residual materials recycling services.

The draft Regulation targets more specifically three classes of materials: containers and packaging, written media and printed matter, which collectively are representative of the residual materials included in the recovery and reclamation services provided by municipalities. The maximum percentage of the net municipal costs to be compensated will be 50% for each of the three classes of materials; and the maximum compensation payable in relation to written media has been set at \$1.3M for the first five years that follow the coming into force of the Regulation.

Under the Environment Quality Act, the amount of the compensation payable to municipalities in relation to each class of materials is to be determined by agreement between associations of municipalities and the bodies that will be certified to represent the businesses required to pay the financial compensation. The certified bodies will also be required to establish a schedule of contributions setting out the amount of the contributory compensation payable by each business. The schedule will evolve over the years in a manner that will make businesses more accountable for the environmental impact of the products and materials that they market, manufacture or distribute.

With the implementation of the compensation regime, the Regulation will be introducing a system that entails costs for the various businesses affected. It is problematic to assess the impact on each business at this time since their costs will be determined in a schedule of contributions to be established by the certified bodies. The total amount of compensation payable in relation to each of the designated classes of materials however, based on 2001 data, has been estimated as follows:

- Containers and packaging: \$15M
- Written media: \$1.3M/year during the first 5 years
- Printed matter: \$4.1M

Those figures will vary over time on the basis of the quantity of materials recovered and on marketing and recovery costs.

Further information on the draft Regulation respecting compensation for municipal services provided to recover and reclaim residual materials may be obtained from Madeleine Caron, Direction des politiques du secteur industriel, ministère de l'Environnement, édifice Marie-Guyart, 9<sup>e</sup> étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; by telephone at 418-521-3950, ext. 4966; by fax at 418-644-8562; or by e-mail at madeleine.caron@menv.gouv.qc.ca.

Any person wishing to submit comments on this draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the Minister of the Environment, édifice Marie-Guyart, 30<sup>e</sup> étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

THOMAS MULCAIR,  
*Minister of the Environment*

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## **Regulation respecting compensation for municipal services provided to recover and reclaim residual materials**

Environment Quality Act  
(R.S.Q., c. Q-2, ss. 53.31.2, 53.31.4, and 53.31.12)

### **DIVISION I PURPOSE**

**1.** This Regulation determines certain parameters of the compensation regime under sections 53.31.1 and following of the Environment Quality Act (R.S.Q., c. Q-2) whose purpose, together with other legislative measures ensuring residual materials management, is to prevent and reduce the impact of residual materials on the environment.

More specifically, this Regulation designates the materials or classes of materials to which the compensation regime applies and specifies which persons are required to contribute toward the payment of the compensation. The Regulation also determines the maximum amount of the compensatory contribution and related payment terms and conditions.

### **DIVISION II MATERIALS AND CLASSES OF MATERIALS**

**2.** The compensation regime under sections 53.31.1 and following of the Environment Quality Act applies to the following classes of materials:

(1) containers and packaging: this class includes all types of flexible or rigid material, including paper, carton, plastic, glass or metal, used alone or in combination with other materials to contain, protect or wrap a product or a set of products, excluding containers and packaging designed exclusively for the forwarding of products to importers, wholesalers, distributors or retailers;

(2) written media: this class includes paper and other cellulosic fibres used as a medium for newspapers, magazines, periodicals or any other similar written matter

(a) sold or available free of charge;

(b) published at least once per trimester, at successive fixed time intervals;

(c) whose main content delivers news, opinions or comments on current affairs or on a particular subject or theme; and

(3) printed matter: this class includes paper and other cellulosic fibres, whether or not they are used as a medium for text or images, except books and materials included in the containers and packaging class of materials or the written media class of materials.

### **DIVISION III** **PERSONS REQUIRED TO PAY COMPENSATION**

#### *§1. Containers and packaging*

**3.** Where a container or packaging identifies the brand under which the product it contains is marketed, or identifies the name of the person on whose behalf the container or packaging is marketed, only the person that owns the brand or the name is required to pay a compensatory contribution as regards the container or packaging.

If the owner of the brand or the name has no establishment or place of business in Québec, the persons who have the right, as licensees or otherwise, to use the brand or name in Québec are required to pay a compensatory contribution as regards the containers and packaging on which the brand or name appears.

Where none of those persons has an establishment or place of business in Québec, section 4 applies.

**4.** Subject to the exclusions, exemptions and other rules that may limit their contribution under the schedule of contributions established pursuant to section 53.31.14 of the Act, the following are required to compensate municipalities in relation to the containers and packaging class of materials:

(1) persons that manufacture containers or packaging;

(2) persons that market containers or packaging, whether or not third parties are charged for the containers or packaging made available to them;

(3) persons that market products sold in containers or packaging, as retailers, wholesalers, distributors or importers of the products; and

(4) persons that distribute containers or packaging to persons referred to in paragraph 3.

**5.** Despite sections 3 and 4, persons who add containers or packaging to a product at retail outlets are not required to pay a compensatory contribution in respect of the containers or packaging.

The following are also not required to pay a compensatory contribution in respect of containers and packaging in relation to which they are already required to take recovery or reclamation measures:

(1) persons who are already required to take measures or contribute financially towards measures to recover or reclaim containers or packaging under a regulation made under the Environment Quality Act;

(2) persons already required to take measures or contribute financially towards measures to recover or reclaim containers or packaging, such as beer and soft drink non-returnable containers under a consignment system recognized under Québec law; and

(3) persons who are able to establish that they participate directly or contribute financially towards another system to recover and reclaim containers or packaging that operates on an established and regular basis.

#### *§2. Written media and printed matter*

**6.** Subject to the exclusions, exemptions and other rules that may limit their contribution under the schedule of contributions established pursuant to section 53.31.14 of the Act, the following are required to compensate municipalities in relation to the written media and printed matter classes of materials:

(1) persons that cause to have printed or that produce materials included in those classes and that are in consequence responsible for the choice of form and content of the materials;

(2) persons that market the materials, whether or not third parties are charged for the materials made available to them; and

(3) persons that distribute the materials to one or more retailers, on behalf of a person referred to in paragraph 1 or on behalf of a wholesaler or an importer.

### **DIVISION IV** **MAXIMUM CONTRIBUTION AND PAYMENT** **TERMS AND CONDITIONS**

**7.** The percentage of the total of the net costs of the services provided by municipalities subject to compensation in relation to each class of materials is,

(1) for the containers and packaging class of materials: 50%;

(2) for the written media class of materials: 50%; and

(3) for the printed matter class of materials: 50%.

**8.** During the first five years a compensatory contribution is payable in relation to written media,

(1) the maximum amount of the compensatory contribution may not exceed \$1.3 million yearly; and

(2) the total amount of the annual compensation may be paid through contributions of goods or services.

## DIVISION V FINAL

**9.** 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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## Draft Regulation

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

### Labour standards — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting labour standards, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to fix the minimum wage payable to pickers of raspberries, strawberries and apples, which is based on the quantity of fruit picked, according to category. It provides for a minimum hourly wage if the employee cannot, for reasons beyond the employee's control and linked to the state of the fields or fruit, pick the required quantity to earn that wage.

The draft Regulation also provides for the application of the general minimum wage rate to the pickers of processing vegetables as of 1 January 2007.

The proposed amendments aim at promoting the principles of universality and equity by establishing a minimum wage applicable to all employees. They also enable enterprises in the sectors of activity in question to remain competitive.

Further information concerning the draft Regulation may be obtained by contacting Anik Dorval, Policy Development Consultant, the Direction des politiques, de la construction et des décrets, 200, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1R 5S1. Telephone: (418) 528-5860; fax: (418) 643-3514.

Any interested person having comments to make concerning the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

MICHEL DESPRÉS,  
*Minister of Labour*

## Regulation to amend the Regulation respecting labour standards\*

An Act respecting labour standards  
(R.S.Q., c. N-1.1, ss. 40, 88, 89, par. 1 and s. 91)

**1.** Section 2 of the Regulation respecting labour standards is amended by striking out “or fruit” in paragraph 6.

**2.** Section 3 is amended by replacing “in section 4” in the part preceding paragraph 1 by “in sections 4 and 4.1”.

**3.** The Regulation is amended by inserting the following after section 4:

“**4.1.** The minimum wage payable to an employee assigned mainly to non-mechanized operations relating to the picking of raspberries, strawberries or apples is established on the basis of yield according to the following rules:

(1) or an employee assigned to the picking of raspberries: \$0.458 per 250 ml container and, as of 1 May 2005, \$0.467 per container;

(2) for an employee assigned to the picking of strawberries: \$0.208 per 551 ml container and, as of 1 May 2005, \$0.212 per container;

(3) for an employee assigned to the picking of apples:

(a) for dwarf apple trees: \$1.11 per bushel and, as of 1 May 2005, \$1.13 per bushel;

(b) for semi-dwarf apple trees: \$1.36 per bushel and, as of 1 May 2005, \$1.39 per bushel; and

(c) for standard apple trees: \$1.57 per bushel and, as of 1 May 2005, \$1.60 per bushel.

\* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) was last amended by the regulation made by Order in Council 638-2003 dated 4 June 2003 (2003, *G.O.* 2, 1888). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.