

that receives less than 20,000 tons of materials per year is exempted from the requirements of section 7 for a three-year period as of the date of coming into force of this Regulation. The tonnage of 20,000 tons or less at a site must be validated by an outside expert.

In addition to the particulars mentioned in the document referred to in the second paragraph of section 5, the operator of the site must also indicate in the document the method used to determine the quantity, by weight, of the materials accepted for elimination and, if the materials were weighed before they were accepted, the place where they were weighed and the name and address of the person or municipality that weighed the materials.

12. Every operator who commits an offence against the provisions of sections 3, 5, 7 to 10 and the provisions of the second paragraph of section 11 is liable to a fine

(1) of \$2000 to \$15,000 in the case of a natural person; and

(2) of \$5000 to \$100,000 in the case of a legal person.

In the case of a second or subsequent offence, the fines are doubled.

13. This Regulation applies to a reserved area and to an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

14. This Regulation comes into force on 1 January 2006.

6581

Draft Regulation

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

Forest royalties — 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 forest royalties, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to modify the rules for calculating the value of silvicultural treatments and other forest resources protection and develop-

ment activities accepted in lieu of payment of the dues prescribed by the Minister of Natural Resources, Wildlife and Parks, and to establish new conditions governing the granting of the credits applicable to the payment of dues.

The draft Regulation will have no significant impact on the public or on enterprises other than as concerns the royalties payable by forest enterprises and the new requirement to publish in a regional newspaper a yearly notice describing all the silvicultural treatments and other activities that holders of a timber supply and forest management agreement, a forest management agreement or a forest management contract intend to carry out in the region concerned. The total cost of the new requirement is estimated to be approximately \$50,000 per year for all enterprises taken as a whole.

Further information on the draft Regulation may be obtained by contacting Pierre Cornellier, Office of the Associate Deputy Minister for Forests, Ministère des Ressources naturelles, de la Faune et des Parcs, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4; telephone: (418) 627-8658, extension 4003; fax: (418) 646-3387; e-mail: pierre.cornellier@mrrfp.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period mentioned above, to Marc Ledoux, Associate Deputy Minister for Forests, Ministère des Ressources naturelles, de la Faune et des Parcs, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

PIERRE CORBEIL, <i>Minister for Forests, Wildlife and Parks</i>	SAM HAMAD, <i>Minister of Natural Resources, Wildlife and Parks</i>
--	--

Regulation to amend the Regulation respecting forest royalties*

Forest Act
(R.S.Q., c. F-4.1, ss. 73.1 to 73.3 and 172, 1st par., subpars. 3 and 3.1)

1. The Regulation respecting forest royalties is amended by replacing section 11 by the following:

* The Regulation respecting forest royalties, made by Order in Council 372-87 dated 18 March 1987 (1987, *G.O.* 2, 1099), was last amended by the regulation made by Order in Council 192-2002 dated 28 February 2002 (2002, *G.O.* 2, 1575). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 September 2004.

“11. The value of silvicultural treatments and other activities intended to promote the protection or development of forest resources carried out by an agreement holder in forests in the domain of the State and admissible as payment of the dues prescribed by the Minister, pursuant to section 73.1 of the Forest Act, is

(1) for silvicultural treatments and other activities not involving the harvest of timber for a wood processing plant, 80% of the cost of carrying out, planning and monitoring the silvicultural treatments or activities; or

(2) for silvicultural treatments and other activities involving the harvest of timber for a wood processing plant, 80% of the difference calculated by the Minister each year between

(a) the average unit cost of carrying out, planning and monitoring the silvicultural treatment or activity concerned; and

(b) the average cost, for a single unit of measurement, of a cut where all the marketable trees are harvested.

The percentage in subparagraphs 1 and 2 of the first paragraph is reduced to 70% as of 1 April 2006.

The cost of planning and monitoring silvicultural treatments includes on-site searches of areas to be treated, the delimitation of forest management sectors, management inventories before and after treatment, including the inventory after marking, and the scaling of treated areas.

The management inventories referred to in the third paragraph are those required in the document entitled *Méthodes d'échantillonnage pour les inventaires d'intervention et pour les suivis des interventions forestières*, published by the Minister.

11.1. To obtain the credits referred to in section 11, an agreement holder must

(1) publish in a regional newspaper a notice describing, per management unit, all the silvicultural treatments and other activities to be carried out by the agreement holder to protect or develop forest resources in the region, itemizing the carrying out, planning and monitoring of the silvicultural treatments or activities;

(2) send the Minister a copy of the notice referred to in subparagraph 1;

(3) file with the Minister, within 30 days of their signing, a copy of the contracts between the agreement holder and third persons entrusting them with the carrying

out, planning or monitoring of the silvicultural treatments and other activities to protect or develop forest resources described in the notice referred to in subparagraph 1; and

(4) provide the Minister with a list of the silvicultural treatments and other activities to protect or develop forest resources that the agreement holder does not intend to entrust to third persons, itemizing the carrying out, planning and monitoring of the silvicultural treatments and activities, and with an estimate of the cost of carrying out, planning and monitoring the silvicultural treatments or activities.

To obtain the credits under subparagraph 1 of the first paragraph of section 11, the agreement holder must also, when submitting the report referred to in section 70 of the Forest Act, provide vouchers for the cost of carrying out, planning and monitoring the silvicultural treatments and other activities to protect or develop forest resources, or a financial report relating to the costs and audited by an accountant not employed by the agreement holder.”.

2. Section 13 is amended

(1) by replacing subparagraph 1 of the first paragraph by the following:

“(1) the cost referred to in subparagraph 1 or 2 of the first paragraph of section 11, according to whether the activities involve the harvest of timber for a wood processing plant, if the activities are carried out in a forest in the domain of the State; or”;

(2) by replacing the second and third paragraphs by the following:

“Despite the foregoing, where the unit cost of an activity cannot be determined pursuant to the first paragraph of section 11, or where the value of an activity cannot be established using the list referred to in subparagraph 2 of the first paragraph, the value of the activity is to be fixed by the Minister according to the cost approach applicable to property assessment, by comparing the activities to similar activities whose unit cost is known. If the third person carrying out the activities is a for-profit organization, the value admissible as payment of the dues prescribed by the Minister is reduced to 90% of the value so fixed.”;

(3) by striking out “fixed in accordance with the third paragraph” in the fourth paragraph.

3. Section 15 is amended

(1) by replacing subparagraphs 1, 2 and 3 of the first paragraph by the following:

“(1) the silvicultural treatments and other forest management activities carried out by the agreement holder in each of the forest management sectors and for which the agreement holder requests a provisional credit applicable to the payment of the dues prescribed by the Minister, itemizing the carrying out, planning and monitoring of the silvicultural treatments or activities;

(2) the quantity of the silvicultural treatments and other activities calculated per hectare, per thousand plants, per thousand microsites or per linear or cubic metre, as the case may be;

(3) for silvicultural treatments and other activities not involving the harvest of timber for a wood processing plant, the cost of carrying out, planning and monitoring the silvicultural treatments and activities;

(4) for silvicultural treatments and other activities involving the harvest of timber for a wood processing plant, their unit cost fixed by the Minister pursuant to subparagraph 2 of the first paragraph of section 11;

(5) the names of the third persons that have entered into a contract with the agreement holder and carried out the silvicultural treatments and other activities, their planning or their monitoring;

(6) the reference numbers of the contracts entered into by the agreement holder with third persons entrusting them with the carrying out, planning or monitoring of the silvicultural treatments and other activities; and

(7) the regional county municipalities where the silvicultural treatments and other forest management activities have been carried out.”;

(2) by adding the following after the first paragraph:

“Where applicable, the periodic progress report on the silvicultural treatments and other forest management activities must be accompanied by vouchers or documents showing that the amounts claimed by the agreement holder have been paid to the person contractually responsible for the carrying out, planning or monitoring of the silvicultural treatments or other activities.”;

(3) by striking out “, and the declaration referred to in subparagraph 3 of the first paragraph shall be signed by that person” in the first sentence of the last paragraph.

4. Section 16 is amended by replacing “1 April 2005” by “1 April 2006”.

5. This Regulation comes into force on 1 April 2005.

6584

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Radiology technologists — Standards for diploma or training equivalence for the issue of a permit

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 respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec, made by the Bureau of the Ordre des technologues en radiologie du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to specify, pursuant to paragraph *c* of section 93 of the Professional Code, the standards for the equivalence of diplomas issued by educational institutions outside Québec, for the issue of a permit by the Ordre des technologues en radiologie du Québec and the standards for the training equivalence of a person who does not hold a diploma required for such purpose.

The draft Regulation replaces the Regulation respecting the standards for equivalence of diplomas for the issue of a permit by the Ordre des techniciens en radiologie du Québec, approved by Order in Council 1439-92 dated 23 September 1992;

The Order foresees the amendments will have no impact on enterprises, including small and medium-sized businesses.

Further information concerning the draft Regulation may be obtained by contacting Alain Crompt, Director General and Secretary, Ordre des technologues en radiologie du Québec, 6455, rue Jean-Talon Est, bureau 401, Saint-Léonard (Québec) H1S 3E8; telephone: (514) 351-0052; fax: (514) 355-2396.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec,