

The secretary designated by the Ordre des infirmières et infirmiers du Québec sees to preparing and keeping the minutes, reports and opinions of the committee and subcommittee.

32. The Bureau of the Ordre des infirmières et infirmiers du Québec is to transmit a copy of the committee's and subcommittee's reports and opinions to the Conference, the Minister of Education, Recreation and Sports, and the Office des professions du Québec.

33. The annual report of the Ordre des infirmières et infirmiers du Québec must contain the findings of the committee's and subcommittee's reports and opinions.

DIVISION III TRANSITIONAL AND FINAL

34. Despite sections 4 and 17, for the establishment of the first committees following the date of coming into force of this Regulation, the following members are appointed for a term of two years:

(1) one of the members appointed by the Bureau of the Ordre des infirmières et infirmiers du Québec, one of the members appointed by the Conference, one of the members appointed by the Federation and one of the members appointed by the committee to the nurses committee on training; and

(2) one of the members appointed by the Bureau of the Ordre des infirmières et infirmiers du Québec, two of the members appointed by the Bureau of the Collège des médecins du Québec and one of the members appointed by the Conference to the specialty nurse practitioners committee on training.

35. At the first meeting of the nurses committee on training, the committee must appoint, in accordance with the sixth paragraph of section 3, two directors of nursing care from among the directors whose names appear on a list provided by the Bureau of the Ordre des infirmières et infirmiers du Québec. The quorum of the committee is then four members, including one member appointed each by the Bureau of the Ordre des infirmières et infirmiers du Québec, the Conference, the Federation and the Minister of Education, Recreation and Sports.

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

Gouvernement du Québec

O.C. 1006-2005, 26 October 2005

Forest Act
(R.S.Q., c. F-4.1 ; 2001, c. 6)

Operating permits for wood processing plants and various regulatory provisions in penal matters made under the Act — Amendments

Regulation to amend the Regulation respecting operating permits for wood processing plants and various regulatory provisions in penal matters made under the Forest Act

WHEREAS, under subparagraph 17 of the first paragraph of section 172 of the Forest Act (R.S.Q., c. F-4.1), the Government may, by regulation, prescribe the conditions to be met by an applicant for the issue or renewal of a wood processing plant operating permit, the dues payable by the applicant for the issue or renewal of the permit, the classes of annual timber consumption authorized and the form and content of the register the applicant must keep pursuant to section 168, and the time at which the register must be transmitted;

WHEREAS, under subparagraph 19 of the first paragraph of that section, replaced by paragraph 7 of section 119 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), the Government may, by regulation, determine, among the provisions of a regulation for which no penal sanction is otherwise provided, those the contravention of which constitutes an offence and determine, among the fines provided for in section 186.9 of the Forest Act, the fine to which the offender is liable;

WHEREAS, under section 186.9 of the Forest Act, enacted by section 122 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), every person who contravenes a regulatory provision the contravention of which constitutes an offence pursuant to a regulation made under section 172 of the Forest Act is liable, as specified in the regulation, to a fine of

- (1) \$200 to \$1,000;
- (2) \$500 to \$2,000; or
- (3) \$1,000 to \$5,000;

WHEREAS, by Orders in Council 908-88 dated 8 June 1988, 201-88 dated 10 February 1998, 1266-99 dated 17 November 1999, 732-2004 dated 28 July 2004 and 418-89 dated 22 March 1989, the Government made the Regulation respecting operating permits for wood processing plants, the Regulation respecting the inventory of tree plants for non-ornamental purposes, the Regulation respecting the scaling of timber harvested in forests in the domain of the State, the Regulation respecting sugar bush management in forests in the domain of the State and the Regulation respecting forest management plans and reports;

WHEREAS it is expedient to amend those Regulations, in particular to amend the fines prescribed therein and to fix them according to the seriousness of the contravention;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 29 December 2004 with a notice that it could be made by the Government on the expiry of 45 days following that notice;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting operating permits for wood processing plants and various regulatory provisions in penal matters made under the Forest Act, 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 and various regulatory provisions in penal matters made under the Forest Act

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpars. 17 and 19, s. 186.9; 2001, c. 6, s. 119)

1. The Regulation respecting operating permits for wood processing plants¹ is amended by replacing section 3 by the following:

“**3.** The holder of an operating permit for a wood processing plant may renew the permit on 1 April of the year it expires on the following conditions:

(1) the plant covered by the permit renewal application has installations capable of processing wood;

(2) the conditions appearing on the permit for which the renewal application is made have been complied with;

(3) a certified copy of the part of the register referred to in section 5 for the period referred to in the second paragraph of that section has been sent to the Minister, together with the information referred to in section 169 of the Forest Act, where applicable, not later than 1 February preceding the permit expiry date; and

(4) the fees determined in section 4 have been sent to the Minister not later than 1 February preceding the permit expiry date.”.

2. Section 5 is amended by adding the following after the first paragraph:

“The holder must send to the Minister, not later than 1 February of each year, a certified copy of the part of the register covering the period provided for in the second paragraph of section 168 of the Forest Act.”.

¹ 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 1073-2004 dated 16 November 2004 (2004, *G.O.* 2, 3262). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

3. Section 6 is replaced by the following :

“6. Every holder of an operating permit for a wood processing plant who contravenes any provision of section 5 is guilty of an offence and is liable to the fine provided for in paragraph 3 of section 186.9 of the Forest Act.”.

4. Section 7 is revoked.

Regulation respecting the inventory of tree plants for non-ornamental purposes²

5. The Regulation respecting the inventory of tree plants for non-ornamental purposes is amended by replacing section 3 by the following :

“3. Every producer of tree plants for non-ornamental purposes who contravenes any provision of section 2 is guilty of an offence and is liable to the fine provided for in paragraph 2 of section 186.9 of the Forest Act (R.S.Q., c. F-4.1).”.

Regulation respecting the scaling of timber harvested in forests in the domain of the State³

6. The Regulation respecting the scaling of timber harvested in forests in the domain of the State is amended in section 19,

(1) by replacing “Any” and “punishable under section 181” in the first paragraph respectively by “Every” and “and is liable to the fine provided for in paragraph 3 of section 186.9”;

(2) by replacing “Any” and “punishable under section 181 of the Forest Act” in the second paragraph respectively by “Every” and “and is liable to the same fine.”.

² The Regulation respecting the inventory of tree plants for non-ornamental purposes was made by Order in Council 201-88 dated 10 February 1988 (1988, *G.O.* 2, 1276). It has not been amended since.

³ 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). It was amended once by Order in Council 862-2003 dated 20 August 2003 (2003, *G.O.* 2, 2726).

7. Section 20 is amended by replacing “Any” and “punishable under section 181” respectively by “Every” and “and is liable to the fine provided for in paragraph 3 of section 186.9”.

8. Section 21 is amended

(1) by replacing “Any” and “punishable under section 181” in the first paragraph respectively by “Every” and “and is liable to the fine provided for in paragraph 3 of section 186.9”;

(2) by replacing “any” and “punishable under section 181 of the Forest Act” in the second paragraph respectively by “every” and “and is liable to the fine provided for in that paragraph”.

Regulation respecting sugar bush management in forests in the domain of the State⁴

9. The Regulation respecting sugar bush management in forests in the domain of the State is amended by replacing section 6 by the following :

“6. Every holder of a sugar bush management permit who contravenes any provision of sections 2 to 4 is guilty of an offence and is liable to the fine provided for in paragraph 3 of section 186.9 of the Forest Act.”.

Regulation respecting forest management plans and reports⁵

10. The Regulation respecting forest management plans and reports is amended by replacing section 16 by the following :

“16. Every agreement holder who contravenes any provision of sections 2, 4 to 6, 8, 11, 14 or 15 is guilty of an offence and is liable to the fine provided for in paragraph 3 of section 186.9 of the Forest Act.”.

⁴ The Regulation respecting sugar bush management in forests in the domain of the State was made by Order in Council 732-2004 dated 28 July 2004 (2004, *G.O.* 2, 2466) and has not been amended since.

⁵ The Regulation respecting forest management plans and reports, made by Order in Council 418-89 dated 22 March 1989 (1989, *G.O.* 2, 1553), was last amended by the regulation made by Order in Council 543-2005 dated 8 June 2005 (2005, *G.O.* 2, 1972). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

11. 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. 1008-2005, 26 October 2005

An Act respecting retirement plans for the mayors and councillors of municipalities
(R.S.Q., c. R-16)

Determination of the rate of interest applicable to the retirement plan

Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities

WHEREAS, under subparagraph *a* of the first paragraph of section 42 of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), amended by section 128 of chapter 28 of the Statutes of 2005, the Government may make a regulation to determine the rates of interest for which the Act provides for the fixing by regulation and, as the case may be, the rules governing the computing of the interest;

WHEREAS the Government made the Regulation on the setting of the interest rate by Order in Council 2507-83 dated 6 December 1983;

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Commission administrative des régimes de retraite et d'assurances received no comment on the draft Regulation within that period;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities

An Act respecting retirement plans for the mayors and councillors of municipalities
(R.S.Q., c. R-16, s. 42, 1st par., subpar. *a*, and 2nd par.; 2005, c. 28, s.128)

1. For the purposes of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), the annual rate of interest is determined by computing the geometric mean of the annual rates of return for the three-year period ending on 31 December of the year preceding the reference year, according to the formula in Schedule I. The first rate of interest determined applies from the first day of the month following the date of its publication in the *Gazette officielle du Québec* and, thereafter, as of 1 June of each year.

The annual rate of return is the rate determined by the Caisse de dépôt et placement du Québec on 31 December of each year for the specific fund of the retirement plan established by the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), after deduction of the management expenses.

2. This Regulation replaces the Regulation on the setting of the interest rate, made by Order in Council 2507-83 dated 6 December 1983.

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