

Gouvernement du Québec

O.C. 1205-2005, 7 December 2005

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

Forestry fund
— Contributions
— Amendments

Regulation to amend the Regulation respecting contributions to the forestry fund

WHEREAS, under the first paragraph of section 73.4 of the Forest Act (R.S.Q., c. F-4.1), every holder of a timber supply and forest management agreement must, at such intervals as are determined by regulation of the Government, pay to the Minister of Natural Resources and Wildlife a contribution for the financing of activities related to forest management;

WHEREAS, under the second paragraph of that section, the contribution, paid into the forestry fund under section 73.5 of the Forest Act, shall be established by the Minister on the basis of a rate per cubic metre of timber, fixed by regulation of the Government, that is applicable to the volume of timber allotted to the agreement holder in the agreement and is determined on the date or dates fixed by the regulation;

WHEREAS, under section 176 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), amended by section 58 of chapter 16 of the Statutes of 2003, the provisions of sections 73.4 to 73.6 of the Forest Act concerning the contributions to be paid into the forestry fund apply to forest management agreements and forest management contracts taking effect or renewed after 26 June 2001, which is the day before the date of coming into force of section 176;

WHEREAS, under section 95.2.1 of the Forest Act, sections 73.4 and 73.5 of the Act apply to the holder of a wood processing plant operating permit who has entered into an auxiliary timber supply guarantee agreement as if the permit holder were the holder of a timber supply and forest management agreement; however, section 184 of the Act to amend the Forest Act and other legislative provisions provides that the provisions respecting the contributions to be paid into the forestry fund do not apply to auxiliary timber supply guarantee agreements in force on 27 June 2001;

WHEREAS, under the second paragraph of section 92.0.2 of the Forest Act, a holder of a wood processing plant operating permit who acquires timber from an agreement holder authorized to send it to the permit holder must pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, that contribution paid into the forestry fund shall be established by the Minister on the basis of a rate per cubic metre, set by regulation of the Government, applicable to the volume of timber acquired by the holder of a wood processing plant operating permit from the agreement holder;

WHEREAS, under section 92.0.3 of the Forest Act, the Minister may, if considered expedient by the Minister, accredit the holder of a wood processing plant operating permit to enable the permit holder to obtain a management permit in a management unit to supply the holder's plant where a volume of timber is made available following a person's waiver of the right provided for in a reservation agreement entered into pursuant to section 170.1 or by reason of the failure by that person to exercise that right in a previous year;

WHEREAS, under the second paragraph of section 92.0.11 of the Forest Act, in such a case the holder of a wood processing plant operating permit must also pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, the contribution paid into the forestry fund shall be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of round timber indicated in the accreditation;

WHEREAS, under subparagraph 18.2.1 of the first paragraph of section 172 of the Forest Act, the Government may, by regulation, set the rate referred to in the third paragraph of sections 92.0.2 and 92.0.11 and determine the date and other terms of payment of the contribution referred to in those sections;

WHEREAS the Government made the Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund by Order in Council 454-2005 dated 11 May 2005 to amend, in particular the title of the Regulation;

WHEREAS it is expedient to amend the Regulation to set, as of 1 January 2006, a rate of \$0.1775 per cubic metre of timber applicable to holders of agreements and contracts, payable on the dates on which the contribu-

tion to the forestry fund is to be paid, and a rate of \$0.71 per cubic metre of timber applicable to the volume of timber acquired from a holder by a holder of a wood processing plant operating permit and applicable to the volume of round timber indicated in an accreditation. The rate of \$0.71 corresponds to the total of the rates applicable on the payment dates provided for in section 2 of the Regulation as amended, which is four times the rate of \$0.1775 per cubic metre of timber;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting contributions to the forestry fund, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 24 August 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

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 contributions to the forestry fund, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting contributions to the forestry fund*

Forest Act
(R.S.Q., c. F-4.1, ss. 73.4, 92.0.2, 92.0.11, 95.2.1, 104.5 and 172, 1st par., subpars. 18.2 and 18.2.1)

1. The Regulation respecting contributions to the forestry fund is amended in section 2 by replacing “\$0.1725” by “\$0.1775”.

2. Section 3.3 is amended by replacing “\$0.69” by “\$0.71”.

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

7305

M.O., 2005-23

Order number V-1.1-2005-23 of the Minister of Finance, 30 November, 2005

Securities Act
(R.S.Q., c. V-1.1)

CONCERNING the Regulation 43-101 respecting standards of disclosure for mineral projects

WHEREAS subparagraphs 1, 3, 6, 8, 11 and 34 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) stipulate that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation 43-101 respecting standards of disclosure for mineral projects was published in the Supplement to the Bulletin concerning securities of the Autorité des marchés financiers, volume 2, No. 40 of October 7, 2005;

WHEREAS on November 15, 2005, by the decision no. 2005-PDG-0355, the Authority made the Regulation 43-101 respecting standards of disclosure for mineral projects;

WHEREAS there is cause to approve this regulation without amendment;

* The Regulation respecting contributions to the forestry fund, made by Order in Council 328-2002 dated 20 March 2002 (2002, *G.O.* 2, 1673), was last amended by the regulation made by Order in Council 454-2005 dated 11 May 2005 (2005, *G.O.* 2, 1219). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.