

Gouvernement du Québec

O.C. 647-2006, 28 June 2006

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

**Groundwater catchment
— Amendment**

Regulation to amend the Groundwater Catchment Regulation

WHEREAS subparagraphs *c* and *e* of the first paragraph of section 31 and subparagraphs *b*, *d* and *s* of the first paragraph of section 46 of the Environment Quality Act (R.S.Q., c. Q-2) confer on the Government the power to make regulations on the matters set forth therein;

WHEREAS, under the first paragraph of section 124 of the Environment Quality Act, any draft regulation prepared under the Act must be published in the *Gazette officielle du Québec* with a notice stating that it may be made by the Government, with or without amendment, on the expiry of 60 days following the publication;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation may be made without having been published as provided for in section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation attached to this Order in Council:

— section 25 of the Groundwater Catchment Regulation, which comes into force on 15 June 2006, requires owners of spring water, mineral water or groundwater catchment sites that supply drinking water and that have an average operation flow rate greater than 75 m³ per day to have an engineer or a geologist sign the plan showing

the location of the bacteriological and virological protection areas corresponding to a groundwater migration time of 200 and 550 days respectively, and to have the groundwater vulnerability index assessed in those areas;

— the location of the protection areas and the determination of their vulnerability index is necessary for the application, after 15 June 2006, of the standards for the spreading of animal waste, farm compost or certain fertilizing waste substances because on that date, the transitional protection areas provided for in sections 56 and 57 of the Regulation cease to have effect;

— the limited number of professionals qualified to carry out that type of hydrogeological study makes it impossible before that date to prepare the plans showing the location of the protection areas and to assess groundwater vulnerability in those areas for all the owners of catchment sites covered by section 25 of the Regulation;

— if there are no such plans showing the location of the catchment site protection areas, only the minimum standard of 30 m, or 100 m in the case of sludge from municipal wastewater treatment works, will apply to the spreading of animal waste, farm compost and fertilizing waste substances around catchment works for groundwater intended for human consumption;

— to facilitate bacteriological and virological protection of the water catchment sites covered by section 25 as regards the spreading of animal waste, farm compost or certain fertilizing waste substances after 15 June 2006, it is urgent to extend the application of the transitional provisions establishing the extent of the applicable protection areas until 15 June 2008;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Groundwater Catchment Regulation, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Groundwater Catchment Regulation*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *c* and *e*,
s. 46, 1st par., subpars. *b*, *d* and *s*)

1. The Groundwater Catchment Regulation is amended by inserting the following after section 57:

“**57.1.** Despite the end of the period in which the provisions of the first and third paragraphs of section 56 apply, the bacteriological and virological protection areas defined by those provisions are, for the purposes of section 26, considered vulnerable until 15 June 2008.

For the purposes of section 29 or 30, the same applies to the bacteriological protection areas defined by the provisions of the first paragraph of section 57, and the virological protection areas defined by the provisions of the third paragraph of that section.”

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 660-2006, 28 June 2006

Highway Safety Code
(R.S.Q., c. C-24.2)

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2)

Protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers — Amendments

Regulation to amend the Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers

WHEREAS, under subparagraph 2 of the first paragraph of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation prescribe standards for the manufacture, sale, installation and use of protective helmets;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 29 March 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale region:

THAT the Regulation to amend the Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers¹

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 2)

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2, s. 46, 1st par., subpar. 14)

1. The Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers is amended by replacing its title by

“**Protective Helmets Regulation**”.

2. Section 2 is amended

(1) by striking out “, snowmobile” in the part preceding paragraph 1 and by replacing “or in a sidecar” in that part by “, in a sidecar, on an off-road vehicle covered by the Act respecting off-highway vehicles (R.S.Q., c. V-1.2) or in a sleigh or trailer being towed by such a vehicle”;

(2) by replacing “290.1” in paragraph 3 by “Z90.1”;

* The Groundwater Catchment Regulation, made by Order in Council 696-2002 dated 12 June 2002 (2002, *G.O.* 2, 2657), was last amended by the regulation made by Order in Council 1330-2002 dated 20 November 2002 (2002, *G.O.* 2, 6237).

¹ The Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers has never been amended since it was made by Order in Council 1015-95 dated 19 July 1995 (1995, *G.O.* 2, 2348).