

(f) the issue of cheques to reimburse departments and bodies for the cost of services rendered to SOFIL pursuant to the instructions of the secretary of SOFIL; and

(g) the reimbursement of living and travel expenses of the members of the board of directors and the secretary of SOFIL in accordance with the provisions of Décret 2005-83 dated 30 November 1983.

**7.** 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. 135-2007, 14 February 2007**

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

Exclusion of the proposed schedules and schedules of contributions established under section 53.31.14 of the Environment Quality Act from the application of the Regulations Act

WHEREAS subdivision 4.1 of Division VII of Chapter I of the Environment Quality Act (R.S.Q., c. Q-2) creates a regime to compensate municipalities for part of the costs for providing services to ensure the recovery and reclamation of residual materials;

WHEREAS the implementation of the regime, based on the principle of extended producer responsibility, relies mainly on the initiative and direct participation of intervening parties in the private sector and municipal sector, various elements of the regime are, under the Act, to be defined by contract between the unions of municipalities and bodies certified by RECYC-QUÉBEC to represent the enterprises and other persons concerned;

WHEREAS, under the regime, the certified bodies are to determine by agreement with the unions of municipalities the amount of the net costs of the municipal services to be compensated, and the criteria for the distribution of the sums among the municipalities;

WHEREAS section 53.31.13 of the Environment Quality Act allows the certified bodies to collect the contributions from the persons concerned to finance payment of compensation by the body to the municipalities;

WHEREAS section 53.31.14 of the Act entrusts the certified bodies with the responsibility of establishing a schedule to apportion between the persons concerned the amounts of their respective contributions and the schedule must be approved by the Government;

WHEREAS, under that section, the certified body must hold a special consultation of the persons concerned before establishing such a schedule and submitting it to the Government for approval;

WHEREAS RECYC-QUÉBEC must also, under section 53.31.15 of the Act, give an opinion to the Government on the advisability of approving the schedule of contributions proposed by a certified body;

WHEREAS, at the time the Government is preparing to approve a schedule of contributions, the agreement on the amount of the net costs of the municipal services that those contributions are intended to pay has already been negotiated and signed and, consequently, the publication of a proposed schedule under section 8 of the Regulations Act (R.S.Q., c. R-18.1) will not allow public participation to change the overall level of contributions on the basis of those costs;

WHEREAS, under paragraph 6 of section 3 of the Regulations Act (R.S.Q., c. R-18.1), the Government may determine by order the proposed regulations or regulations to which the Act does not apply;

WHEREAS it is expedient to exclude the schedules of contributions established under section 53.31.14 of the Environment Quality Act from the application of the Regulations Act;

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

THAT the Regulations Act (R.S.Q., c. R-18.1) does not apply to the proposed schedules or schedules of contributions established under section 53.31.14 of the Environment Quality Act (R.S.Q., c. Q-2).

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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