



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 57

(2007, chapter 19)

An Act to amend the Act respecting the Agence de l'efficacité énergétique and the Act respecting the Régie de l'énergie

Introduced 8 November 2007

Passed in principle 8 November 2007

Passed 8 November 2007

Assented to 9 November 2007

EXPLANATORY NOTES

This bill proposes that distributors that acquire 25 million litres or more of gasoline, diesel fuel, heating oil or propane from a refiner or importer no longer be subject to payment of the annual duty to the Green Fund or the annual share payable to the Agence de l'efficacité énergétique and that distributors that acquire petroleum coke or coal from a refiner or importer no longer be subject to payment of the annual duty.

In addition, under this bill, legal persons or partnerships that bring fuel into Québec for a purpose other than resale become subject to the payment of the annual duty and the annual share.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting the Agence de l'efficacité énergétique (R.S.Q., chapter A-7.001);
- Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01).

Bill 57

AN ACT TO AMEND THE ACT RESPECTING THE AGENCE DE L'EFFICACITÉ ÉNERGÉTIQUE AND THE ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE AGENCE DE L'EFFICACITÉ ÉNERGÉTIQUE

1. Section 0.1 of the Act respecting the Agence de l'efficacité énergétique (R.S.Q., chapter A-7.001) is amended

(1) by inserting “, hydrocarbons used as raw material by industries that transform hydrocarbon molecules through chemical or petrochemical processes” after “marine bunker fuel” in the second line of the definition of “fuel” in the first paragraph;

(2) by striking out “, excluding hydrocarbons used as raw material by industries that transform hydrocarbon molecules through chemical and petrochemical processes” in paragraph 1 of the definition of “fuel distributor” in the first paragraph;

(3) by replacing paragraph 3 of the definition of “fuel distributor” in the first paragraph by the following paragraph:

“(3) a person that, in Québec, exchanges fuel with a person described in paragraph 1;”;

(4) by inserting “a legal person or partnership that brings fuel into Québec for a purpose other than resale,” after “Division IV.1,” in the first line of the second paragraph.

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

2. Section 85.31 of the Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01) is replaced by the following section:

“85.31. No later than 31 March of each year, an energy distributor must file a registration statement with the Régie specifying, for the period covered by its preceding fiscal year,

(1) the volume of natural gas or electric power it distributed;

(2) the volume of fuel it brought into Québec for a purpose other than resale;

(3) the volume of fuel intended for consumption in Québec that was sold and refined in Québec or brought into Québec and, where applicable, the volume it exchanged with a person described in paragraph 1 of the definition of “fuel distributor” in section 0.1 of the Act respecting the Agence de l’efficacité énergétique (chapter A-7.001); and

(4) any other information the Régie deems necessary for the purposes of this chapter, in the form prescribed by the Régie.”

3. Section 85.33 of the Act is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) a legal person or partnership that brings fuel into Québec for a purpose other than resale; and”;

(2) by striking out “, excluding hydrocarbons used as raw material by industries that transform hydrocarbon molecules through chemical and petrochemical processes” in subparagraph 3 of the first paragraph.

4. Section 85.34 of the Act is amended

(1) by inserting “, hydrocarbons used as raw material by industries that transform hydrocarbon molecules through chemical or petrochemical processes” after “marine bunker fuel” in the second line of the definition of “fuel”;

(2) by replacing paragraph 3 of the definition of “fuel distributor” by the following paragraph:

“(3) a person that, in Québec, exchanges fuel with a person described in paragraph 1; and”;

(3) by striking out paragraph 4 of the definition of “fuel distributor”.

5. Section 85.37 of the Act is replaced by the following section:

“85.37. A distributor referred to in section 85.33 must file with the Régie, on the date the Régie determines and in the form it prescribes, a statement specifying, for the period covered by its preceding fiscal year,

(1) the volume of natural gas it distributed;

(2) the volume of fuel it brought into Québec for a purpose mentioned in paragraph 2 of that section;

(3) the volume of fuel intended for consumption in Québec that was sold and refined in Québec or brought into Québec and, where applicable, the volume it exchanged with a person described in paragraph 1 of the definition of “fuel distributor” in section 85.34; and

(4) any other information the Régie de l'énergie de Québec deems necessary for the purposes of this chapter, in the form prescribed by the Régie.”

6. This Act comes into force on 9 November 2007.