

Gouvernement du Québec

O.C. 1037-2011, 19 October 2011

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

Rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit
— Amendment

Regulation to amend the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit

WHEREAS, under section 124.29 of the Forest Act (R.S.Q., c. F-4.1), every holder of a wood processing plant operating permit who acquires a volume of timber originating from the territory of a regional agency for private forest development must pay a contribution to the agency;

WHEREAS, under section 124.29 of the Forest Act, the contribution is established each year by the agency 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 from private forests purchased by a permit holder in a year;

WHEREAS, under subparagraph 18.4 of the first paragraph of section 172 of the Forest Act, the Government may, by regulation, fix, for every species and group of species and for every quality of timber, the rate per cubic metre of timber applicable to the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit;

WHEREAS the Government made the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit (R.R.Q., c. F-4.1, r. 14);

WHEREAS the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit is set at \$1.35 by the Regulation;

WHEREAS the economic difficulties experienced by the forest industry, in particular the wood processing industry, affect the ability of holders of a wood processing permit to continue to pay a contribution to a regional agency for private forest development computed at a rate of \$1.35 per cubic metre of timber;

WHEREAS, at the Rendez-vous de la forêt privée that was held on 30 May 2011, the Minister of Natural Resources and Wildlife at that time and private forest partners agreed that it would be appropriate to reduce to \$1.00 per cubic metre of timber the rate applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published if 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 the coming into force of the Regulation to amend the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit on the date of its publication:

— any delay in the coming into force of the Regulation would impede the economic recovery in the forestry sector;

— any delay in the coming into force of the Regulation could compromise the participation of the wood processing industry in private forest development;

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

THAT the Regulation to amend the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit

Forest Act
(R.S.Q., c. F-4.1, ss. 124.29 and 172, 1st par., subpar. 18.4)

1. The Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit is amended by replacing “\$1.35” in section 1 by “\$1.00”.

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

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M.O., 2011-05

Order number V-1.1-2011-05 of the Minister for Finance, October 12, 2011

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

CONCERNING Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations and Regulation to amend Regulation 58-101 respecting Disclosure of Corporate Governance Practices

WHEREAS subparagraphs 1, 9, 11, 19.5, 20 and 34 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) provide 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 provide that a draft regulation shall be published in the *Bulletin de l’Autorité des marchés financiers*, 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 provide 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 on any later date specified in the regulation;

WHEREAS Order-in-council no. 930-2011 of September 14, 2011 concerning the Minister for Finance provides that the Minister for Finance exercises, under the supervision of the Minister of Finance, the functions for the application of the Securities Act;

WHEREAS the Regulation 51-102 respecting Continuous Disclosure Obligations has been approved by ministerial order no. 2005-03 dated May 19, 2005 (2005, *G.O.* 2, 1507A);

WHEREAS the Regulation 58-101 respecting Disclosure of Corporate Governance Practices has been approved by ministerial order no. 2005-11 dated June 7, 2005 (2005, *G.O.* 2, 2015A);

WHEREAS there is cause to amend those regulations;

WHEREAS the draft Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations and the draft Regulation to amend Regulation 58-101 respecting Disclosure of Corporate Governance Practices were published in the *Bulletin de l’Autorité des marchés financiers*, volume 7, no. 46 of November 19, 2010;

WHEREAS the *Autorité des marchés financiers* made, on September 20, 2011, by the decision no. 2011-PDG-0145, Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations and, by the decision no. 2011-PDG-0146, Regulation to amend Regulation 58-101 respecting Disclosure of Corporate Governance Practices;

WHEREAS there is cause to approve those regulations without amendment;