

Regulations and other Acts

Gouvernement du Québec

O.C. 1073-2011, 26 October 2011

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Measures to reduce the effects of the financial crisis on pensions plans covered by the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pensions plans covered by the Supplemental Pension Plans Act

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan or category of pension plan it designates from the application of all or part of this Act, particularly by reason of the special characteristics of the plan or category or by reason of the complexity of the Act in relation to the number of members in the plan and prescribe special rules applicable to the plan or category;

WHEREAS, in accordance with the third paragraph of that section, such a regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the penultimate year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pensions plans covered by the Supplemental Pension Plans Act, attached hereto, was published, with a written notice that it could be made by the Government on the expiry of 45 days following its publication, in part 2 of the *Gazette officielle du Québec* on 22 December 2010;

WHEREAS it is expedient to make the un-amended Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pensions plans covered by the Supplemental Pension Plans Act, attached hereto, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 2, 2nd and 3rd pars.)

1. Section 2 of the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act (c. R-15.1, r. 4) is amended in its English version by replacing the first occurrence of the words “technical actuarial deficiency” with the words “improvement unfunded actuarial liability”.

2. Section 7 of the Regulation is amended by replacing, in the first paragraph, the description of “C” by the following:

““C” represents the amount by which the total of the employer contribution paid since the last actuarial valuation and the amount of any letter of credit provided since that date pursuant to section 42.1 of the Act referred to in paragraph 3 of section 4 exceeds the employer contribution that would have been determined on the date of the last actuarial valuation if the amount referred to in subparagraph *b* of paragraph 2 of the first paragraph of section 39 of the Act referred to in paragraph 3 of section 4 had been equal to the amount determined in accordance with paragraph 1 of section 21 increased by the value of the special amortization payments required since the date of the last actuarial valuation.”.

3. Section 24 of the Regulation is amended by replacing, in the first paragraph, the description of “C” with the following description:

““C” represents the amount by which the employer contribution paid since the date of the last actuarial valuation exceeds the employer contribution that would have been determined on that date, if the amount referred to in subparagraph *b* of paragraph 2 of the first paragraph of section 39 of the Act referred to in paragraph 3 of section 4 had been equal to the amount determined in accordance with paragraph 1 of section 21 increased by the value of the special amortization payments required since the date of the last actuarial valuation.”.

4. This Regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2008.

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Gouvernement du Québec

O.C. 1085-2011, 26 October 2011

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01)

Maximum production capacity referred to in a program to purchase electric power produced by cogeneration from residual forest biomass

Regulation respecting the maximum production capacity referred to in a program to purchase electric power produced by cogeneration from residual forest biomass

WHEREAS, under section 74.3 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), the electric power distributor may, under a program to purchase electric power from a renewable energy source, the conditions of which have been approved by the Régie, purchase, in particular from a producer, without having to solicit tenders, electric power produced at a facility whose maximum production capacity is set by government regulation;

WHEREAS, under subparagraph 2.3 of the first paragraph of section 112 of the Act, the Government may make regulations determining the maximum production capacity referred to in section 74.3, which may vary with the source of renewable energy or the class of customers or producers specified;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the maximum production capacity

referred to in a program to purchase electric power produced by cogeneration from residual forest biomass was published in Part 2 of the *Gazette officielle du Québec* of 1 June 2011 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 with amendments;

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

THAT the Regulation respecting the maximum production capacity referred to in a program to purchase electric power produced by cogeneration from residual forest biomass, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the maximum production capacity referred to in a program to purchase electric power produced by cogeneration from residual forest biomass

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01, ss. 74.3 and 112, 1st par., subpar. 2.3)

1. The maximum eligible capacity of a cogeneration plant from residual forest biomass of a producer participating in the distributor's program to purchase electric power must be equal to or less than 50 MW.

For the purposes of this section, “residual forest biomass” means bark, sawdust, shavings, trim ends, chips, scraps, compressed wood products, primary, secondary and de-inking sludge, cooking liquors from pulp and paper mills, as well as wood from silvicultural treatments or from forest exploitation such as trunks, limbs, tree tops, short logs, slash and cull referred to in section 94 of the Forest Act (R.S.Q., c. F-4.1) and wood intended for or originating from the landfill sites of Québec, as well as wood fibre residues, papers and cardboards rejected by sorting centers and intended for landfilling.

2. 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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