

Draft Regulations

Draft Regulation

Environment Quality Act
(chapter Q-2)

Compensation for municipal services provided to recover and reclaim residual materials — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation clarifies the definition of the class of materials “containers and packaging” so that the compensation regime clearly includes containers and packaging designed and sold as single use and short-term products. In addition, it is proposed that, in addition to the owner of a trademark, the user of such a trademark may be required to pay a contribution under the compensation regime.

The draft Regulation proposes to share, in equal shares among businesses and municipalities, the expenses associated with the recovery of materials that, without being designated in the Regulation, must be treated by municipalities as part of the collection, transportation, sorting and conditioning of materials covered by the compensation regime in order to ensure the recovery and reclamation of those materials.

The draft Regulation provides the time period within which municipalities may correct information entered in their annual declaration. In addition, it provides that no compensation is owed to a municipality that, on 30 June of the year following the year for which compensation is owed, did not send its declaration to Recyc-Québec. For the years 2010 to 2012, no compensation is owed to a municipality that did not send its declaration before 1 September 2013.

Lastly, the draft Regulation proposes that, as of 2013, the annual compensation owed to the municipalities be divided among the classes of materials covered by the

regime in the following manner: 69.1% for containers and packaging, 20.5% for printed matter and 10.4% for newspapers.

Further information may be obtained by contacting Alain Lavoie, Head, Service des matières résiduelles, Direction des matières résiduelles et des lieux contaminés, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 9e étage, boîte 71, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 4803; fax: 418 644-3386; email: alain.lavoie1@mddefp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Alain Lavoie at the same address.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials

Environment Quality Act
(chapter Q-2, ss. 53.31.2, 53.31.3, 53.31.4, 53.31.5, 53.31.6, 53.31.12 and 53.31.18)

1. The Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10) is amended by replacing subparagraph 1 of the first paragraph of section 2 by the following:

“(1) containers and packaging: this class includes all flexible or rigid material, for example paper, carton, plastic, glass or metal, and any combination of such materials that

(a) are used to contain, protect or wrap products at any stage in the movement of the product from the producer to the ultimate user or consumer, in particular for their appearance; or

(b) are designed and sold as single use or short-term products, such as storage bags, wrapping paper and paper or styrofoam cups.”.

2. Section 3 is amended by inserting

- (1) “or user” in the first paragraph after “owner”;
- (2) “or user” in the second paragraph after “owner”.

3. The heading of Division IV is replaced by the following:

“**DIVISION IV**
METHOD OF CALCULATION, DIVISION,
PAYMENT AND DISTRIBUTION OF
COMPENSATION”.

4. Section 7 is amended

(1) by replacing “after deducting any income, rebate or other gain related to the materials and received by the municipality” in the first paragraph by the following:

“from which the following is deducted, in order:

- (1) any income, rebate or other gain related to the materials and received by the municipality;
- (2) an amount equivalent to 7.5% of the expenses to take into account materials or classes of materials that, without being referred to in section 2, are recovered and treated during the collection, transportation, sorting and conditioning of the classes of materials designated in that section.”;

(2) by adding the following after the second paragraph:

“A municipality may file with the Société québécoise de récupération et de recyclage a study that establishes, for any of the 2 years preceding the year for which compensation is owed, the nature and quantity of materials not referred to in section 2 that were recovered and treated as part of the collection, transportation, sorting and conditioning of classes of materials covered by the compensation regime. In that case, the percentage provided for in subparagraph 2 of the first paragraph is replaced by the percentage corresponding to half the rate of materials not referred to in section 2 that are recovered and treated by the municipality at the same time as those referred to in that section.”.

5. Section 8.6 is amended

- (1) by inserting “determined under section 7” after “of those materials” at the end of the first paragraph;
- (2) by adding the following after the second paragraph:

“For the purposes of the first paragraph, the quantity of materials subject to compensation that was recovered and treated in the territory of a municipality is calculated by subtracting from the total quantity of recovered materials at the time of the collection, transportation, sorting and conditioning of materials subject to the compensation regime

(1) a quantity equivalent to 7.5% of the total quantity;
or

(2) a quantity equivalent to the percentage determined under the third paragraph of section 7.”.

6. The following is inserted after section 8.6:

“**8.6.1.** Every correction to a declaration sent in accordance with section 8.6 must be sent to the Société québécoise de récupération et de recyclage not later than 30 June of the year following the year for which compensation is owed.

The corrected declaration is subject to the conditions provided for in the second paragraph of section 8.6.

The adjustments resulting from a correction to a declaration are made to the compensation owed the following year.”.

7. Section 8.7 is amended

(1) by replacing the third paragraph by the following:

“Despite the foregoing, no compensation is owed to a municipality that, on 30 June of the year that follows the year for which compensation is owed, did not send its declaration to the Société. For the years 2010 to 2012, no compensation is owed to a municipality that did not send its declaration before 1 September 2013.”;

(2) by replacing the fifth paragraph by the following:

“Even if compensation is paid to a municipality covered by the provisions of the fourth paragraph, the municipality must file its declaration with the Société as soon as possible.”.

8. The following is inserted after section 8.9:

“**§2.1.** *Division of the annual compensation owed to municipalities*

8.9.1. The annual compensation owed to the municipalities for the year 2013 and for subsequent years is divided among the materials or classes of materials subject to compensation according to the following shares:

- (1) 69.1% for containers and packaging;
- (2) 20.5% for printed matter; and
- (3) 10.4% for newspapers.”

9. Section 8.14 is amended by replacing “by the Government under section 53.31.5 of the Environment Quality Act” in the third paragraph by “under section 8.9.1”.

10. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2422

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Hours of driving — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the hours of driving and rest of heavy vehicle drivers, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation changes the definition of farm tractor to take into account the adjustments made to that definition by the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) with respect to the vehicle’s ownership.

The amendments proposed in the draft Regulation have no particular impact on the public.

No impact is foreseen on enterprises, including small and medium-sized businesses, since the adjustment is for harmonization purposes only.

Further information may be obtained by contacting Linda Thériault, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-21, case postale 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4886.

Any person having comments to make on the matter is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

SYLVAIN GAUDREAULT,
Minister of Transport

Regulation to amend the Regulation respecting the hours of driving and rest of heavy vehicle drivers

Highway Safety Code
(chapter C-24.2, s. 621, 1st par., subpar. 42)

1. The Regulation respecting the hours of driving and rest of heavy vehicle drivers (chapter C-24.2, r. 28) is amended in section 4 by replacing subparagraph 5 of the first paragraph by the following:

“(5) a farm tractor or farm machinery within the meaning of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) and a farm trailer owned by a farmer and having the characteristics provided for in section 2 of the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32);”;

2. This Regulation comes into force on 4 November 2013.

2416

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Safety standards for road vehicles — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting safety standards for road vehicles, appearing below, may be made by the Government on the expiry of 45 days following this publication.