

4. This Regulation replaces the Regulation respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement (chapter F-4.1, r. 1).

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

2459

Draft Regulation

Sustainable Forest Development Act
(chapter A-18.1)

Forest protection

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Forest Protection Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the reimbursement mechanisms for expenses incurred in forest fire suppression operations and in implementing action plans against destructive insects or cryptogamic diseases, the cases in which a fire permit issued by the forest protection organization to make a fire in or near a forest is not required or those for which the permit may not be issued, and the conditions a fire permit holder must satisfy when making a fire in or near a forest. The draft Regulation also prescribes safety standards for the prevention and suppression of forest fires. Lastly, the draft Regulation determines the provisions of the Regulation whose violation constitutes an offence and specifies, among the fines prescribed in section 244 of the Sustainable Forest Development Act (chapter A-18.1), the one to which an offender is liable for a given offence.

The draft Regulation has no impact on enterprises as the rules concerning them are the same as before.

Further information on the draft Regulation may be obtained by contacting Julie Fortin, Direction de la protection des forêts, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8646, extension 4040; fax: 418 643-2368; email: julie.fortin@mrn.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Richard Savard, Acting Associate Deputy Minister for Forests, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, RC-120, Québec (Québec) G1S 4X4.

MARTINE OUELLET,
Minister of Natural Resources

Forest Protection Regulation

Sustainable Forest Development Act
(chapter A-18.1, ss. 195 and 210)

DIVISION I

RATE OF REIMBURSEMENT OF CERTAIN
EXPENSES INCURRED BY AN ORGANIZATION
RESPONSIBLE FOR PROTECTING FORESTS

1. The rate of reimbursement of expenses incurred in forest fire suppression operations by an organization responsible for protecting forests is fixed at 50%.

2. The rate of reimbursement of expenses incurred to implement action plans against destructive insects or cryptogamic diseases by an organization responsible for protecting forests is fixed at 50%.

DIVISION II

PERMIT FOR MAKING A FIRE IN OR NEAR
A FOREST

3. Any person may obtain a permit under section 190 of the Sustainable Forest Development Act (chapter A-18.1) if the person

(1) has in his or her possession on the premises where the person intends to make a fire the necessary equipment to fight forest fires;

(2) has built and kept a firebreak between the forest and the matter to be burnt, by removing from the surface any combustible matter over a distance equal to at least 5 times the height of the piles; and

(3) in or near a forest, when a blueberry field is burnt for regeneration aiming at the production of blueberries, the person has built and kept a firebreak around the field, by removing from the surface any combustible matter down to the mineral ground over a minimum distance of 3 m.

4. No permit is necessary to make a camp fire in or near a forest.

DIVISION III

SAFETY STANDARDS FOR THE PREVENTION AND EXTINCTION OF FOREST FIRES

5. Any person who owns or uses in or near a forest a machine, a building or any other installation, must comply with the following safety standards:

(1) any motorized or mechanized machinery used in a forest must be equipped with a fire extinguisher in working order and complying with the standards recognized by the Canadian Standards Association or the Underwriters' Laboratories of Canada;

(2) any skid plate installed under an engine must be installed so as to allow the removal of combustible matter that could gather there;

(3) any operator working on a motorized or mechanized piece of machinery must remove from it any debris or dirt that could start a fire;

(4) any operator working on a motorized or mechanized piece of machinery must turn off all electrical circuits when it is not in use;

(5) the exhaust system of any engine must be equipped with a muffler with a spark arrester and be in working order;

(6) it is forbidden to smoke or to use an open flame within 15 m from a fuel storage or handling point;

(7) the owner or operator of a motorized or mechanized piece of machinery used in the forest must allow the representative of the forest protection organization to inspect it;

(8) it is forbidden to use in the forest a motorized or mechanized piece of machinery that is a fire hazard;

(9) any building or other installation situated in or near the forest and equipped with a coal or wood stove or with an inside or outside fireplace, must have a stack or pipe equipped in each case with a spark arrester in working order made of metal parts whose openings have a maximum width of 1 cm;

(10) any vegetation within 3 m of the outlet of a stack must be removed;

(11) any fuel and any flammable product of the same nature must be stored in tightly closed containers, outside of dwellings;

(12) all dried vegetation and dead wood must be cleared from the surroundings of a building or installation over a distance of at least 10 m;

(13) any building or other installation must be provided with means for extinguishing and tools for fighting fires at their beginning;

(14) any sawmill in or near the forest must be established where the ground is mineral;

(15) any flammable matter must be removed and the premises kept clear of such matter around a sawmill, its outbuildings, wood piles and debris dumps over a distance of at least 30 m;

(16) a sawmill and its outbuildings must be equipped with fire and spark arresting devices;

(17) from 1 April to 15 November, sawdust, slabwood or other sawmill debris may be burnt only in a burner with metal sides having a stack equipped with a spark arrester in working order, whose openings have a maximum width of 1.5 cm.

6. No person may smoke in or near a forest from 1 April to 15 November while working or travelling, except in a building or a closed vehicle.

7. Any person who starts a camp fire in or near a forest from 1 April to 15 November must first clear the place where the person intends to start the fire by removing all humus, dead wood, branches, scrub and dry leaves from the surface within a radius large enough to prevent the fire from spreading.

8. Any person who makes a fire in or near the forest must remain on the premises until the fire is completely extinguished.

DIVISION IV

OFFENCE

9. Every person who contravenes section 5, 6, 7 or 8 commits an offence and is liable to the fine provided for in paragraph 3 of section 244 of the Sustainable Forest Development Act (chapter A-18.1).

DIVISION V FINAL

10. This Regulation replaces the Forest Protection Regulation (chapter F-4.1, r. 11).

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

2458

Draft Regulation

Sustainable Forest Development Act
(chapter A-18.1)

Scaling of timber harvested in forests in the domain of the State

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the scaling of timber harvested in forests in the domain of the State, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the Regulation respecting the scaling of timber harvested in forests in the domain of the State (chapter F-4.1, r. 6) to adapt it to the new forest regime which comes into force on 1 April 2013, to add to it the scaling methods developed in the last years and to adjust it to the needs and practices set up since its last amendment.

Further information on the draft Regulation may be obtained by contacting René Lemieux, Direction des évaluations économiques et des opérations financières, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 7^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8640, extension 4583; fax: 418 528-1278; email: rene.lemieux@mrn.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Richard Savard, Acting Associate Deputy Minister for Forests, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, RC-120, Québec (Québec) G1S 4X4.

MARTINE OUELLET,
Minister of Natural Resources

Regulation respecting the scaling of timber harvested in forests in the domain of the State

Sustainable Forest Development Act
(chapter A-18.1, ss. 70 and 72)

DIVISION I GENERAL

§1. Scope

1. This Regulation applies to every person or body authorized to harvest timber in the forests in the domain of the State and required by the Minister to scale the timber.

This Regulation does not apply to

(1) the holder of a forest management permit for the harvest of firewood for domestic purposes;

(2) any person or body referred to in the first paragraph that buys standing timber in inventory with the timber marketing board. Despite the foregoing, paragraphs 1 to 4, 6 and 7 of section 8 and sections 11, 12 and 30 apply to that person or body.

§2. Definitions

2. In this Regulation, unless the context indicates otherwise,

“culler” means any natural person who holds a licence issued under the Cullers Act (chapter M-12.1); (*mesureur de bois*)

“harvest” means cutting, lopping, hauling, removing and topping of timber; (*récolte*)

“harvest year” means the period between 1 April and 31 March of the following year; (*année de récolte*)

“lot” means spread timber, a pile of timber, scattered timber or pieces of timber; (*lot*)

“solid volume” means the actual volume of a piece of timber; (*volume solide*)

“volume table” means a table that makes it possible to determine the volume of a piece of timber, using one or more of its other known dimensions; (*tarif de cubage*)

“working day” means a juridical day excluding Saturdays and 24 and 31 December. (*jour ouvrable*)