

(2) to respect the frequency or terms provided for in section 17 as to the sending of the results referred to in that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

31. Every person who fails to send the results referred to in section 17 to the Minister commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

32. Every person who contravenes section 18, 19, 20 or 24 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

33. Every person who

(1) contravenes section 13 or 14 or fails to take the measurements provided for in section 15 according to the prescribed conditions,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is incomplete, false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

34. Every person who contravenes section 4, 6, 9 or 11 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

35. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2550

Draft Regulation

Environment Quality Act
(chapter Q-2)

Motor vehicle traffic in certain fragile environments — 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 motor vehicle traffic in certain fragile environments, appearing below, may be made by the Government on the expiry of 60 days following this publication.

No penal sanction is currently provided directly in the Regulation since section 109 of the Environment Quality Act, which is revoked but the application of which is transitionally maintained in force in accordance with section 61 of the Act to amend the Environment Quality Act in order to reinforce compliance, provides fines in cases of offences to regulations that do not provide any specifically.

The draft Regulation proposes to introduce two new divisions creating monetary administrative penalties and penal sanctions applicable in the event of contravention of requirements related to the good working order of any equipment used or installed to abate the emission, deposit, issuance or discharge of contaminants into the environment. The new divisions also provide amounts for the monetary administrative penalties and the applicable penalties so that they are in keeping with those referred to in the Environment Quality Act, taking into account the objective seriousness of non-compliance and its potential consequences on human health or the environment. Consequently, the draft Regulation proposes a significant increase in all the fines.

Further information on the draft Regulation may be obtained by contacting Édith Tremblay, regional director, Direction régionale de l'analyse et de l'expertise du Saguenay-Lac-St-Jean, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 3950, boulevard Harvey, 4^e étage, Jonquière (Québec) G7X 8L6; telephone: 418 695-7883, extension 305; fax: 418 695-8822; email: edith.tremblay@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 Édith Tremblay at the above address.

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

Regulation to amend the Regulation respecting motor vehicle traffic in certain fragile environments

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting motor vehicle traffic in certain fragile environments (chapter Q-2, r. 9) is amended by inserting the following after section 6:

“**6.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who uses a motor vehicle other than a snowmobile

(1) on the dunes in Îles-de-la-Madeleine, except on designated trails developed in accordance with the law, or on any other dunes in the domain of the State, as prohibited by section 2;

(2) in peat bogs in the domain of the State situated in the areas referred to in the first paragraph of section 3, as prohibited by that section;

(3) on the beaches, offshore bars, in marshes and swamps situated in the areas referred to in the first paragraph of section 4, as prohibited by that section.

6.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who organizes or participates in a motor vehicle race, rally or competition in a marsh, swamp or peat bog, or on a dune, offshore bars or a beach, as prohibited by section 1.

6.3. Every person who contravenes section 2, 3 or 4 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

6.4. Every person who contravenes section 1 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.”

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

2546

Draft Regulation

Environment Quality Act
(chapter Q-2)

Pits and quarries — 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 pits and quarries, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The main purpose of the draft Regulation, in accordance with section 61 of the Act to amend the Environment Quality Act in order to reinforce compliance (2011, chapter 20), is to harmonize the penal provisions of the Regulation respecting pits and quarries with those enacted by the Act and determine the provisions of the Regulation that may give rise to a monetary administrative penalty if they are not complied with.

No penal sanction is currently provided directly in the Regulation since section 109 of the Environment Quality Act, which is revoked but the application of which is transitionally maintained in force in accordance with section 61 of the Act to amend the Environment Quality Act in order to reinforce compliance, provides fines in cases of offences to regulations that do not provide any specifically.

The draft Regulation proposes to introduce two new divisions creating monetary administrative penalties and penal sanctions applicable in the event of contravention of requirements related to the good working order of any equipment used or installed to abate the emission, deposit, issuance or discharge of contaminants into the environment. The new divisions also provide amounts for the monetary administrative penalties and the applicable penalties so that they are in keeping with those referred to in the Environment Quality Act, taking into account the objective seriousness of non-compliance and its potential consequences on human health or the environment. Consequently, the draft Regulation proposes a significant increase in all the maximum fines, an adjustment of all the minimum fines and, for certain offences considered to be more serious, terms of imprisonment.

Lastly, the draft Regulation proposes two technical amendments.

Further information on the draft Regulation may be obtained by contacting Pierre Paquin, regional director, Direction régionale de l'analyse et de l'expertise de l'Estrie et de la Montérégie, Ministère du Développement