

## DIVISION X PENAL SANCTIONS

### 64. Every person who

(1) contravenes section 6, the first paragraph of section 20, section 24, 28, 31, 36, 38, 39, 40 or 41, the first paragraph of section 43 or section 45, 52, 53 or 56,

(2) fails to install a dust collecting apparatus linked to a dust collector system in accordance with section 32,

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.

65. Every person who contravenes section 30 or 54 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.

### 66. Every person who

(1) contravenes section 2 or 11, the third paragraph of section 14, section 15, the second paragraph of section 20 or 43 or section 44 or 46,

(2) fails to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any territory zoned for residential, commercial or mixed purposes provided for in section 10,

(3) 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 \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$10,000 to \$3,000,000.

### 67. Every person who

(1) establishes a new pit or quarry, the operating site of which is located in a territory zoned for residential, commercial or mixed purposes, in contravention of section 10;

(2) contravenes the first or second paragraph of section 14 or section 16, 17, 18, 19, 21 or 57,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

### 68. Every person who

(1) contravenes the second paragraph of section 12, section 22 or 23, the first or second paragraph of section 25 or section 33 or 34,

(2) fails to comply with the standard for the emission of particulate matter relating to the dust collecting apparatus linked to a dust collector system prescribed by section 32,

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.

69. 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.”

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

2545

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Protection of waters from pleasure craft discharges — 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 the protection of waters from pleasure craft discharges, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The 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 the protection of waters from pleasure craft discharges 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.

The draft Regulation proposes to amend the penal provisions provided for in the current Regulation. It provides the penalties applicable in the event of contravention of provisions of the Regulation, 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 and an adjustment of all the minimum fines. Moreover, the draft Regulation does not introduce any provisions concerning monetary administrative penalties, taking into account section 115.28 of the Environment Quality Act and the fact that the Regulation respecting the protection of waters from pleasure craft discharges is enforceable by the municipalities.

Further information on the draft Regulation may be obtained by contacting Hélène Proteau, regional director, Direction régionale de l'analyse et de l'expertise de Montréal, Laval, Lanaudière et Laurentides, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 5199, rue Sherbrooke Est, bureau 3860, Montréal (Québec) H1T 3X9; telephone: 514 873-3636, extension 244; fax: 514 873-5662; email: helene.proteau@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 Hélène Proteau at the above address.

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

## Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges

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

**1.** The Regulation respecting the protection of waters from pleasure craft discharges (chapter Q-2, r. 36) is amended by replacing section 6 by the following:

“6. Every person who contravenes section 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.

**6.1.** Every person who contravenes section 2 or 5 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*.

2564

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Pulp and paper mills — 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 pulp and paper mills, 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 pulp and paper mills 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.

The draft Regulation proposes to amend the penal provisions provided for in the current Regulation and add monetary administrative penalties. It also provides amounts for the monetary administrative penalties and the penalties applicable in the event of contravention of provisions of the Regulation 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 amends certain sections or schedules to revoke certain provisions that are obsolete or to correct technical or terminology errors.

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 durable, de l'Environnement, de la Faune et des Parcs, 201, Place Charles-Le Moyne, 2<sup>e</sup> étage, Longueuil (Québec) J4K 2T5; telephone: 450 928-7607, extension 225; fax: 450 928-7755; email: pierre.paquin@mddefp.gouv.qc.ca