

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 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.”

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

2802

Gouvernement du Québec

O.C. 664-2013, 19 June 2013Environment Quality Act
(chapter Q-2)**Greenhouse gas emissions from motor vehicles
— Amendment**

Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 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 Sustainable Development, Environment, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles, attached to this Order in Council, be made.

JEAN ST-GELAIS,
*Le greffier du Conseil exécutif***Regulation to amend the Regulation
respecting greenhouse gas emissions from
motor vehicles**Environment Quality Act
(chapter Q-2, ss. 53, 115.27 and 115.34)

1. The Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17) is amended by inserting the following after section 22:

**“CHAPTER III.1
MONETARY ADMINISTRATIVE PENALTIES**

22.1. 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 fails

(1) to send to the Minister and to the beneficiary of the trading of credits allocated by the Minister a written notice containing the information prescribed by the first paragraph of section 14;

(2) to file with the Minister, not later than 31 August of each year, an annual report containing the information and data prescribed by the first paragraph of section 21 or to have the information certified and signed by an independent third person in accordance with the second paragraph of that section;

(3) to comply with the conditions of form or transmission of the report provided for in the third paragraph of section 21;

(4) to keep on the conditions and for the period provided for in section 22 the supporting documents and the records referred to in that section.

22.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who

(1) sells or trades a credit obtained pursuant to this Regulation otherwise than for the purposes referred to in the second paragraph of section 14;

(2) fails to pay the Minister, not later than 31 August of the fifth year following the model year, the fees payable for vehicles of a given model year in accordance with section 19.”

2. The heading of Chapter IV before section 23 is replaced by “PENAL SANCTIONS AND FINAL AND TRANSITIONAL”.

3. Section 23 is replaced by the following:

“**23.** Every person who contravenes the first paragraph of section 14, section 21 or 22 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.

23.1. Every person who contravenes the second paragraph of section 14 or section 19 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.

23.2. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is 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 \$15,000 to \$3,000,000.”

4. 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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Gouvernement du Québec

O.C. 665-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Burial of contaminated soils — Amendment

Regulation to amend the Regulation respecting the burial of contaminated soils

WHEREAS, under section 70 of the Environment Quality Act (chapter Q-2), the Government may make regulations to regulate the elimination of residual materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the burial of contaminated soils was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 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 Sustainable Development, Environment, Wildlife and Parks: