

47.3. Every person who contravenes section 1.4 or 5.1 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

47.4. 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.”

18. Section 48 is revoked.

19. 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. 668-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Waterworks and sewer services — Amendment

Regulation to amend the Regulation respecting waterworks and sewer services

WHEREAS, under paragraphs *o*, *o.1* and *o.2* of section 46 of the Environment Quality Act (chapter Q-2), the Government may make regulations to establish the duties, rights and obligations of users and of the operators of a waterworks or sewer system and establish classes of users and operators;

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 waterworks and sewer services (chapter Q-2, r. 21);

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 waterworks and sewer services 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 waterworks and sewer services, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting waterworks and sewer services

Environment Quality Act
(chapter Q-2, s. 46, pars. *o*, *o.1* and *o.2*, and
ss. 115.27 and 115.34)

1. The Regulation respecting waterworks and sewer services (chapter Q-2, r. 21) is amended in section 3 by striking out “and comply with the construction standards prescribed by this Regulation”.

2. The first paragraph of section 24 is replaced by the following:

“**24.** Right to service: Every operator of a waterworks or sewer service must connect to the operator’s system, for domestic consumption, every immovable along or in the immediate vicinity of the system following the request of the owner or the person who occupies or has possession of the immovable.”

3. Section 28 is revoked.

4. Section 52 is amended by replacing “24 hours” by “30 days”.

5. The following is inserted after section 57:

**“DIVISION VII
MONETARY ADMINISTRATIVE PENALTIES**

58. 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 fails

(1) to forward to the Minister a copy of the document referred to in section 23, in the case and within the period provided for in that section;

(2) to use the forms prescribed by section 33 for preparing the notices referred to in that section;

(3) to comply with the conditions provided for in section 34 regarding the content of the prior notice;

(4) to forward to the operator, in accordance with the second paragraph of section 34, a copy of the letter of objections referred to in that section;

(5) to carry identification as prescribed by the second paragraph of section 37;

(6) to submit an application for the transfer of a permit on the form prescribed by section 50;

(7) to submit to the Minister a report of operations in accordance with the frequency provided for and using the form prescribed by section 51;

(8) to notify the Minister of a change of address or telephone number within the period provided for in section 52;

(9) to submit the report provided for in section 51 on the form prescribed by section 55 in the case provided for in that section.

59. 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

(1) fails to draw up or keep a plan of his or her system, keep it up-to-date or plot on the plan guide marks to readily locate underground conduits and valves in accordance with section 11;

(2) suspends service to a subscriber without having met the prior conditions provided for in section 32.

60. 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 fails

(1) to ensure that every construction or installation of waterworks and sewer equipment comply with the plans and specifications referred to in the authorization issued by the Minister in accordance with section 3;

(2) to make a connection according to the conditions provided for in section 14;

(3) to ensure impartial service among subscribers in accordance with section 19;

(4) to prevent any consumption of water in the case provided for in section 22 in accordance with the second paragraph of that section;

(5) to connect a building to the waterworks and sewer system in the case and on the conditions provided for in the first paragraph of section 24;

(6) to continue the service to a subscriber on the same conditions as those provided for in an agreement that is renewed under section 26;

(7) to ensure that the pressure of a waterworks system complies with the standards prescribed by section 27;

(8) to reimburse a subscriber proportionately to the duration of the interruption of service, as a reduction in the subscription fee, in accordance with the second paragraph of section 30;

(9) to comply with the amount that may be claimed in the case provided for in the second paragraph of section 36;

(10) to allow access for the needs of the service to the persons referred to in section 37, in accordance with the first paragraph of that section;

(11) to inform the Minister in writing or to give reasons for the decision when ceasing to operate a waterworks and sewer system in accordance with the conditions provided for in section 57.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) modifies the rates or applies new ones without first informing the Minister or without following the procedures prescribed by sections 41 and 42 in contravention of section 40;

(2) applies, for subscribers referred to in section 44, rates that are not uniform in contravention of section 44;

(3) charges an annual rental for a meter greater than 10% of the purchase and installation cost, in contravention of section 46;

(4) collects the payment of subscriptions without complying with the terms prescribed by section 47 and without an agreement to that effect.

61. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to ensure continuous service to subscribers at all times in accordance with section 17;

(2) to comply with the conditions provided for in section 18 relating to the maintenance and repair of a waterworks or sewer system;

(3) to inspect the waterworks or sewer system at the periods provided for in section 20;

(4) to ensure that only persons referred to in section 21 have access to the devices, reservoirs and other installations of a waterworks or sewer service in accordance with that section;

(5) to stop any leak in the system as soon as it is discovered, in accordance with the second paragraph of section 22;

(6) to furnish the flow and pressure for protection against fire where an agreement has been concluded to that effect in accordance with section 25;

(7) to take all necessary steps in case of fire in accordance with section 31;

(8) to continue the service, in the case of objections from the subscriber, for as long as there is no agreement between the parties or no order issued by the Minister in accordance with the second paragraph of section 34;

(9) to restore service as soon as the cause for the interruption or suspension of service no longer prevails, in accordance with the first paragraph of section 36.

The penalty provided for in the first paragraph may also be imposed on any person who suspends or interrupts service to a subscriber where this Regulation does not allow to do so in contravention of section 35.

62. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to notify the Minister without delay or inform the Minister of the measures the person intends to take to remedy the situation in the cases provided for in the first paragraph of section 22;

(2) to comply with an order made by the Minister under the second paragraph of section 24 or 38.

DIVISION VIII **PENAL SANCTIONS**

63. Every person who

(1) contravenes section 23 or 33, the second paragraph of section 37 or section 50, 51, 52 or 55,

(2) fails to comply with the conditions provided for in section 34 relating to the content of the prior notice,

(3) fails to forward to the operator, in accordance with the second paragraph of section 34, a copy of the letter of objections referred to therein,

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.

64. Every person who contravenes section 11 or suspends service to a subscriber without having met the conditions provided for in section 32 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.

65. Every person who contravenes section 3, 14 or 19, the first paragraph of section 24, section 26, 27 or 30, the second paragraph of section 36, the first paragraph of section 37 or section 40, 44, 46, 47 or 57 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.

Every person who fails to prevent any consumption of water in the case provided for in section 22, in accordance with the second paragraph of that section, also commits an offence and is liable to the same fines.

66. Every person who contravenes section 17, 18, 20, 21, 25, 31, 34 or 35 or the first paragraph of section 36 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.

Every person who fails to stop any leak in the person's system as soon as it is discovered in accordance with the second paragraph of section 22 also commits an offence and is liable to the same fines.

67. 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.

68. Every person who contravenes the first paragraph of section 22 or fails to comply with an order made by the Minister under the second paragraph of section 24 or 38 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.”

6. 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. 669-2013, 19 June 2013Environment Quality Act
(chapter Q-2)**Prohibit the sale of certain dishwashing detergents
— Amendment**Regulation to amend the Regulation to prohibit the sale
of certain dishwashing detergents

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 to prohibit the sale of certain dishwashing detergents (chapter Q-2, r. 30);

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 to prohibit the sale of certain dishwashing detergents 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 to prohibit the sale of certain dishwashing detergents, attached to this Order in Council, be made.

JEAN ST-GELAIS,
*Clerk of the Conseil exécutif***Regulation to amend the Regulation to
prohibit the sale of certain dishwashing
detergents**Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation to prohibit the sale of certain dishwashing detergents (chapter Q-2, r. 30) is amended by inserting the following after section 3:

“**3.1.** A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails to determine the phosphorus content of a dishwashing detergent in accordance with the second paragraph of section 3.

3.2. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who offers for sale, sells,