

Gouvernement du Québec

O.C. 672-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Snow elimination sites
— Amendment**

Regulation to amend the Regulation respecting snow elimination sites

WHEREAS, under subparagraphs *c*, *e* and *m* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, define standards for the protection and quality of the environment and determine the terms and conditions whereunder an application for an authorization and an application to amend or renew such an application must be made;

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 snow elimination sites (chapter Q-2, r. 31);

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 snow elimination sites 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 snow elimination sites, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting snow elimination sites**

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *c*, *e* and *m*, and ss. 115.27 and 115.34)

1. The Regulation respecting snow elimination sites (chapter Q-2, r. 31) is amended by replacing section 1 by the following:

“**1.** Snow that is removed and transported for elimination purposes may be placed for final deposit only at an elimination site authorized by the Minister under section 22 of the Environment Quality Act (chapter Q-2).

No person may establish, enlarge, alter or operate an elimination site unless the person has first obtained a certificate of authorization in accordance with the first paragraph.”.

2. Sections 2 and 3 are revoked.

3. The following is inserted before section 4:

“**3.1.** A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) deposits snow that has been removed and transported for elimination purposes at a site other than the snow elimination site authorized in accordance with the first paragraph of section 1;

(2) establishes, enlarges, alters or operates a snow elimination site without having first obtained an authorization from the Minister in accordance with the second paragraph of section 1.”.

4. Section 4 is replaced by the following:

“**4.** Every person who fails to comply with section 1 or, 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.”

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

2811

Gouvernement du Québec

O.C. 673-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Reuse of water containers with a capacity exceeding 8 litres

—Amendment

Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

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 the reuse of water containers with a capacity exceeding 8 litres (chapter Q-2, r. 44);

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 reuse of water containers with a capacity exceeding 8 litres 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 the reuse of water containers with a capacity exceeding 8 litres, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

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

1. The Regulation respecting the reuse of water containers with a capacity exceeding 8 litres (chapter Q-2, r. 44) is amended by inserting the following after section 2:

“**2.1.** 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 markets water intended for human consumption in containers with a capacity exceeding 8 litres that do not satisfy the condition prescribed by paragraph 3 of section 2.

2.2. 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 markets water intended for human consumption in containers with a capacity exceeding 8 litres that do not satisfy the conditions prescribed by paragraph 1 or 2 of section 2.”

2. Section 3 is replaced by the following

3. Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres that do not comply with the condition prescribed by paragraph 3 of section 2 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.

3.1. Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres that do not comply with the conditions prescribed by paragraph 1 or 2 of section 2 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.”