

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.

**73.3.** 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 Chapter 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*.

2824

Gouvernement du Québec

**O.C. 686-2013, 19 June 2013**

Environment Quality Act  
(chapter Q-2)

### **Charges payable for the disposal of residual materials**

#### **— Amendment**

Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials

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 charges payable for the disposal of residual materials (chapter Q-2, r. 43), amended by Order in Council 547-2013 dated 5 June 2013;

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 charges payable for the disposal of residual materials 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 charges payable for the disposal of residual materials, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials**

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

**1.** The Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) is amended by inserting the following after section 10:

“**10.1.** 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 the information provided for in the second paragraph of section 5 within the periods and on the conditions provided for therein;

(2) to notify the Minister if no charge is payable, within the periods and on the conditions provided for in the third paragraph of section 5;

(3) to sign the document and attest to the accuracy of the particulars it contains as prescribed in the fourth paragraph of section 5;

(4) to enter in a log the information provided for in the first paragraph of section 8 or to express the quantities in weight in accordance with the second paragraph of that section;

(5) to keep the logs at the disposal site or to make them available to the Minister for the period prescribed by the third paragraph of section 8;

(6) to send to the Minister an assessment of the quantity of residual materials disposed of according to the frequency and conditions provided for in section 9.

**10.2** 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 fails

(1) to pay disposal charges and additional charges in the amounts fixed in section 3 or to send the charges according to the frequency and conditions provided for in the first paragraph of section 5;

(2) to weigh on the premises, upon receipt, all materials received at the disposal site as prescribed by the first paragraph of section 7;

(3) to install, use and maintain devices for weighing so as to provide reliable data as prescribed by the second paragraph of section 7 or to calibrate the devices at the frequency provided for therein;

(4) in the case of materials received, sorted and recovered for reclamation purposes, to weigh the recovered materials before they are transported off-site as prescribed by the third paragraph of section 7.»

**2.** Section 11 is replaced by the following:

“**11.** Every person who contravenes the second, third or fourth paragraph of section 5 or section 8 or 9 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.

**11.1.** Every person who contravenes section 3, the first paragraph of section 5 or section 7 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.

**11.2** 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.”

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

Gouvernement du Québec

**O.C. 687-2013**, 19 June 2013

Environment Quality Act  
(chapter Q-2)

**Charges payable for the use of water  
— Amendment**

Regulation to amend the Regulation respecting the charges payable for the use of water

WHEREAS, under subparagraphs *e* and *e.1* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment and establish measures providing for the use of economic instruments;

WHEREAS, under paragraph *s* of section 46 of the Act, the Government may make regulations to regulate withdrawals of surface water or groundwater;

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 charges payable for the use of water (chapter Q-2, r. 42.1);

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 charges payable for the use of water 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;