

11. For the purposes of sections 8.2 and 8.4 of the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials (chapter Q-2, r. 10) for the year 2013, the Société québécoise de récupération et de recyclage must deduct from the net cost of the services provided and declared by a municipality for that year, an amount equivalent to 7.5% of the net cost.

Likewise, the Société must subtract from the total quantity of materials subject to compensation declared by a municipality a quantity equivalent to 7.5% of that total quantity.

12. 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. 1327-2013, 11 December 2013

An Act respecting the Régie de l'énergie
(chapter R-6.01)

Green Fund
— **Annual duty payable**
— **Amendment**

CONCERNING the Regulation to amend the Regulation respecting the annual duty payable to the Green Fund

WHEREAS, pursuant to subparagraph 9 of the first paragraph of section 114 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Régie may make regulations determining the method of calculation and terms of payment of the annual duty on natural gas and fuel payable under Chapter VI.3, the rate of interest on sums due and the penalties exacted for failure to pay;

WHEREAS, pursuant to the fifth paragraph of section 114 of the said Act, the method of calculation of the annual duty may provide for the repayment of any overpayments made by a distributor;

WHEREAS, pursuant to the seventh paragraph of section 114 of the said Act, it is incumbent upon the Régie de l'énergie to determine the sums to be repaid to a distributor;

WHEREAS, pursuant to the second paragraph of section 85.36 of the said Act, the method of calculation of the annual duty payable to the Green Fund must exclude the quantity of carbon dioxide (CO₂) emissions generated by the combustion of the volumes of natural gas and fuel that a distributor states it distributed to, sold to or traded with an emitter and the quantity of carbon dioxide (CO₂) emissions generated by the combustion of the volumes of fuel that a distributor states it brought in for its consumption even though it is also an emitter referred to in subparagraph *a* of subparagraph 2 of the sixth paragraph;

WHEREAS, pursuant to section 115 of said Act, the regulations made by the Régie de l'énergie must be submitted to the Government, which may approve them with or without amendment;

WHEREAS, the government approved the Regulation respecting the annual duty payable to the Green Fund (chapter R-6.01, r. 6);

WHEREAS amendments are necessary to ensure that the method of calculation of the annual duty payable to the Green Fund is consistent with Chapter VI.3 of the Act respecting the Régie de l'énergie;

WHEREAS the Régie de l'énergie has made the Regulation to amend the Regulation respecting the annual duty payable to the Green Fund;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the annual duty payable to the Green Fund was published in Part 2 of the *Gazette officielle du Québec* of 4 September 2013, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources:

THAT the Regulation to amend the Regulation respecting the annual duty payable to the Green Fund, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the annual duty payable to the Green Fund

An Act respecting the Régie de l'énergie (chapter R-6.01, ss. 85.36 and 114, 1st par., subpar. 9, 5th par. and 7th par.)

1. The Regulation respecting the annual duty payable to the Green Fund (chapter R-6.01, r. 6) is amended, in section 1, by inserting “(the Act)” after “(chapter R-6.01)”.

2. Section 2 is amended by replacing everything following the word “is” by “the rate published in the *Gazette officielle du Québec* by the Régie de l'énergie pursuant to section 85.36.2 of the Act.

3. Section 3 is struck out.

4. Section 4 is amended

(1) by inserting “Subject to the second paragraph,” at the start of the first paragraph;

(2) by replacing the second paragraph by the following:

“The method of calculation provided for in the first paragraph must exclude the quantity of CO₂ emissions generated by the combustion of volumes of natural gas and fuel, other than gasoline or diesel, that a distributor states, pursuant to section 85.36 of the Act, it distributed to, sold to or traded with an emitter and the quantity of CO₂ emissions generated by the combustion of volumes of fuel, other than gasoline or diesel, that a distributor states, pursuant to that section, it brought in for its consumption even though it is an emitter referred to in subparagraph *a* of subparagraph 2 of the sixth paragraph of that section.”;

(3) by adding the following paragraph at the end:

“If the revision of the notice of payment referred to in the third paragraph of section 85.36 of the Act shows that a distributor has made an overpayment, the sums determined by the Régie will be repaid to the distributor.”.

5. Section 6 is amended

(1) by replacing “the annual determination of the applicable rate” by “it has sent the notice of payment referred to in section 85.38 of the Act”;

(2) by adding the following paragraph at the end:

“Notwithstanding the preceding paragraph, any variation in the volumes excluded by reason of a statement referred to in the third paragraph of section 85.36 of the

Act established by the Régie after it has sent the revised notices of payment referred to in that paragraph will be subject to a notice of payment indicating the amount of the annual duty payable to the Green Fund by the distributor pursuant to section 1. The notice of payment will be sent, at the latest, with the notice of payment for the payment payable on 31 December 2014.”

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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