

Regulations and other Acts

Gouvernement du Québec

O.C. 477-2018, 11 April 2018

An Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

Ministère du Développement durable, de l'Environnement et des Parcs
— Terms and conditions for the signing of certain documents
— Amendments

Amendments to the Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs

WHEREAS, under the second paragraph of section 7 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001), no deed, document or writing is binding on the Minister of Sustainable Development, the Environment and the Fight Against Climate Change or may be attributed to the Minister unless it is signed by the Minister, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government;

WHEREAS the Government made the Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001, r. 1);

WHEREAS, primarily to give effect to the amendments made to the Environment Quality Act (chapter Q-2) by the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4) and by the Act respecting the conservation of wetlands and bodies of water (2017, chapter 14), it is expedient to amend those Terms;

WHEREAS, under paragraph 1 of section 3 of the Regulations Act (chapter R-18.1), that Act does not apply to proposed regulations or regulations regulating in particular internal management;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT the amendments to the Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs, attached hereto, be made.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Amendments to the Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs

An Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

1. The Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001, r. 1) are amended by replacing sections 1 to 3 by the following:

“1. Subject to the other conditions of validity that may be prescribed by law, a member of the personnel of the Ministère du Développement durable, de l'Environnement et des Parcs or the holder of a position in that department whose function is referred to below is authorized, to the extent the member is acting within the limits of his or her duties, to sign alone and with the same authority as the Minister, any document described in the following provisions.

The same applies where those documents are signed by a person authorized in writing to temporarily exercise any of the functions described below.

2. Assistant deputy ministers, directors general, the secretary general, directors, regional directors and assistant directors are authorized to sign any document relating to

(1) the issue and, if applicable, the renewal or revision

(a) of any authorization referred to in section 22 of the Environment Quality Act (chapter Q-2);

(b) of any depollution attestation referred to in section 31.33 of that Act;

(c) of any approval of a rehabilitation plan to which applies section 31.46 of that Act;

(d) of any approval referred to in section 32.7, 33.1 or 124.3 of that Act;

(e) of any permit referred to in a regulation made pursuant to paragraph *d* of section 87 or paragraph *a* of section 92 of that Act; and

(f) any accreditation or certification referred to in section 118.6 of that Act;

(2) the cessation of any authorization or accreditation referred to in section 22, 31.1 or 118.6 of that Act;

(3) an amendment to or suspension or revocation of, at the request of the holder, any authorization referred to in section 22 of that Act and any approval, depollution attestation, accreditation or certification referred to in this section;

(4) an amendment, at the initiative of the Minister, of any authorization referred to in section 22 of that Act and any approval, depollution attestation, accreditation or certification referred to in this section, except under the second paragraph of section 31.79.1 and sections 115.5 to 115.7 of that Act;

(5) a suspension, at the initiative of the Minister, of any authorization referred to in section 22 of that Act and any approval, depollution attestation, accreditation or certification referred to in this section;

(6) a refusal to issue, amend or, if applicable, renew any authorization referred to in section 22 of that Act and any approval, depollution attestation, accreditation or certification referred to in this section; and

(7) any decision made under section 23.1 or 31.0.12 of that Act, the first paragraph of section 31.51, the second paragraph of section 46.0.5 or section 124.4 of that Act.

2.1. The persons referred to in section 2 are also authorized to sign any document relating to

(1) the issue of any authorization referred to in section 18 of the Act respecting threatened or vulnerable species (chapter E-12.01);

(2) the issue or renewal of any permit referred to in section 2 of the Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (chapter V-5.001);

(3) the issue of any permit, certificate or attestation referred to in section 34, 40, 50 or 125 of the Pesticides Act (chapter P-9.3) and its renewal or transfer under section 39, 43 or 55 of that Act;

(4) the placing at the disposal of Hydro-Québec of immovables or water powers pursuant to section 32 of the Hydro-Québec Act (chapter H-5);

(5) the issue of any authorization referred to in section 34 or 48 of the Natural Heritage Conservation Act (chapter C-61.01);

(6) the exercise of the rights and powers referred to in section 13.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001);

(7) the taking of possession of a building under section 62 of the Act respecting the lands in the domain of the State (chapter T-8.1);

(8) an amendment to or revocation of, at the request of the holder, any document referred to in this section; and

(9) a refusal to issue any document referred to in this section.

2.2. Assistant deputy ministers and directors general are authorized to sign any document relating to

(1) the issue, suspension or revocation of any authorization referred to in section 31.65 of the Environment Quality Act (chapter Q-2);

(2) a refusal to issue such authorization.

3. Assistant deputy ministers and the director in charge of dam safety are authorized to sign any document relating to

(1) the issue of any authorization or approval referred to in section 5 or 9 of the Dam Safety Act (chapter S-3.1.01) or a refusal of authorization or approval;

(2) any decision made under section 14 of that Act; and

(3) the issue of any approval referred to in section 17 or 23 of that Act, a refusal of approval, and any other decision made pursuant to those sections.”

2. Section 6 is amended by replacing paragraph 8 by the following:

“(8) documents relating to grants, except the document promising the grant;”

3. These amendments come into force on the date of their publication in the Gazette officielle du Québec.