

Draft Regulations

Draft Regulation

Environment Quality Act
(chapter Q-2)

Fees payable under the Environment Quality Act — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Ministerial Order concerning the fees payable under the Environment Quality Act, appearing below, may be made by the Minister on the expiry of 45 days from this publication.

The draft Regulation sets the fees payable under the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) for the amendment of an authorization under section 30 of the Environment Quality Act (chapter Q-2), by a person or municipality holding an authorization issued by the Minister.

The draft Regulation also sets the fees payable, under the Ministerial Order, by a person or municipality that files a declaration of compliance under section 31.0.6 of the said Act.

Lastly, the draft Regulation makes technical and terminological amendments to the Ministerial Order to ensure the accuracy of the references it contains to the Environment Quality Act (chapter Q-2) and the concordance of the terms used.

The draft Regulation will have an impact on enterprises, citizens, government departments and bodies and municipalities that file an application for the amendment of an authorization issued under section 22 of the Environment Quality Act or file a declaration of compliance with the Minister under section 31.0.6 of the said Act. In the latter case, the amendment made to the Ministerial Order constitutes relief, since the fee payable for filing a declaration of compliance is less than the fee payable for the issue of an authorization.

Further information on the draft Regulation may be obtained by contacting Geneviève Rodrigue, Direction des dossiers horizontaux et des études économiques, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 675, boulevard René Lévesque Est, 7^e étage, boîte 97, Québec (Québec)

G1R 5V7, by telephone at 418-521-3929, extension 4089, by E-mail at genevieve.rodrigue@environnement.gouv.qc.ca or by fax at 418-644-3386.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period using the contact information given above.

BENOIT CHARETTE,
*Minister of the Environment and the
Fight Against Climate Change*

Regulation to amend the Ministerial Order concerning the fees payable under the Environment Quality Act

Environment Quality Act
(chapter Q-2, a. 95.3)

1. The Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) is amended in section 2

(1) by replacing “d’un certificat d’autorisation” in the French text preceding paragraph 1 by “d’une autorisation”;

(2) by inserting the following subparagraph after subparagraph *d* of paragraph 1:

“(d.1) the operation of an industrial establishment referred to in subparagraph 1 of the first paragraph of section 22 of the Act: \$11,342;”;

(3) by inserting “referred to in the second paragraph of section 22 of the Act” after “establishment” in the text preceding subparagraph *i* of subparagraph *e* of paragraph 1;

(4) by replacing, in subparagraph *i* of subparagraph *e* of paragraph 1, “a certificate of authorization” by “an authorization” and “fourth paragraph of section 22” by “third paragraph of section 24”;

(5) by replacing subparagraphs *h*, *i* and *j* of paragraph 1 by the following subparagraphs:

“(h) the establishment of a pulp and paper mill or sawmill residual materials landfill, or the amendment of an authorization to increase capacity at such a landfill: \$6,793; the amendment of an authorization for any other reason: \$3,396;

(i) the establishment of a snow disposal site, or the amendment of an authorization to increase capacity at such a site: \$1,358; the amendment of an authorization for any other reason: \$679;

(j) the establishment of a contaminated soil landfill, or the amendment of an authorization to increase capacity at such a landfill: \$6,793; the amendment of the authorization for any other reason: \$3,396; to which fees of \$2,407 are added if environmental emission objectives apply to the project owing to wastewater being discharged into the environment;”;

(6) by replacing “for any alteration of such a facility” in subparagraph *k* of paragraph 1 by “the amendment of an authorization for such a facility”;

(7) by replacing subparagraph *l* of paragraph 1 by the following subparagraph:

“(l) the establishment of a contaminated soil storage site or transfer station, or the amendment of an authorization to increase capacity at such a site or station: \$6,793; the amendment of an authorization for any other reason: \$3,396;”;

(8) by replacing, in subparagraph *m* of paragraph 1, “for an alteration with increase in” by “the amendment of the authorization to increase the” and “for any other alteration of such as landfill or facility” by “the amendment of the authorization for any other reason”;

(9) by replacing, in subparagraph *n* of paragraph 1, “for an alteration with increase in capacity” by “the amendment of the authorization to increase the” and “for any other alteration of such a landfill” by “the amendment of the authorization for any other reason”;

(10) by replacing “for any alteration of such a landfill or centre” in subparagraph *o* of paragraph 1 by “the amendment of the authorization for any reason”;

(11) by replacing “the alteration without increase in capacity of” in subparagraph *b* of paragraph 2 by “the amendment without increase in capacity of the authorization for”;

(12) by replacing “the third paragraph of section 2 of the Regulation respecting environmental impact assessment and review (chapter Q-2, r. 23)” in subparagraph *c* of paragraph 2 by “subparagraph 2 of the third paragraph of section 1 of Part II of Schedule 1 of the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1)”.

2. Section 4 of the Ministerial Order is amended by replacing “section 32” in the part preceding paragraph 1 by “subparagraph 3 of the first paragraph of section 22”.

3. Section 5 of the Ministerial Order is amended

(1) by replacing “section 48” in the first paragraph by “subparagraph 6 of the first paragraph of section 22”;

(2) by replacing “a certificate of authorization” in the second paragraph by “authorization”.

4. Section 6 of the Ministerial Order is amended

(1) by replacing “the first paragraph of section 70.8” by “subparagraph 5 of the first paragraph of section 22”;

(2) by replacing “12” by “24”;

(3) by replacing “of the first paragraph” by “of the second paragraph”.

5. Section 8 of the Ministerial Order is amended

(1) by replacing “, in accordance with section 31.75 of the Act, or modification” in the part of the first paragraph preceding subparagraph 1 by “under subparagraph 2 of the first paragraph of section 22 of the Act, or for an amendment of authorization under section 30 of the Act.”;

(2) by inserting “referred to in one of subparagraphs *a* to *c* of paragraph 1 of section 31.75 of the Act or in section 5 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) and” after “withdrawal” in subparagraph 1 of the first paragraph;

(3) by striking out the second paragraph.

6. Section 8.1 of the Ministerial Order is amended

(1) by inserting “referred to in one of subparagraphs *a* to *c* of paragraph 1 of section 31.75 of the Act or in section 5 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) and” after “withdrawal” in subparagraph 1 of the first paragraph;

(2) by inserting “to which section 30 of the Act applies” after “withdrawal” in the second paragraph.

7. Section 10.1 of the Ministerial Order is amended by replacing the words “subdivision”, “Division” and “Chapter” wherever they occur in the third paragraph by the words “Division”, “Chapter” and “Title”, respectively.

8. Section 13.1 of the Ministerial Order is amended

(1) by inserting “the second paragraph of” after “amendment under” in the first paragraph;

(2) by replacing the words “subdivision”, “Division” and “Chapter” wherever they occur in the third paragraph by the words “Division”, “Chapter” and “Title”, respectively.

9. Chapter III of the Ministerial Order is repealed.

10. Section 14.1 of the Ministerial Order is amended

(1) by replacing “for a project activity referred to in Chapter III of the Regulation respecting sand pits and quarries (*insert the reference to the Compilation of Québec Laws and Regulations*)” by “unless a provision of a law or of another regulation sets a different fee for such a declaration”;

(2) by adding the following paragraph:

“The fees set in the first paragraph are not payable when the declaration of compliance concerns an activity referred to in section 39 or 40 of the Agricultural Operations Regulation (chapter Q-2, r. 26).”

11. Section 16 of the Ministerial Order is amended by replacing “116.2” by “124.3”.

12. The heading of Chapter V of the Ministerial Order is replaced by “MANAGEMENT OF HAZARDOUS MATERIALS AND FORMER RESIDUAL MATERIALS ELIMINATION SITES”.

13. Section 17 of the Ministerial Order is amended

(1) by replacing “section 65 of the Act for permission to use, for construction purposes” in the part preceding paragraph 1 by “paragraph 9 of section 22 of the Act for authorization for a construction on”;

(2) by inserting “or for any work intended to change the use of such land” after “materials” in the part preceding paragraph 1.

14. Section 18 of the Ministerial Order is amended

(1) by replacing “a permit issued under” in the part preceding paragraph 1 by “authorization under subparagraph 5 of the first paragraph of section 22 of the Act for an activity referred to in the first paragraph of”;

(2) by replacing “materials that are used, spent or outdated, or that appear on a list established for that purpose by regulation or belong to a class mentioned on the list” in subparagraph *a* of paragraph 1 by “residual materials”;

(3) by replacing “materials described in paragraph 2 of section 70.9 of the Act” in subparagraph *b* of paragraph 1 by “residual materials”;

(4) by inserting “determined by government regulation” after “site” in subparagraph *a* of paragraph 2”;

(5) by replacing “materials that are used, spent or outdated, or that appear on a list established for that purpose by regulation or belong to a class mentioned on the list” in subparagraph *b* of paragraph 2 by “residual materials”;

(6) by replacing “materials described in subparagraph 2 of section 70.9 of the Act” in subparagraph *c* of paragraph 2 by “residual materials”.

15. Section 19 of the Ministerial Order is amended by replacing “a permit under section 70.16” in the part preceding paragraph 1 by “authorization under section 30”.

16. The heading of Chapter VI of the Ministerial Order is replaced by “COMBINING OF AUTHORIZATIONS”.

17. Section 20 of the Ministerial Order is amended

(1) by replacing the part preceding paragraph 1 by the following

“**20.** The fees for an application to combine, in a single authorization, several authorizations issued under section 22 of the Act before 23 March 2018 and referred to in section 296 of 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), are as follows:”;

(2) by replacing the words “certificates of authorization” wherever they appear in paragraphs 1 to 4 by the word “authorizations”.

18. The Ministerial Order is amended by adding the following section after the heading of Chapter VII:

“**20.1.** The fee for an application, under section 30 of the Act, for the modification of an authorization is equivalent, according to the activity covered by the application, to the fee payable for an application for authorization for that activity, unless a provision of the Order sets a different fee for the application.

The fee does not apply to an application for modification for a project that relates exclusively to

(1) an agricultural activity, including fish-farming;

(2) the modification without increase in capacity of authorization for a solid waste elimination or storage site governed by the Regulation respecting solid waste (chapter Q-2, r. 13);

(3) wildlife development to which subparagraph 2 of the second paragraph of section 1 of Part II of Schedule 1 of the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r.23.1) applies;

(4) work that must be carried out by a regional county municipality to restore normal water flow in a water-course pursuant to section 105 of the Municipal Powers Act (chapter C-47.1); or

(5) work or activities arising from a state of emergency declared by a local municipality in accordance with section 42 of the Civil Protection Act (chapter S-2.3).”

19. Section 21 of the Ministerial Order is amended

(1) by replacing, in the first paragraph, “under the Act or its regulations” by “under the Act or a regulation”, and by replacing “an authorization, approval, certificate, permit or permission” by “an approval, certificate or permit”;

(2) by striking out the third paragraph.

20. Section 22 of the Ministerial Order is amended

(1) by replacing “The fee” by “Subject to the second paragraph, the fee”;

(2) by adding the following paragraph:

“The fee for the renewal of authorization under section 31.18 of the Act is \$5,672.”

21. Section 25 of the Ministerial Order is amended by replacing “or, simultaneously, of one or more authorizations under section 22, 32 or 48” by “under section 22”.

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

103939

Draft Regulation

An Act respecting legal aid and the provision of certain other legal services
(chapter A-14)

Legal aid — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting legal aid, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the rules on the determination of income for the purposes of financial eligibility for legal aid that are in the Regulation respecting legal aid (chapter A-14, r. 2) to deduct from a parent’s or child’s income the amounts for support received for the benefit of a child, up to \$4,200 a year per child.

Further information on the draft Regulation may be obtained by contacting Sarah Juneau, Direction des orientations, des affaires législatives et de la refonte, Ministère de la Justice, 1200, route de l’Église, Québec (Québec) G1V 4M1; telephone: 418 643-0424, extension 21577; fax: 418 643-9749; email: sarah.juneau@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l’Église, 9^e étage, Québec (Québec) G1V 4M1.

SONIA LEBEL,
Minister of Justice

Regulation to amend the Regulation respecting legal aid

An Act respecting legal aid and the provision of certain other legal services
(chapter A-14, s. 80, 1st par., subpar. a.3, and 3rd par.)

1. The Regulation respecting legal aid (chapter A-14, r. 2) is amended in section 12 by inserting the following after paragraph 2:

“(2.1) support received for the benefit of a child, up to \$4,200 a year per child.”

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

103935

Draft Regulation

Supplemental Pension Plans Act
(chapter R-15.1)

Exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act — Régime de retraite du personnel des CPE et des garderies privées conventionnées du Québec and Régime complémentaire de rentes des techniciens ambulanciers œuvrant au Québec — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application