

Gouvernement du Québec

**O.C. 1291-2020, 2 December 2020**

Environment Quality Act  
(chapter Q-2)

**Compensation for adverse effects on wetlands  
and bodies of water**  
— Amendment

Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water

WHEREAS, under the first paragraph of section 46.0.5 of the Environment Quality Act (chapter Q-2), the issue of the authorization provided for in subparagraph 4 of the first paragraph of section 22 of the Act is subject to the payment of a financial contribution, the amount of which is established in accordance with a government regulation, to compensate for adverse effects on the wetlands and bodies of water concerned in the case where the activities referred to in that paragraph are carried out;

WHEREAS, under the second paragraph of section 46.0.5 of the Act, if a financial contribution is payable, the Minister of the Environment and the Fight Against Climate Change may allow applicants, at their request and in cases provided for by government regulation, to replace all or part of the payment of the contribution by work carried out to restore or create wetlands and bodies of water, subject to the conditions, restrictions and prohibitions set out in the authorization;

WHEREAS, under subparagraph 9 of the first paragraph of section 95.1 of the Act, the Government may make regulations to exempt any person, municipality or class of activity it determines from all or part of the Act and prescribe, in such cases, environmental protection and quality standards applicable to the exempted persons, municipalities and activities, which may vary according to the type of activity, the territory concerned or the characteristics of the milieu;

WHEREAS the Government made the Regulation respecting compensation for adverse effects on wetlands and bodies of water (chapter Q-2, r. 9.1);

WHEREAS, under paragraph 1 of section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication of the Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water:

— the purpose of the Regulation is to postpone to 31 December 2021 the application of section 46.0.5 of the Environment Quality Act and the provisions of the Regulation respecting compensation for adverse effects on wetlands and bodies of water that, otherwise, would apply to work, structures and other intervention carried out in the shore, bank or floodplain of a lake or watercourse as of 31 December 2020;

— it is expedient to postpone the application of that section and those provisions considering the modernization of the prescriptive framework for the management of flood zones provided for in measure 5 of the *Plan de protection du territoire face aux inondations : des solutions durables pour mieux protéger nos milieux de vie* and the introduction of Bill 67, An Act to establish a new development regime for the flood zones of lakes and watercourses to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions, at the National Assembly on 30 September 2020;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water;

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

THAT the Regulation to amend the Regulation respecting compensation for adverse effects on wetlands and bodies of water, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting compensation for adverse  
effects on wetlands and bodies of water**

Environment Quality Act  
(chapter Q-2, s. 95.1, 1st par., subpar. 9)

1. The Regulation respecting compensation for adverse effects on wetlands and bodies of water (chapter Q-2, r. 9.1) is amended by adding the following after section 14:

“14.1. Section 46.0.5 of the Act does not apply to work, structures and other intervention carried out in the shore, bank or floodplain of a lake or watercourse until subparagraph 3 of the first paragraph of section 5, paragraphs 2 and 3 of section 9, and subdivisions 2 and 3 of Divisions I and II of Schedule III come into force.”

**2.** Section 15 is amended by replacing “on the date on which paragraph 1 of section 5 of the Regulation respecting certain transitional measures to carry out 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 (chapter Q-2, r. 32.1) is revoked” by “on 31 December 2021”.

**3.** This Regulation comes into force on 31 December 2020.

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Gouvernement du Québec

**O.C. 1337-2020**, 9 December 2020

Supplemental Pension Plans Act  
(chapter R-15.1)

**Funding of multi-jurisdictional defined benefit pension plans**  
— **Amendment**

Regulation to amend the Regulation respecting the funding of multi-jurisdictional defined benefit pension plans

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (chapter R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan or category of pension plan it designates from the application of all or part of the Act, particularly by reason of the special characteristics of the category or by reason of the complexity of the Act in relation to the number of members in the plan and it may also prescribe special rules applicable to the plan or category;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the funding of multi-jurisdictional defined benefit pension plans was published in Part 2 of the *Gazette officielle du Québec* of 16 September 2020 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation to amend the Regulation respecting the funding of multi-jurisdictional defined benefit pension plans, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the funding of multi-jurisdictional defined benefit pension plans**

Supplemental Pension Plans Act  
(chapter R-15.1, s. 2, 2nd par.)

**1.** The Regulation respecting the funding of multi-jurisdictional defined benefit pension plans (chapter R-15.1, r. 1.2) is amended by inserting, after section 21, the following division:

“**DIVISION VII**  
CEASING THE APPLICATION OF PROVISIONS  
RELATED TO SOLVENCY AMORTIZATION  
PAYMENTS

**21.1.** Eliminated are any solvency amortization payments to be made as of 31 December 2020 and after that date to amortize any actuarial solvency deficiency determined in the most recent actuarial valuation required under the Act or under a regulation made pursuant to the second paragraph of section 2 of the Act before 31 December 2020.

**21.2.** For the purpose of funding a pension plan, taking into account that the application of provisions related to solvency amortization payments has been ceased, as provided for under section 21.1, it is no longer required to revise or replace an actuarial valuation report that is referred to in that section and that was sent to Retraite Québec at 31 December 2020.”

**2.** This Regulation comes into force on 31 December 2020.

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