

**113.** Section 5 is amended

(1) by inserting “school service centre,” after “with a” in subparagraph 1 of the first paragraph;

(2) by replacing “regional board or the school board” in subparagraph *a* of subparagraph 2 of the first paragraph by “school service centre, regional board or school board”;

(3) by inserting “school service centre, the” after “of the” in subparagraph *b* of subparagraph 2 of the first paragraph.

**114.** The Regulation respecting road vehicles used for the transportation of school children (chapter T-12, r. 17) is amended in section 3 by inserting “school service centre, a” after “concluded with a”.

**115.** Section 4 is amended by inserting “school service centre, a” after “with a” in the first and second paragraphs.

**116.** Section 50 is amended by inserting “school service centre, a” after “where a” in paragraph 2.

**117.** The Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2) is amended in Schedule III by replacing “Any school board subject to the Education Act (chapter I-13.3) or” in section 9 by “Any school service centre subject to the Education Act (chapter I-13.3) and any school board subject to”.

## DIVISION II EDUCATION ACT

**118.** The Education Act (chapter I-13.3) is amended in section 55 by adding the following paragraph at the end:

“A position as parents’ representative that is not filled at the meeting of parents called in accordance with the first paragraph of section 47 is dealt with as a vacancy as provided for in the second paragraph of this section.”

**119.** Section 189 is amended

(1) by replacing “second” in subparagraph 1 of the first paragraph by “third”;

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

“A vacancy resulting from the departure of a member representing a school shall be filled, for the unexpired portion of the representative’s term, by a parent designated by and from among the parents’ representatives on the school’s governing board. An unfilled school representative position that is not filled by the meeting of parents in accordance with the third paragraph of section 47 shall be filled using the same rules.”

**120.** Section 233 is amended by striking out “After consulting with the parents’ committee,”.

**121.** 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. 824-2021, 16 June 2021

Environment Quality Act  
(chapter Q-2)

#### Cap-and-trade system for greenhouse gas emission allowances — Amendment

Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

WHEREAS, under the first paragraph of section 46.1 of the Environment Quality Act (chapter Q-2), subdivision 1 of Division VI of Chapter IV of Title I of the Act applies to a person or municipality (the “emitter”) who carries on or operates a business, facility or establishment that emits greenhouse gases, who distributes a product whose production or use entails the emission of greenhouse gases or who is considered to be such an emitter by regulation in particular of the Government;

WHEREAS, under the second paragraph of section 46.1 of the Act, the term “greenhouse gas” means carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulphur hexafluoride (SF<sub>6</sub>) or any other gas determined by regulation in particular of the Government;

WHEREAS, under section 46.5 of the Act, a cap-and-trade system is established to contribute to the achievement of the targets set and mitigate the cost of reducing or limiting greenhouse gas emissions;

WHEREAS, under the first paragraph of section 46.6 of the Act, every emitter determined by regulation of the Government must, subject to the conditions and for each period determined by regulation of the Government, cover its greenhouse gas emissions with an equivalent number of emission allowances;

WHEREAS, under subparagraph 2 of the first paragraph of section 46.8 of the Act, subject to the conditions determined by regulation of the Government, the Minister of the Environment and the Fight Against Climate Change may grant offset credits to any person or municipality having carried out, in whole or in part, in accordance with the regulation made under section 46.8.2 of the Act, a project eligible for such credits that has resulted in a reduction of greenhouse gas emissions or in the removal of such gases from the atmosphere, which removal may result from their sequestration;

WHEREAS, under subparagraph 3 of the first paragraph of section 46.12 of the Act the Minister may suspend, withdraw or cancel any emission allowance for any other reason determined by regulation of the Government;

WHEREAS, under paragraph 2 of section 46.15 of the Act, the Government may, by regulation, prescribe administrative, monetary or other penalties for acts or omissions in contravention of subdivision 1 of Division VI of Chapter VI of Title I of the Act or of a regulation of the Government under the subdivision;

WHEREAS, under section 115.27 of the Act, the Government may, in a regulation made under the Act, in particular specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and set forth the amounts;

WHEREAS, under the first paragraph of section 115.34 of the Act, the Government may determine the regulatory provisions made under the Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS the Government made the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances was published in Part 2 of the *Gazette officielle du Québec* of 3 March 2021 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 with amendments;

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 a cap-and-trade system for greenhouse gas emission allowances, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances**

Environment Quality Act  
(chapter Q-2, ss. 46.1, 46.5, 46.6, 46.8, 46.12, 46.15, 115.27 and 115.34).

**1.** The Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) is amended in section 2 by replacing subparagraph 2 of the second paragraph by the following:

“(2) distributes 200 litres or more of fuel within the meaning of protocol QC.30 of Schedule A.2 to the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), except fuel for which an emitter referred to in the first paragraph or in subparagraph 3 of the second paragraph of this section or in section 2.1, including the emitter itself if applicable, is required to cover its emissions pursuant to section 19 for an emitter referred to in this section and pursuant to section 19.0.1 for an emitter referred to in section 2.1;”.

**2.** Section 3 is amended by replacing “who implements an offset credit project” in paragraph 12.1 by “or municipality responsible for the implementation of a project eligible for the issuance of offset credits”.

**3.** Section 6 is amended by replacing “70.21” in paragraph 6 by “70.5”.

**4.** Sections 70.1 to 70.22 are replaced by the following:

“**70.1.** For the purposes of this Chapter,

(1) “eligibility period” means the period, set in the ministerial regulation that is applicable to the project, during which a project is eligible for the issuance of offset credits, subject to compliance with the eligibility conditions in effect when the project notice or renewal notice provided for in the regulation is filed;

(2) “reporting period” means a continuous period, within an eligibility period, during which reductions in GHG emissions or offset credits corresponding to removals of GHG from the atmosphere attributable to a project eligible for the issuance of offset credits are quantified pursuant to the ministerial regulation that is applicable to that project for the issuance of offset credits;

(3) “ministerial regulation” means a regulation made pursuant to section 46.8.2 of the Environment Quality Act (chapter Q-2).

In addition, for the purposes of this Chapter and of any ministerial regulation, chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) are greenhouse gases.

**70.2.** A promoter must file with the Minister an issuance request for offset credits for the first reporting period for a project, established in accordance with the ministerial regulation that is applicable to the project not later than 6 months following the end of that period.

The promoter may then file with the Minister an issuance request for offset credits for up to three continuous reporting periods included within the same eligibility period. The request must be filed not later than 6 months following the end of the last reporting period covered by the request.

When the eligibility period for a project is renewed, the promoter must file with the Minister an issuance request for the first reporting period in the new eligibility period, established in accordance with the ministerial regulation that is applicable to the project, not later than 6 months after the end of that reporting period. The second paragraph applies to subsequent requests for the issuance of offset credits.

**70.3.** Every issuance request for offset credits must include the following information:

- (1) the information needed to identify the promoter and the promoter’s representative, if any;
- (2) the code assigned to the project by the Minister in accordance with the ministerial regulation that is applicable to it;
- (3) the start and end dates of each reporting period covered by the request;
- (4) the quantity of offset credits covered by the request.

In addition, every issuance request must include the following documents:

- (1) a project report for each reporting period covered by the request, consistent with the ministerial regulation that is applicable to the project;
- (2) a verification report on the project report or reports, consistent with the ministerial regulation that is applicable to the project and produced by a person qualified for that purpose within the meaning of the regulation.

**70.4.** The Minister, after receiving an issuance request accompanied by a verification report that includes a positive or qualified positive verification opinion, issues, as the case may be, an offset credit for each metric tonne CO<sub>2</sub> equivalent of reduction in GHG emissions attributable to the project, quantified in accordance with the ministerial regulation that is applicable to the project, or offset credits corresponding to removals of GHG from the atmosphere attributable to the project, quantified in accordance with the ministerial regulation that is applicable to the project.

The Minister places 97% of the offset credits, rounded down to the nearest whole number, into the promoter’s general account.

The remaining offset credits are placed into the Minister’s environmental integrity account.

Despite the first paragraph, the Minister cannot issue offset credits, in whole or in part, after noting in a project report submitted with an issuance request,

- (1) false or misleading information;
- (2) errors, omissions or inaccuracies in the quantification, in accordance with the ministerial regulation applicable to the project, of the GHG emission reductions or offset credits corresponding to the removals of GHG from the atmosphere attributable to the project; or
- (3) a failure to comply with a condition in the ministerial regulation applicable to the project.

**70.5.** The Minister may require the promoter to replace any offset credit placed for a project under the second paragraph of section 70.4 in the following cases:

- (1) the information or documents provided by the promoter contain false or misleading information;
- (2) the quantification, in accordance with the ministerial regulation that is applicable to the project, of the GHG emission reductions or offset credits corresponding to removals of GHG from the atmosphere attributable to the project contains errors, omissions or inaccuracies;
- (3) the project was not carried out in accordance with the ministerial regulation that is applicable to the project;
- (4) a reduction in GHG emissions or a removal of GHG from the atmosphere for which offset credits are issued pursuant to this regulation has already been credited under another GHG offset program.

The Minister notifies the promoter who must, within 3 months of receiving the notification, place in its general account one emission allowance for each illegitimate offset credit that must be replaced.

The Minister, after being notified that the promoter has placed the offset credits in the general account, deducts the replacement emission allowances designated by the promoter and places them in the invalidation account to be extinguished. The Minister also transfers the number of offset credits placed into the environmental integrity account for the project under third paragraph of section 70.4, in proportion to the number of offset credits replaced by the promoter, into the invalidation account to be extinguished.

Without prejudice to the Minister's other recourses against the promoter, if the promoter has failed to surrender the replacement emission allowances on the expiry of the 3-month period, the Minister replaces the illegitimate offset credits by withdrawing an equivalent number of offset credits from the environmental integrity account and placing them in the invalidation account to be extinguished.

No offset credit may be issued to the promoter for the project unless the promoter has replaced the illegitimate offset credits within the time limit provided for in the second paragraph.

**70.6.** If a partner entity cancels offset credits held in the account of an emitter or a participant registered pursuant to this Regulation, the Minister notifies the emitter or participant of his intention to cancel the offset credits, in accordance with the second paragraph of section 46.12 of the Environment Quality Act (chapter Q-2). After the offset credits concerned have been cancelled, they are transferred into the Minister's invalidation account to be surrendered to the partner entity.

If a partner entity cancels offset credits that were used for emitter compliance purposes, the Minister notifies the emitter, who must, within 6 months after receiving the notice, replace the cancelled offset credits by placing an equivalent number of emission allowances in its compliance account. The emission allowances are deducted in the order prescribed in section 21 and placed in the Minister's retirement account to be extinguished. The cancelled offset credits recorded in the Minister's retirement account are transferred into the Minister's invalidation account to be surrendered to the partner entity.

If the emission allowances required under the second paragraph are not placed by the emitter within the prescribed time, the provisions of sections 22 and 23 apply, with the necessary modifications, and the year of issue of the emission allowances is not taken into account.

**70.7.** If a partner entity cancels offset credits that were used by a promoter to replace illegitimate offset credits in accordance with section 70.5, the Minister notifies the promoter, who must, within 3 months after receiving the notice, place in its general account one emission allowance for each cancelled offset credit that must be replaced. Such emission allowances are placed in the Minister's invalidation account to be extinguished and the cancelled offset credits are surrendered to the partner entity.

No offset credit may be issued for a project for which illegitimate offset credits have been replaced in accordance with section 70.5 to a promoter who has not replaced the offset credits within the time prescribed in the first paragraph of this section.

**70.8.** Any change to the information provided in accordance with this Chapter must be communicated to the Minister within 30 days."

**5.** Section 71 is amended by replacing "70.5 or 70.13, the first and second paragraphs of section 70.13.1, section 70.14, the first, third or fifth paragraph of section 70.15 or section 70.22" in paragraph 1 by "70.2, 70.3 or 70.8".

**6.** Section 72 is amended by replacing "the second or third paragraph of section 50 or 70.12, or the second paragraph of section 70.15" by "or the second or third paragraph of section 50".

**7.** Section 73 is amended by replacing "or the second paragraph of section 70.21 or 70.21.1;" in paragraph 1 by "the second paragraph of section 70.5 or 70.6 or the first paragraph of section 70.7".

**8.** Section 74 is amended by replacing "section 53, 62, 70.5, 70.13 or 70.14, the first, third or fifth paragraph of section 70.15 or section 70.22" in the portion before subparagraph 1 of the first paragraph by "or section 53, 62, 70.2, 70.3 or 70.8".

**9.** Section 75 is amended by replacing "the second or third paragraph of section 50 or 70.12 or the second paragraph of section 70.15" in the portion before paragraph 1 by "or the second or third paragraph of section 50".

**10.** Section 75.1 is amended by replacing "70.21" in the portion before paragraph 1 by "70.5".

**11.** Section 75.4 is amended by replacing “or the second paragraph of section 70.21.1” by “; the second paragraph of section 70.6 or the first paragraph of section 70.7”.

**12.** A person or municipality that distributes 200 litres or more of fuel within the meaning of protocol QC.30 of Schedule A.2 to the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15) must take into account the biomass and biomass fuel component of the fuel for the purposes of subparagraph 2 of the second paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) as amended by section 1 of this Regulation, starting from the compliance period beginning on 1 January 2021.

**13.** Despite the provisions of this Regulation, for the purposes of protocols 1, 4 and 5 of Schedule D of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1), the provisions of section 70.13.1, section 70.14 insofar as it provides that an issuance request for offset credits must be submitted with a project report covering the most recent issuance period, and sections 70.20, 70.21, 70.22, 71, 73, 74, 75.1, 75.2 and 75.4 of the said Regulation, as they read on 14 July 2021, continue to apply to the projects to which those protocols apply until they are replaced. The provisions of sections 70.6 and 70.7, as they read 15 July 2021, also apply to projects to which those protocols apply, replacing “70.5” in section 70.7 by “70.21”.

**14.** This Regulation comes into force on 15 July 2021.

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Gouvernement du Québec

## O.C. 863-2021, 23 June 2021

Act respecting the Société d’habitation du Québec  
(chapter S-8)

### Conditions for the leasing of dwellings in low-rental housing in Nunavik — Amendment

By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

WHEREAS, under subparagraph g of the first paragraph of section 86 of the Act respecting the Société d’habitation du Québec (chapter S-8), the Société d’habitation du

Québec may, by by-law, in particular establish the conditions upon which leases may be taken or granted by a municipality, a bureau or by any organization or person who obtains a loan, subsidy or allowance for the carrying out of a housing program;

WHEREAS, under the second paragraph of section 86 of the Act, the by-laws relating to matters referred to in particular in subparagraph g of the first paragraph of the section may, subject to the Charter of human rights and freedoms (chapter C-12) and the Canadian Charter of Rights and Freedoms (Part I of Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom), include distinctions, exclusions or preferences based on age, handicap or any element pertaining to the situation of a person;

WHEREAS the board of directors of the Société adopted, by resolution 2021-037 dated 27 May 2021, the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik;

WHEREAS, under section 87 of the Act respecting the Société d’habitation du Québec, the by-laws of the Société are subject to approval by the Government;

WHEREAS, under paragraph 1 of section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be approved without having been published in the *Gazette officielle du Québec* as set out in section 8 of that Act, if the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS, under subparagraph 1 of the first paragraph of section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the date applicable under section 17 where the authority that has approved it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 and the second paragraph of section 18 of that Act, the reason justifying the absence of such publication and such coming into force 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 such publication and a coming into force of the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik on 1 July 2021:

— the monthly rent of dwellings in low-rental housing in Nunavik is adjusted on 1 July of each year and the increase of the maximum rent applies as of that date;