

Where a person subject to charges for the use of water is not a withdrawer referred to in the Regulation respecting the declaration of water withdrawals and has not sent to the Minister, within the period prescribed, the information provided for in the third paragraph of section 8 of this Regulation, the charges payable are established according to the maximum effective capacity of the withdrawal facility or equipment, as indicated in the specifications of the builder or manufacturer of the works.

Before imposing the charges established under this section, the Minister must give prior notice to the person concerned and grant the person at least 30 days to submit observations.”

8. Section 9 is replaced by the following:

“**9.** The rates of the charges set in the first and second paragraphs of section 5 are increased by operation of law on 1 January of each year, according to an annual rate of 3%.

The amount set in section 5.1 is adjusted in the manner provided for in section 83.3 of the Financial Administration Act (chapter A-6.001).”

9. Until 31 December 2025 and despite section 4 of the Regulation, as amended by section 2 of this Regulation, the daily volume of water applicable for the purposes of section 4 of the Regulation is established at 75,000 litres.

10. This Regulation comes into force on 1 January 2024.

106209

Draft Regulation

Environment Quality Act
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6)

Declaration of water withdrawals — 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 declaration of water withdrawals, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) to replace, as of 1 January 2024, the threshold criterion for the annual declaration of withdrawal activities and volumes of water withdrawn, currently based on the average daily volumes (calculated on a monthly basis), by a criterion based on a maximum daily volume.

The draft Regulation also reduces to 50,000 litres, as of 1 January 2025, the maximum daily volume from which a withdrawer must declare withdrawal activities and volumes of water withdrawn.

The draft Regulation introduces a provision specifying that as soon as the volume of water withdrawn in a day is equal to or greater than 50,000 litres, a declaration is required for that year and for any subsequent year, regardless of the volume.

The draft Regulation determines, in addition, the information related to the volumes of water declared that is public and that the Minister publishes on the Minister’s department’s website.

The draft Regulation introduces a provision requiring every withdrawer who does not reach the threshold for the annual declaration of withdrawal activities and volumes of water withdrawn to record in a document and update information on the withdrawal, unless the withdrawal is for the purposes of human consumption for 20 persons or less, or is taken out of the St. Lawrence River Basin for agricultural purposes or for the operation of a fishing pond site or an aquaculture site. A monetary administrative penalty and an offence related to the provision are also included in the Regulation.

Lastly, amendments are made to the Regulation to simplify the interpretation and application of certain sections, including as regards definitions.

The impact analysis shows that the reduction to 50,000 litres, as of 1 January 2025, of the maximum daily volume from which a withdrawer must declare withdrawal activities and volumes of water withdrawn would result in an increase in the parties subject to the declaration and the costs related to administrative formalities, corresponding to \$12,000 for enterprises for the 2026-2031 period. Since the requirement to make a declaration will apply to smaller withdrawers, more small and medium-sized businesses will be subject to the requirement.

Further information on the draft Regulation may be obtained by contacting Simon Guay, Director, Direction de l’eau potable et des eaux souterraines, Direction principale de la protection des eaux, Ministère de l’Environnement, de la Lutte contre les changements climatiques, de la

Faune et des Parcs, 675, boulevard René-Lévesque Est, 8^e étage; telephone: 418 521-3885, extension 4938; email: simon.guay2@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Simon Guay at the above contact information.

BENOIT CHARETTE

Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

Regulation to amend the Regulation respecting the declaration of water withdrawals

Environment Quality Act
(chapter Q-2, s. 46, par. 16)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, ss. 30 and 45)

1. The Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) is amended in section 2

(1) by inserting the following definitions in alphabetical order:

“level 1 drainage basin” means a territory whose waters converge towards a watercourse that flows directly into the St. Lawrence River or James Bay; (*bassin versant de niveau 1*)

“rated capacity” means the maximum effective capacity, according to the specifications of the builder or manufacturer of the withdrawal works, facility or equipment; (*capacité nominale*)

“water withdrawal made for agricultural purposes” means a water withdrawal made by a farm producer to raise animals referred to in section 2 of the Agricultural Operations Regulation (chapter Q-2, r. 26), to cultivate plants or mushrooms, or for maple syrup production; (*prélèvement d’eau effectué à des fins agricoles*)

“aquaculture site” means an aquaculture site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1); (*site aquacole*)

“fishing pond site” means a fishing pond site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site d’étang de pêche*)

“sewer system” means a sewer system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système d’égout*)

“storm water management system” means a storm water management system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système de gestion des eaux pluviales*);

(2) by striking out “continuously” in the definition of “measuring equipment”;

(3) by replacing the definition of “withdrawal site” by “withdrawal site” means a water withdrawal site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site de prélèvement*);

(4) by replacing the definition “waterworks system” or “distribution system” by “waterworks system” means a waterworks system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système d’aqueduc*).

2. Section 3 is amended in the second paragraph

(1) by replacing subparagraph 1 by the following:

“(1) withdrawals whose maximum daily volume is less than 50,000 litres per day, every day in a calendar year;”

(2) by replacing “or that are not used to fill a water supply reservoir for subsequent use” by “, that are not used to fill a water supply reservoir for subsequent use or that are not made for mining, quarrying and oil and gas extraction (NAICS 21)” in subparagraph 8;

(3) by replacing “agricultural or fish-breeding purposes” in subparagraph 1 of the third paragraph by “agricultural purposes or for the operation of a fishing pond site or an aquaculture site”.

3. Section 9 is amended

(1) by replacing the first paragraph by the following:

“Every withdrawer whose daily volume of water withdrawals is equal to or greater than 50,000 litres, at least 1 day in a calendar year, is required to send to the

Minister, for that year and any subsequent year in which the withdrawer withdraws water, regardless of the volume, an annual declaration describing the withdrawal activities by specifying the monthly volumes of water withdrawn, including withdrawals less than 50,000 litres per day.”.

(2) in the fifth paragraph

(a) by inserting “email address” after “telephone number” in subparagraph 1;

(b) by inserting “representative and” before “establishments” in subparagraph 1;

(c) by striking out “, the name of the professional who evaluated the total volumes of water withdrawn in the year and his or her profession and a description of the estimation method used” in subparagraph *e* of subparagraph 3;

(d) by inserting the following after subparagraph *e* of subparagraph 3:

“(e.1) if the volumes of water withdrawn are not measured using measuring equipment, the name of the professional who evaluated the total volumes of water withdrawn in the year and his or her profession and a description of the estimation method used;”;

(e) by replacing subparagraph *h* of subparagraph 3 by the following:

“(h) the activities for which the withdrawals are made, identified by their NAICS codes;”.

(f) by replacing subparagraph *i* of subparagraph 3 by the following:

“(i) where the withdrawals are for multiple activities, the volumes of water, in percentage or litres, broken down per activity.”;

(3) in the seventh paragraph

(a) by striking out “and made available to the Minister”;

(b) by adding “and be sent to the Minister within 20 days after a request to that effect” at the end;

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

“The information on withdrawal activities and the volumes of water withdrawn referred to in the fifth paragraph, except the information referred to in subparagraphs *d*, *e.1* and *g* of paragraph 3 and personal information, is public and the Minister publishes the information

on the Minister’s department’s website, in keeping with the principle of transparency stated in section 7 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2).”.

4. The following is inserted after section 9:

“**9.1.** Unless the water is withdrawn exclusively for the purposes of human consumption for an establishment, a facility or a waterworks system supplying 20 persons or less, or is withdrawn out of the St. Lawrence River Basin for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, a withdrawer whose water withdrawal does not reach the daily volume provided for in section 9 must record in a document and keep up to date the following information:

(1) a description of the means used to withdraw the water;

(2) the nature of the needs to fulfil;

(3) the maximum daily volume of water withdrawn;

(4) where applicable, the use for that water.

The information must be kept at the operation site for a period of 5 years and be sent to the Minister within 20 days after a request to that effect.”.

5. Section 11 is amended by adding “or, in the case of an aquaculture site or a fishing pond site, as close as possible to each discharge point for the water into the environment, a sewer system or a storm water management system” at the end of paragraph 1.

6. Section 12 is amended by inserting “that belongs to the withdrawer” after “equipment” in subparagraph 3 of the first paragraph.

7. Section 18.1 is revoked.

8. The following is inserted before section 18.8:

“**18.7.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to record, update, keep or send to the Minister the information prescribed by section 9.1, on the conditions provided for in that section.”.

9. Section 18.10 is amended by striking out “or alters the proper functioning or reading of”.

10. The following is inserted before section 19:

“**18.11.** Every person who fails to record, update, keep or send to the Minister the information prescribed by section 9.1, on the conditions provided for in that section commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.”.

11. Until 31 December 2024 and despite sections 3 and 9 of the Regulation, as amended by sections 2 and 3 of this Regulation, the daily volume of water applicable for the purposes of subparagraph 1 of the second paragraph of section 3 and the first paragraph of section 9 of the Regulation is established at 75,000 litres.

12. This Regulation comes into force on 1 January 2024.

106208

Draft Regulation

Code of Civil Procedure
(chapter C-25.01)

Superior Court of Québec
— Regulation in civil and family matters
for the district of Montréal
— Amendment

Notice is hereby given, in accordance with article 64 of the Code of Civil Procedure (chapter C-25.01), that the Chief Justice of the Superior Court of Québec is publishing the Regulation to amend the Regulation of the Superior Court of Québec in civil and family matters for the district of Montréal, appearing below. The draft Regulation will be adopted on the expiry of 45 days following the date of this publication.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronique Boucher, Director, Service de recherche, Superior Court, 300, boulevard Jean-Lesage, Bureau R-3.04, Québec (Québec), G1K 8K6; email: veronique.boucher@judex.qc.ca.

The Honorable MARIE-ANNE PAQUETTE,
Chief Justice of the Superior Court

Regulation to amend the Regulation of the Superior Court of Québec in civil and family matters for the district of Montréal

Code of Civil Procedure
(chapter C-25.01, art. 63)

1. The Regulation of the Superior Court of Québec in civil and family matters for the district of Montréal (chapter C-25.01, r. 0.2.2) is amended by adding Schedule I attached hereto.

2. This Regulation is in force with respect to a judicial district for the period during which the Regulation to establish a pilot project relating to digital transformation of the administration of justice, A.M. 2022 of 27 October 2022, (2022) 154 G.O.Q. 2, 6559, is in force for that district.

SCHEDULE I
(Section 1)**AMENDEE PROVISIONS FOR THE DURATION OF THE PILOT PROJECT RELATING TO DIGITAL TRANSFORMATION OF THE ADMINISTRATION OF JUSTICE**

1. For the duration of the pilot project relating to digital transformation of the administration of justice provided for in the Regulation to establish a pilot project relating to digital transformation of the administration of justice, A.M. 2022 of 27 October 2022, (2022) 154 G.O.Q. 2, 6559, the following provisions of this Regulation are amended or revoked as indicated in this Schedule where they apply to an application covered by the pilot project.

The text that differs from the text otherwise in force is highlighted by the underlining of added text and a strikethrough line for deleted portions.

2. Section 6 is amended as follows:

“**6.** Any request for a postponement is made within 30 days of the publication of the roll for hearing, by written application presented before the judge in chambers; the judge disposes of the application at discretion and may, if granting the postponement, fix the case for hearing as soon as possible on a subsequent roll or ask the clerk to place it on the roll for the fixing of another date. The request, where it is made by a lawyer, must be made by the technological means put in place for that purpose.”.