



Part 2

LAWS AND REGULATIONS

13 November 2024 / Volume 156

Summary

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Part 2 – LAWS AND REGULATIONS

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Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
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Gouvernement du Québec

O.C. 1562-2024, 30 October 2024

Food Products Act
(chapter P-29)

Food

— Amendment

Regulation to amend the Regulation respecting food

WHEREAS, under paragraph *a* of section 40 of the Food Products Act (chapter P-29), the Government may, by regulation, prescribe rules respecting the sale of a product, the production, preservation, handling, preparation, conditioning, processing, transportation or stamping of a product or the storing of a product with intent to sell it or to give it for promotional purposes, the furnishing of a service for remuneration or the display of a product;

WHEREAS, under paragraph *a.0.1* of section 40 of the Act, the Government may, by regulation, regulate the preparation processes, in particular pasteurization, canning, aseptic packaging and sterilization;

WHEREAS, under paragraph *a.1* of section 40 of the Act, the Government may, by regulation, establish, in particular for the purposes of sanitation, the rules respecting the construction, layout, installation, material, equipment, location, operation and maintenance, in particular of establishments, premises or vehicles where operations referred to in paragraph *a* of the Act are carried on;

WHEREAS, under paragraph *a.3* of section 40 of the Act, the Government may, by regulation, determine, for the purposes of subparagraph *a.3* of the first paragraph of section 1 of the Act, the cases in which milk or any derivative of milk ceases to be a dairy product after being treated, modified, processed or reconstituted;

WHEREAS, under paragraph *a.4* of section 40 of the Act, the Government may, by regulation, authorize standardization of the proportion of fat and other solids of any dairy product it indicates, subject to the conditions and according to the processes it determines, including skimming;

WHEREAS, under paragraph *b* of section 40 of the Act, the Government may, by regulation, prohibit or regulate the use or level of substances capable of impairing the quality or wholesomeness of a product;

WHEREAS, under paragraph *e* of section 40 of the Act, the Government may, by regulation, establish classes, categories, appellations, qualifiers or designations of products and prohibit any unlawful use thereof, require the grading of products and set standards of composition, form, quality, wholesomeness, colour, proportion of constituents, presentation and uniformity;

WHEREAS, under paragraph *f* of section 40 of the Act, the Government may, by regulation, determine the conditions of issue or renewal of a permit, the documents or the information to be furnished by an applicant or holder, the fees payable for the permits according to the period of validity, the nature or the category, subcategory or class of the holders or permits, the costs for the opening and examination of an application for a permit or authorization;

WHEREAS, under paragraph *g* of section 40 of the Act, the Government may, by regulation, determine the categories of permits and the conditions and restrictions governing each category;

WHEREAS, under paragraph *j* of section 40 of the Act, the Government may, by regulation, prescribe rules respecting containers and in particular their size, capacity and characteristics, the inscriptions, labelling or packaging of products and the inscriptions which must appear on means of transportation used for transporting products;

WHEREAS, under paragraph *n* of section 40 of the Act, the Government may, by regulation, exempt any person, product, animal, establishment or activity it determines, or a class thereof, from the application of the Act or the regulations, or any provision thereof, on such conditions as it may determine;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting food was published in Part 2 of the *Gazette officielle du Québec* of 1 May 2024 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 Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting food, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting food

Food Products Act
(chapter P-29, s. 40, pars. *a*, *a.0.1*, *a.1*, *a.3*, *a.4*, *b*, *e*, *f*, *g*,
j and *n*).

1. Section 1.3.1.1.3 of the Regulation respecting food (chapter P-29, r. 1) is amended by striking out paragraphs 3 and 4.

2. Section 1.3.1.1.4 is amended by striking out the second paragraph.

3. Section 1.3.1.1.6 is amended by replacing “the permits referred to in paragraph 2 of section 1.3.5.H.1 and” in the second paragraph by “the permit referred to in”.

4. Section 1.3.1.17 is revoked.

5. Section 1.3.5.B.4.1 is amended by striking out “paragraph 2 of”.

6. Section 1.3.5.C.4.1 is amended by striking out “paragraph 2 of”.

7. Section 1.3.5.C.5 is amended by replacing subparagraph 2 by the following:

“(2) a person responsible for one of the following resources:

(a) an intermediate resource within the meaning of section 538 of the Act respecting the governance of the health and social services system (chapter G-1.021) or section 302 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2), if that resource receives not more than nine users;

(b) a family-type resource within the meaning of section 552 of the Act respecting the governance of the health and social services system or section 312 of the Act respecting health services and social services for the Inuit and Naskapi;

(2.1) a person operating a private seniors’ residence within the meaning of section 557 of the Act respecting the governance of the health and social services system or section 346.0.1 of the Act respecting health services and social services for the Inuit and Naskapi, if the residence has not more than 9 residents;”.

8. Section 1.3.5.D.4 is replaced by the following:

“**1.3.5.D.4.** The Minister may issue the permits provided for in subparagraph *m* or *n* of the first paragraph of section 9 of the Act for a period of less than 12 months where a person bound to hold a permit carries on their activities for a period of 30 consecutive days or less.”.

9. Sections 1.3.5.H.1 to 1.3.5.H.3 are replaced by the following:

“**1.3.5.H.1.** A dairy distributor permit authorizes the holder to deliver milk or cream.”.

10. Section 1.3.6.7.5 is amended

(1) by adding “\$31.” at the end in the portion before paragraph 1;

(2) by striking out paragraphs 1 and 2.

11. Section 1.3.6.11 is revoked.

12. Section 1.3.6.12 is amended by striking out “, paragraph 2 of section 1.3.5.H.1” in the second paragraph.

13. Section 5.1.1 is amended

(1) by striking out the word “Canada” wherever it appears in the definition of “grade”;

(2) by replacing “Division 16 of Part B of the Food and Drug Regulations (C.R.C., c. 870)” in the definition of “colouring agent” by “the Food and Drugs Act (R.S.C., 1985, c. F-27) and its regulations”.

14. Section 5.1.2 is amended by replacing “at retail at the producer’s establishment are not graded or marked provided that the eggs are clean and do not leak” in the third paragraph by “at retail by any producer are not graded or marked provided that the eggs meet the requirements provided for in section 5.5”.

15. Section 5.1.3 is amended

(1) by replacing paragraph 4 by the following:

“(4) they are clean and do not leak;”;

(2) by striking out paragraph 7.

16. Section 5.1.4.1 is amended by replacing the fourth paragraph by the following:

“Eggs are also marked with the identifying code of the grading station. Eggs graded in an egg station operated in conformity with the Safe Food for Canadians Act (S.C. 2012, c. 24) and its regulations are marked with the grading station’s registration or licence number assigned by the Canadian Food Inspection Agency. Eggs graded in another grading station are marked with the identifying code confirmed by the Minister pursuant to section 5.1.4.4.”.

17. Section 5.3.1 is amended by replacing “not exceeding 13 °C and at a relative humidity between 70% and 85%” by “which will ensure their preservation”.

18. Section 5.4.1 is amended in the first paragraph

(1) by striking out the word “Canada” in subparagraph 3;

(2) by replacing “a date not later than 42 days after the date of grading” in subparagraph 4 by “the durable life date”;

(3) by replacing subparagraph 6 by the following:

“(6) the name and address of the grading station and the registration or licence number assigned to that station pursuant to the Safe Food for Canadians Act (S.C. 2012, c. 24) and its regulations or the identifying code confirmed by the Minister.”.

19. Section 5.4.4 is revoked.

20. The title of section 5.5 is amended by inserting “UNGRADED EGGS AND” after “APPLYING TO”.

21. Section 5.5.1 is amended by replacing the word “Eggs” at the beginning of the portion before paragraph 1 by “Ungraded eggs sold in accordance with the third paragraph of section 5.1.2 or”.

22. Section 5.5.2 is amended

(1) in the first paragraph

(a) by adding “or the words “ungraded eggs” in the case of ungraded eggs sold in accordance with the third paragraph of section 5.1.2” at the end of subparagraph 1;

(b) by striking out subparagraph 5;

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

“Notwithstanding this section, the packaging of ungraded eggs sold by a producer at the producer’s establishment may bear only the producer’s name and address.”.

23. The following is added after section 5.6.1:

“**5.6.1.1.** A producer referred to in the third paragraph of section 5.1.2 may make egg-based preparations using ungraded and unmarked eggs that are compliant with section 5.5.1 and sell those preparations at retail. Sections 5.6 to 5.8 do not apply in that case.”.

24. Section 5.6.4 is replaced by the following:

“**5.6.4.** Eggs may be processed only if:

(a) they are free from any odour not found in healthy eggs;

(b) they are not mouldy;

(c) they are not being incubated and have not been in an incubator;

(d) they are free of any pathogenic microorganism, unless they are intended for pasteurization;

(e) they are free of blood spots;

(f) they are free of dirt and of any spot, other than blood spots, whose total surface exceeds one-third of the surface of the shell;

(g) they do not leak, and do not show extensive, multiple or deep-seated alterations;

(h) where they are obtained by the slaughter of domestic fowl, they are fully formed and:

i. they have been kept at a temperature not exceeding 13 °C between collecting and processing;

ii. they are intended for pasteurization.”.

25. Section 11.1.1 is amended by striking out “or dairy product substitute” in the definition of “commercial sterility”.

26. Section 11.1.3 is amended by striking out “, except Division 11.9,” in the portion before paragraph 1.

27. Section 11.8.1 is amended

(1) in the first paragraph by striking out

(a) “, and have a Vitamin D content per litre of not less than 355 and not more than 465 international units” in subparagraph 1;

(b) “, and have a Vitamin A content per litre of not less than 1,410 and not more than 2,930 international units and a Vitamin D content per litre of not less than 355 and not more than 465 international units” wherever it appears in subparagraphs 2, 3, 4 and 5;

(2) by inserting the following after the first paragraph:

“The Vitamin A and D content in the milk products referred to in subparagraphs 1 to 5 of the first paragraph must be the content provided for in the Food and Drugs Act (R.S.C., 1985, c. F-27) and its regulations.”;

(3) by replacing “the Dairy Products Regulations (SOR/79-840)” in the fourth paragraph by “the Food and Drugs Act (R.S.C., 1985, c. F-27) and its regulations”;

(4) by replacing “subparagraphs 1 to 5 of the first paragraph” in the fifth paragraph by “the second paragraph”;

(5) in the sixth paragraph

(a) by replacing “third” by “fourth”;

(b) by replacing “the composition standards set out in subparagraphs 1 to 5 of the first paragraph apply” by “the milk must contain Vitamins A and D according to the conditions set out in the Food and Drugs Act and its regulations”.

28. Section 11.8.6 is amended

(1) by replacing “Food and Drug Regulations (C.R.C., c. 870) and in the Dairy Products Regulations (SOR/79-840)” in the first paragraph by “Food and Drugs Act (R.S.C., 1985, c. F-27) and in the Safe Food for Canadians Act (S.C. 2012, c. 24), and its regulations”;

(2) in the second paragraph

(a) by replacing “applicable standards set out in Parts B, D and E of the Food and Drug Regulations” by “standards set out in the Food and Drugs Act and its regulations”;

(b) by replacing “those regulations” by “that Act or its regulations”.

29. Section 11.8.8 is replaced by the following:

“**11.8.8.** The addition of any ingredient to the dairy products referred to in subparagraphs 1 to 5 of the first paragraph of section 11.8.8 is prohibited, except lactase, vitamins, a fat content standardization process that meets the standards under section 11.8.7, flavouring preparations that meet the standards under the Food and Drugs Act (R.S.C., 1985, c. F-27) and its regulations and, if such a preparation is added, sweeteners, salt, food colours, stabilizers and not more than 0.5% starch.”.

30. Section 11.8.12 is amended by replacing the second paragraph by the following:

“Unripened firm or semi-soft cheese made from pasteurized milk with a minimum milk fat content of 25% and a moisture content of not less than 36% and not more than 44% may be stored at a room temperature of not more than 24 °C for 24 hours after the date of their preparation at the dairy plant.”.

31. Section 11.8.13 is amended

(1) by replacing “section 70 of the Dairy Products Regulations (SOR/79-840), the information prescribed by that section” in paragraph 1 by “the Food and Drugs Act (R.S.C., 1985, c. F-27) and the Safe Food for Canadians Act (S.C. 2012, c. 24) or their regulations, and the information prescribed by those Acts or regulations”;

(2) by striking out paragraph 15.

32. Section 11.8.14 is amended

(1) by striking out paragraph 1;

(2) by striking out “, or for sour cream, if the volume of the product is greater than 500 ml, in 1 or 2-litre containers or packages” in paragraph 2;

(3) by replacing paragraph 3 by the following:

“(3) milk referred to in subparagraphs 1 to 5 of the first paragraph of section 11.8.1 or in section 11.8.8 must be packaged in containers or packages of at least 15 ml but not more than 500 ml, or in containers or packages of 1, 1.5, 2, 4, 10 or 20 litres. Such milk may also be packaged in a returnable or reusable 1.89-litre glass bottle.”.

33. Section 11.9 is revoked.**34.** Section 11.12.7 is revoked.

35. Schedule 5.A to the Regulation is amended by striking out the word “Canada” wherever it appears.

36. Schedule 5.B is amended by striking out the word “Canada” wherever it appears.

37. Schedule 11.D is revoked.

38. All “distributor/vendor” and “distributor/deliverer” category permits in force on 30 November 2024 held by an operator are replaced by a “dairy distributor” category permit referred to in section 1.3.5.H.1 introduced by section 9 of this Regulation. The “dairy distributor” category permit is valid for a period of 12 months and it is issued without further formality.

39. Applications for the issue or renewal of “distributor/vendor” and “distributor/deliverer” category permits that are pending on 1 December 2024 are governed by the Regulation respecting food, as amended by this Regulation, and processed as “dairy distributor” category permit applications.

40. This Regulation comes into force on 1 December 2024.

107100



Gouvernement du Québec

O.C. 1577-2024, 30 October 2024

Act respecting remunerated passenger transportation by automobile (chapter T-11.2)

Remunerated passenger transportation by automobile

— Amendment

Regulation to amend the Regulation respecting remunerated passenger transportation by automobile

WHEREAS, under the second paragraph of section 61.1 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), the person in charge of the place determined by regulation of the Minister must see to it that a register of the authorizations issued by the person is kept;

WHEREAS, under the second paragraph of section 61.1 of the Act, the conditions and procedures for keeping and preserving the register and for sharing the information it contains with the Société de l'assurance automobile du Québec, the Commission des transports du Québec and persons acting as inspectors for the purposes of the Act are prescribed by government regulation;

WHEREAS, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 61 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions (2023, chapter 10), a draft Regulation to amend the Regulation respecting remunerated passenger transportation by automobile was published in Part 2 of the *Gazette officielle du Québec* of 14 February 2024 with a notice that it could be made by the Government on the expiry of 20 days following that publication;

WHEREAS, under section 61 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions, despite section 17 of the Regulations Act, any first regulation made under section 61.1 of the Act respecting remunerated passenger transportation by automobile comes into force on the fifth day after the date of its publication or on any later date specified in the regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Sustainable Mobility:

THAT the Regulation to amend the Regulation respecting remunerated passenger transportation by automobile, attached to this Order in Council, be made.

DOMINIQUE SAVOIE

Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting remunerated passenger transportation by automobile

Act respecting remunerated passenger transportation by automobile (chapter T-11.2, s. 61.1).

1. The Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 4) is amended by inserting the following chapter after section 82:

“CHAPTER VII.1 REGISTER OF AUTHORIZATIONS

82.1. The register of authorizations held by the person in charge of a place determined pursuant to section 61.1 of the Act must be kept in electronic form. The register must be available at all times at the establishment of the person in charge of the place.

The information contained in the register with regard to each issued authorization must be kept for as long as the authorization is valid and for 5 years following its expiry or cancellation. The information is shared with the Société within 3 days of being entered in the register.”

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

107105

Gouvernement du Québec

O.C. 1600-2024, 6 November 2024

Act respecting health services and social services
(chapter S-4.2)

**Certification of community or private resources
offering addiction lodging**
— **Amendment**

Regulation to amend the Regulation respecting the certification of community or private resources offering addiction lodging

WHEREAS, under the first paragraph of section 346.021 of the Act respecting health services and social services (chapter S-4.2), the provisions of subdivision 2.1 of Division II of Chapter I of Title I of Part III of the Act apply, with the necessary modifications, to all resources and categories of resource offering lodging determined by government regulation except intermediary resources, family-type resources and specialized medical centres within the meaning of the Act;

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 certification of community or private resources offering addiction lodging was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024 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 Responsible for Social Services and the Minister of Health:

THAT the Regulation to amend the Regulation respecting the certification of community or private resources offering addiction lodging, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the certification of community
or private resources offering addiction
lodging**

Act respecting health services and social services
(chapter S-4.2, s. 346.021, 1st par.).

1. The Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1) is amended in section 1 by replacing the second paragraph by the following:

“Despite the first paragraph, the following are not addiction resources:

- (1) a place accommodating exclusively persons referred by the correctional services of Québec or Canada that is recognized by either service as a community residential centre;
- (2) an Indigenous addiction lodging centre accommodating mainly Indigenous clients and whose services are funded by the federal government.”.

2. This Regulation comes into force on 1 December 2024.

107108



Gouvernement du Québec

O.C. 1601-2024, 6 November 2024

Act respecting the sharing of certain health information
(chapter P-9.0001)

Regulation — Amendment

Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information

WHEREAS, under paragraph 20 of section 4 of the Act respecting the sharing of certain health information (chapter P-9.0001), in the performance of any act under the Act, the specific information management rules defined and approved in accordance with section 10.1 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) apply to any other persons or partnerships determined by regulation of the Government;

WHEREAS, under paragraph 16 of section 69 of the Act respecting the sharing of certain health information, an access authorization for a health information bank in a clinical domain or an electronic prescription management system for medication may be assigned to any other health and social service provider determined by regulation of the Government;

WHEREAS, under paragraph 4 of section 120 of the Act, the Government may make regulations to determine the providers, in addition to those listed in section 69 of the Act, who may act as authorized providers;

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 application of the Act respecting the sharing of certain health information was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024 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 Health:

THAT Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information

Act respecting the sharing of certain health information (chapter P-9.0001, s. 4, par. 20, s. 69, par. 16, and s. 120, par. 4).

1. The Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1) is amended in section 1 by adding the following at the end:

“(8) an Indigenous health and social services centre or residential centre referred to in subparagraph 8 of the third paragraph of section 559 of the Act respecting the governance of the health and social services system (chapter G-1.021);

(9) an Indigenous addiction lodging centre referred to in subparagraph 2 of the second paragraph of section 1 of the Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1), amended by section 1 of the Regulation to amend the Regulation respecting the certification of community or private resources offering addiction lodging, made by Order in Council 1600-2024 dated 6 November 2024.”.

2. Section 6 is amended

(1) by replacing “or a specialized medical centre” in paragraphs 1 and 1.2 by “, a specialized medical centre or an Indigenous health and social services centre”;

(2) by replacing “or a specialized medical centre” in paragraphs 2 and 3 by “, a specialized medical centre, an Indigenous health and social services centre or an Indigenous residential and long-term care centre”;

(3) by replacing “or a specialized medical centre” in paragraph 4 by “, a specialized medical centre, an Indigenous health and social services centre or an Indigenous residential and long-term care centre”;

(4) by replacing “or a specialized medical centre” in paragraph 5 by “, a specialized medical centre, an Indigenous health and social services centre or an Indigenous residential and long-term care centre”;

(5) by replacing “or a specialized medical centre” in paragraphs 6 and 9 by “, a specialized medical centre, an Indigenous health and social services centre, an Indigenous residential and long-term care centre or an Indigenous addiction lodging centre”;

(6) by inserting “, an Indigenous health and social services centre, an Indigenous residential and long-term care centre or an Indigenous addiction lodging centre” at the end of paragraph 10;

(7) by replacing “or a palliative care hospice” in paragraph 10.1 by “, a palliative care hospice, an Indigenous health and social services centre, an Indigenous residential and long-term care centre or an Indigenous addiction lodging centre”;

(8) by replacing “or a palliative care hospice” in paragraph 11 by “, a palliative care hospice, an Indigenous health and social services centre or an Indigenous residential and long-term care centre”;

(9) by inserting “, an Indigenous health and social services centre, an Indigenous residential and long-term care centre or an Indigenous addiction lodging centre” at the end of paragraphs 12 and 12.2;

(10) by inserting the following after paragraph 12.2:

“(12.3) the holder of an authorization issued by the Collège des médecins du Québec under section 42.4 of the Professional Code (chapter C-26) practising in an Indigenous health and social services centre”;

(11) by replacing “or a palliative care hospice” in paragraph 16 by “, a palliative care hospice, an Indigenous health and social services centre, an Indigenous residential and long-term care centre or an Indigenous addiction lodging centre”;

(12) by replacing “or a private seniors’ residence” in paragraph 17 by “, a private seniors’ residence, an Indigenous health and social services centre, an Indigenous residential and long-term care centre or an Indigenous addiction lodging centre”;

(13) by replacing “or a specialized medical centre” wherever it appears in paragraphs 20 and 21 by “, a specialized medical centre or an Indigenous health and social services centre”;

(14) by adding the following at the end:

“(22) a midwife practising in an Indigenous health and social services centre;

(23) a person providing technical support services to a physician practising in an Indigenous health and social services centre;

(24) a medical archivist holding a college medical archivist diploma or equivalent and performing his or her duties in an Indigenous health and social services centre.”

3. This Regulation comes into force on 1 December 2024.

107109



Gouvernement du Québec

O.C. 1605-2024, 6 November 2024

Building Act
(chapter B-1.1)

Safety Code — Amendment

Regulation amending the Safety Code and the Regulation to amend the Safety Code

WHEREAS, under the first and second paragraphs of section 175 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec must, by regulation, adopt a safety code that contains safety standards for buildings, facilities intended for use by the public, installations independent of a building and petroleum equipment installations and their vicinity, and standards for their maintenance, use, state of repair, operation and hygiene;

WHEREAS, under subparagraph 1 of the third paragraph of section 175 of the Act, the code may contain standards regarding fire and accident prevention and protection;

WHEREAS, under subparagraph 4 of the third paragraph of section 175 of the Act, the code may contain standards regarding materials, apparatus and equipment to be used or prohibited in buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations;

WHEREAS, under subparagraph 5 of the third paragraph of section 175 of the Act, the code may contain standards regarding the assembly, erection, inspection, certification, approval, quantity, site and tests of materials, facilities, apparatus and installations;

WHEREAS, under section 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and may also provide that any reference it makes to other standards include subsequent amendments;

WHEREAS, by its resolution 2024-335-6-2556 dated 29 July 2024, the board of directors of the Board adopted the Regulation to amend the Safety Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation amending the Safety Code and the Regulation to amend

the Safety Code was published in Part 2 of the *Gazette officielle du Québec* of 28 August 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 189 of the Building Act, every code or regulation of the Board is subject to approval by the Government, which may approve it with or without amendment;

WHEREAS, by its resolution 2024-337-8-2570 dated 16 October 2024, the board of directors of the Board recommended to the Minister of Labour to submit the Regulation amending the Safety Code and the Regulation to amend the Safety Code to the Government for approval and publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation amending the Safety Code and the Regulation to amend the Safety Code, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation amending the Safety Code and the Regulation to amend the Safety Code

Building Act
(chapter B-1.1, s. 175, 1st par., 2nd par. and 3rd par., subpars. 1, 4 and 5, and s. 178)

1. The Safety Code (chapter B-1.1, r. 3) is amended in section 369.2,

(1) in the first paragraph,

(a) by replacing “Section 3.2.5.” by “Subsection 3.2.5.”;

(b) by replacing “NFPA Standard 13” by “NFPA 13-2007, Standard for the Installation of Sprinkler Systems”;

(2) in the second paragraph, by replacing “NFPA Standard 13D” by “NFPA 13D-2007, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes”;

2. Note B-2.1.3.6. of Appendix 1 is amended in section 369.2,

(1) in the first paragraph,

(a) by replacing “Section 3.2.5.” by “Subsection 3.2.5.”;

(b) by replacing “NFPA Standard 13” by “NFPA 13-2007, Standard for the Installation of Sprinkler Systems”;

(2) in the second paragraph, by replacing “NFPA Standard 13D” by “NFPA 13D-2007, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.”;

(3) in the fourth paragraph, by replacing “2 December 2024” by “2 December 2027”.

3. The Regulation to amend the Safety Code, approved by Order in Council 1035-2015 dated 18 November 2015, as amended successively by the Regulation amending the Regulation to amend the Safety Code, approved by Order in Council 1213-2019 dated 11 December 2019, and by the Regulation amending the Regulation to amend the Safety Code, approved by Order in Council 1721-2022 dated 9 November 2022, is amended in section 7 by replacing “9 years” by “12 years”.

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

107110



M.O., 2024**Order of the Minister of Municipal Affairs dated
31 October 2024**

Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1)

Act to amend the Act respecting municipal taxation and other legislative provisions (2023, chapter 33)

Regulation respecting the apportionment among municipalities of the amount representing the increase in a portion of the Québec sales tax

THE MINISTER OF MUNICIPAL AFFAIRS,

CONSIDERING section 21.27 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1), made by section 79 of the Act to amend the Act respecting municipal taxation and other legislative provisions (2023, chapter 33), which provides that the apportionment between the municipalities of the amount determined under section 21.26 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire is to be made according to the terms established by a regulation of the Minister of Municipal Affairs;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the apportionment among municipalities of the amount representing the increase in a portion of the Québec sales tax was published in Part 2 of the *Gazette officielle du Québec* of 27 August 2024 with a notice that it could be made on the expiry of 45 days from that publication;

CONSIDERING that it is expedient to make the Regulation with amendment;

ORDERS AS FOLLOWS:

The Regulation respecting the apportionment among municipalities of the amount representing the increase in a portion of the Québec sales tax, attached to this Order, is made.

Québec, 31 October 2024

ANDRÉE LAFOREST
Minister of Municipal Affairs

**Regulation respecting the apportionment
among municipalities of the amount
representing the increase in a portion of
the Québec sales tax**

Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1, s. 21.27).

Act to amend the Act respecting municipal taxation and other legislative provisions (2023, chapter 33, s. 79).

**CHAPTER I
PURPOSE**

1. This Regulation establishes the terms for the apportionment among municipalities of the amount determined under section 21.26 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1), hereinafter referred to as “amount established under the Act”.

**CHAPTER II
ELIGIBLE MUNICIPALITIES**

2. The following municipalities are eligible for the apportionment of the amount established under the Act:

(1) local municipalities, except those constituted under The Cree Villages and the Naskapi Village Act (chapter V-5.1), the Paroisse de Notre-Dame-des-Anges, the Municipalité de Saint-Benoît-du-Lac and the Paroisse de Saint-Louis-de-Gonzague-du-Cap-Tourmente; and

(2) regional county municipalities, in respect of the unorganized territory included in their territory if this territory is inhabited.

**CHAPTER III
DEFINITIONS**

3. For the purpose of calculating the apportionment of the amount established under the Act for a particular fiscal year,

(1) the population of a municipality corresponds,

(a) except in the cases referred to in subparagraphs *b* and *c*, to the population determined for the fiscal year that precedes the particular fiscal year in an order of the Government made pursuant to section 29 of the Act respecting municipal territorial organization

(chapter O-9) or section 3 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1), as the case may be;

(b) if the municipality is a regional county municipality, to the population determined by such an order for the unorganized territory included in its territory for the fiscal year that precedes the particular fiscal year;

(c) if the municipality is the result of an amalgamation that came into force after the publication of such an order for the fiscal year that precedes the particular fiscal year, to the sum of the populations established in the order for the former municipalities whose territories were amalgamated;

(2) the economic health index of a municipality corresponds,

(a) except in the cases referred to in subparagraphs *b* and *c*, to the economic health index in the latest list published by the Institut de la statistique du Québec for that index on 1 September of the fiscal year that precedes the particular fiscal year;

(b) if the municipality is a regional county municipality and an economic health index is established in that list for all or part of the unorganized territory included in its territory, to the lowest of those indexes;

(c) if the municipality is the result of an amalgamation that came into force after the publication of that list and an economic health index is established in the list for all or part of the former municipalities whose territories were amalgamated, to the lowest of those indexes;

(3) the index of remoteness of a municipality corresponds,

(a) except in the cases referred to in subparagraph *b*, to the index established in the latest list published by Statistics Canada for that index on 1 September of the fiscal year that precedes the particular fiscal year;

(b) if the list contains no index for a municipality,

i. if the municipality is a regional county municipality and an index of remoteness is established in that list for all or part of the unorganized territory included in its territory, to the highest of those indexes;

ii. if the municipality is the result of an amalgamation that came into force after the publication of that list and an index of remoteness is established in the list for all or part of the former municipalities whose territories were amalgamated, to the highest of those indexes;

iii. in all other cases, to the average of the indexes established in that list for the municipalities that are part of the same administrative region, as described in Schedule I of the Décret concernant la révision des limites des régions administratives du Québec (chapter D-11, r. 1).

CHAPTER IV APPORTIONMENT OF THE AMOUNT ESTABLISHED UNDER THE ACT

DIVISION I CALCULATION OF THE AMOUNT ATTRIBUTED TO EACH ELIGIBLE MUNICIPALITY

4. The amount attributed to each eligible municipality for a particular fiscal year corresponds, except in the case referred to in section 5, to the sum of the amounts that are attributed to the municipality under the first and second parts.

5. The amount attributed to a municipality that is the result of an amalgamation that came into force after 1 September of the fiscal year that preceded the particular fiscal year corresponds to the sum of the amounts that would have been attributed under section 4 to the former municipalities whose territories have been amalgamated.

DIVISION II FIRST PART

§1. Amount attributed under the first part

6. The amount attributed for a particular fiscal year to eligible municipalities under the first part corresponds to 90% of the amount established under the Act.

§2. Calculation of the amounts attributed to eligible municipalities that do not have an economic health index

7. The amount attributed for a particular fiscal year to each of the eligible municipalities that do not have an economic health index is determined according to the following formula:

$$(A / B) \times 39.$$

In the formula referred to in the first paragraph,

(1) the letter A represents the amount established under the Act; and

(2) the letter B represents the population of all eligible municipalities.

The result of the calculation is rounded to the nearest multiple of 10.

§3. Multiplication factor

8. For the purpose of subdivision 4, the multiplication factor attributed to each eligible municipality that has an economic health index corresponds to

- (1) 1.30, if its economic health index is below -15;
- (2) 1.15, if its economic health index is equal to or above -15 and below -10;
- (3) 1.10, if its economic health index is equal to or above -10 and below -5;
- (4) 1.05, if its economic health index is equal to or above -5 and below 0;
- (5) 1, if its economic health index is equal to or above 0.

§4. Calculation of the amounts attributed to eligible municipalities that have an economic health index

9. The amount attributed for a particular fiscal year to each of the eligible municipalities that are not referred to in section 7 is determined according to the following formula:

$$(A - B) \times [(C \times D) / E].$$

In the formula provided in the first paragraph,

- (1) the letter A represents the amount attributed to eligible municipalities under the first part;
- (2) the letter B represents the total of the amounts attributed under section 7;
- (3) the letter C represents the population of the municipality;
- (4) the letter D represents the multiplication factor for the municipality;
- (5) the letter E represents the sum of the values obtained by multiplying the letters C and D for all municipalities referred to in this section.

The result of the calculation is rounded to the nearest whole number.

**DIVISION III
SECOND PART**

§1. Amount attributed under the second part

10. The amount attributed for a particular fiscal year to eligible municipalities under the second part corresponds to 10% of the amount established under the Act.

§2. Multiplication factor

11. For the purpose of subdivision 3, the multiplication factor attributed to each of the eligible municipalities corresponds to the sum of the factors attributed to the municipality under sections 12 and 13.

12. Each eligible municipality is attributed a factor, which is

- (1) 5, if its economic health index is below -15;
- (2) 4, if its economic health index is equal to or above -15 and below -10;
- (3) 3, if its economic health index is equal to or above -10 and below -5;
- (4) 2, if its economic health index is equal to or above -5 and below 0;
- (5) 0, if its economic health index is equal to or above 0.

13. Each eligible municipality is attributed a factor, which is

- (1) 6.5 if its index of remoteness is above 0.5;
- (2) 5, if its index of remoteness is above 0.4 and equal to or below 0.5;
- (3) 3.5, if its index of remoteness is above 0.3 and equal to or below 0.4;
- (4) 2, if its index of remoteness is above 0.2 and equal to or above 0.3;
- (5) 0, if its index of remoteness is equal to or below 0.2.

§3. Calculation of the amounts attributed under the second part

14. An amount is attributed to each of the eligible municipalities whose multiplication factor is above 0.

15. The amount attributed for a particular fiscal year to each of the municipalities referred to in section 14 is determined according to the following formula :

$$A \times [(B \times C) / D].$$

In the formula provided in the first paragraph,

- (1) the letter A represents the amount attributed to eligible municipalities under the second part;
- (2) the letter B represents the population of the municipality;
- (3) the letter C represents the multiplication factor for the municipality;
- (4) the letter D represents the sum of the values obtained from multiplying the letters B and C for all municipalities referred to in this section.

The result of the calculation is rounded to the nearest whole number.

CHAPTER V TRANSITIONAL

16. For the purposes of sections 6 and 10, the amounts attributed under the first and second parts correspond,

- (1) for the fiscal year 2025, respectively, to 97.5% and 2.5% of the amount established under the Act;
- (2) for the fiscal year 2026, respectively, to 95.5% and 4.5% of the amount established under the Act;
- (3) for the fiscal year 2027, respectively, to 93.5% and 6.5% of the amount established under the Act;
- (4) for the fiscal year 2028, respectively, to 92% and 8% of the amount established under the Act;
- (5) for the fiscal year 2029, respectively, to 91% and 9% of the amount established under the Act.

17. During the 2027 fiscal year, the Minister must assess the impact of the apportionment among municipalities of the amount representing the increase in a portion of the Québec sales tax, in particular with regard to tax fairness among municipalities and the level of services they provide, insofar as the Minister has access to the financial report of the municipalities for the preceding fiscal year and to the other documents or information required for that assessment.

CHAPTER VI FINAL

18. This Regulation comes into force on 1 January 2025.

107107



M.O., 2024**Order AM-2024-5310 of the Minister of Justice
dated 30 October 2024**

Civil Code of Québec
(Code Civil)

Designation of professional orders whose members may certify the incapacity to give consent of the woman who gave birth to a child in the context of certain parental projects involving surrogacy

THE MINISTER OF JUSTICE,

CONSIDERING the second paragraph of article 541.18 of the Civil Code, which provides that the child's filiation is deemed established exclusively with regard to the person alone or both spouses who formed the parental project from the child's birth in the case where the woman or the person who gave birth to the child became incapable of giving consent before expressing their will, provided the incapacity is certified by a member of a professional order designated by the Minister of Justice;

ORDERS AS FOLLOWS:

The following professional orders are hereby designated:

—Collège des médecins;

—Ordre des psychologues du Québec; however, to make a neuropsychological disorder assessment, the member must hold a training certificate issued by the Order pursuant to the Règlement sur les activités de formation des psychologues pour l'évaluation des troubles neuropsychologique (C-26, r. 208.3);

—Ordre des infirmières et infirmiers du Québec, insofar as the member

—has completed the training for assessing mental disorders, except mental retardation, required under the Regulation respecting the training and clinical experience required of nurses to assess mental disorders (I-8, r. 15.1);

—is a nurse practitioner specialized in mental health in accordance with the Regulation respecting specialized nurse practitioners (I-8, r. 15.1.1.1).

Québec, 30 October 2024

SIMON JOLIN-BARRETTE
Minister of Justice

107111



Draft Regulation

Environment Quality Act
(chapter Q-2)

Afforestation and reforestation projects eligible for the issuance of offset credits on privately-owned land — 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 afforestation and reforestation projects eligible for the issuance of offset credits on privately-owned land, appearing below, may be made by the Minister of the Environment and the Fight Against Climate Change on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting afforestation and reforestation projects eligible for the issuance of offset credits on privately-owned land (chapter Q-2, r. 35.3.1) to introduce greater flexibility in the verification process while maintaining a rigorous approach. In particular, the draft Regulation allows a member of the Ordre des ingénieurs forestiers du Québec to act as team leader in cases where the verifier designated by the verification organization is not a member of that order. In addition, the draft Regulation introduces an attestation by the team leader to guarantee that all forestry-related aspects of a project comply with the standards and principles of forest science. Moreover, the draft Regulation adds a stipulation to ensure compliance with the Forest Engineers Act (chapter I-10).

Further information on the draft Regulation may be obtained by contacting Mourad Ziani, coordinator, Direction adjointe des opérations du marché, Direction générale de la réglementation carbone et des données d'émission, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, boîte 30, Québec (Québec) G1R 5V7; email: mourad.ziani@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 Nicolas Garceau, deputy director, Direction adjointe des opérations du marché, Direction générale de la réglementation carbone et des données d'émission, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune

et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, boîte 30, Québec (Québec) G1R 5V7; email: nicolas.garceau@environnement.gouv.qc.ca.

BENOIT CHARETTE

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

Regulation to amend the Regulation respecting afforestation and reforestation projects eligible for the issuance of offset credits on privately-owned land

Environment Quality Act
(chapter Q-2, s. 46.8.2).

1. The Regulation respecting afforestation and reforestation projects eligible for the issuance of offset credits on privately-owned land (chapter Q-2, r. 35.3.1) is amended in section 87 by adding the following:

“Despite the first paragraph, if no member of the order is available to exercise the function of verifier when a promoter wants to entrust the verification of a project plan and project report to a verification organization in accordance with section 85, that organization may designate a person who is not a member of the order to act as verifier, provided the organization also designates, when the verification team is created, a member of that order who will act as the team leader.

In the case provided for in the second paragraph, the leader of the verification team must attest, in a document attached to the verification report of a project plan and project report, that

- (1) the team leader participated in all steps of the verification;
- (2) the team leader examined all data and documents pertaining to the forestry-related aspects of the project;
- (3) the team leader issued an opinion on the compliance of the project; and
- (4) the notice of compliance was taken into consideration in the project verification notice given to the promoter.

The notice of compliance referred to in the second paragraph must be attached to the verification report of a project plan and project report.”

2. Section 90 is amended by adding the following at the end:

“All verifications referred to in sections 93 to 99 must be carried out in accordance with the Forest Engineers Act (chapter I-10).”.

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

107106



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)

Agricultural Operations — 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 Agricultural Operations Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes various amendments aimed mainly at relaxing certain requirements applicable to agricultural activities.

An amendment is proposed to the Agricultural Operations Regulation (chapter Q-2, r. 26) to allow the phosphorus reports required under the Regulation to be drawn up and sent to the Minister every other year, on certain conditions. Adjustments consequential to that amendment are made, as well as certain adjustments to the monetary administrative penalties and the penal sanctions. Lastly, new factors are proposed to determine the annual phosphorus production of buffaloes and calves.

The regulatory relief proposed is aimed at ensuring greater equity and improving the efficiency of the parties involved by implementing regulations that are simpler, more specific and more consistent, while maintaining a high level of environmental protection. The regulatory relief should enable the enterprises concerned to save approximately 0.2 million dollars per year. All of those savings would be made by agricultural enterprises. The other measures proposed would not generate any additional costs for enterprises.

Further information on the draft Regulation may be obtained by contacting Maude Durand, Director, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; email: question.bslr@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 Maude Durand at the above contact information.

BENOIT CHARETTE

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

Regulation to amend the Agricultural Operations Regulation

Environment Quality Act
(chapter Q-2, s. 95.1, 1st par., subpars. 3 and 21).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

1. The Agricultural Operations Regulation (chapter Q-2, r. 26) is amended by inserting the following after section 35:

“**35.0.1.** Despite the first and second paragraphs of section 35, the phosphorus report referred to in those paragraphs may be drawn up only for each even-numbered year, in accordance with section 35, if

(1) the operator has at least 30% more area of cultivated parcels than the minimum total area required in accordance with sections 20 and 20.1 for the purpose of spreading all the fertilizers;

(2) the operator reclaims fertilizing residuals only by spreading, and only on cultivated parcels owned or leased by the operator;

(3) the operator has drawn up a phosphorus report in accordance with section 35 for the preceding even-numbered year and meets the conditions provided for in subparagraphs 1 and 2.

Where the operator no longer meets the conditions provided for in the first paragraph, the operator must send the Minister an update of the phosphorus report in accordance with section 35.

A phosphorus report drawn up for an even-numbered year by an operator that complies with the conditions provided for in the first paragraph and sent in accordance with section 35.1 is deemed to have also been drawn up for the following year.”

2. Section 35.1 is amended

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

“Every operator of a raising site or spreading site referred to in section 35 must send the yearly phosphorus report to the Minister not later than 15 June of each year or, in the case referred to in section 35.0.1, 15 June of each even-numbered year.”;

(2) by inserting “, 35.0.1” after “20.1” in the second paragraph;

(3) by inserting “and, where applicable, section 35.0.1” at the end of subparagraph 1 of the fourth paragraph.

3. Section 56.3 is amended by replacing “of section 56.1 and” by “or the third paragraph of section 56.1 or”.

4. Section 56.4 is amended by inserting “storage or” before “spreading”.

5. Section 56.5 is replaced by the following:

“**56.5.** Every person who contravenes subparagraph 3 of the first paragraph or the third paragraph of section 56.1 or section 56.2 commits an offence and is liable to a fine of \$5,000 to \$500,000 in the case of a natural person or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and \$15,000 to \$3,000,000 in any other case.”.

6. Section 56.6 is amended by inserting “storage or” before “spreading”.

7. The table of Schedule VI is amended by replacing the line for the category “Adult buffalo - male or female” in the part for the type of animal “Beef cattle” by the following:

“

Buffalo or calf - male or female	10.8
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”.

8. The table of Schedule VII is amended by replacing the line for the category “Adult buffalo - male or female” in the part for the type of animal “Beef cattle” by the following:

“

Buffalo or calf - male or female	9.0
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”.

9. Section 35.0.1 of the Agricultural Operations Regulation (chapter Q-2, r. 26), made by section 1 of this Regulation, applies to a phosphorus report drawn up for the year 2024 by an operator that complies with the conditions provided for in the first paragraph of that section and sent in accordance with section 35.1 of that Regulation.”.

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

107102



Draft Regulation

Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2)

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

Regulatory scheme applying to activities on the basis of their environmental impact

Charges payable for the use of water

— 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, the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact and the Regulation to amend the Regulation respecting the charges payable for the use of water, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulations make various amendments aimed mainly at relaxing certain requirements applicable to agricultural activities.

Amendments are proposed to the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) to allow withdrawers in the agriculture and aquaculture sectors, as of 1 January 2026, to use an estimation tool made available by the Minister on the website of the Minister's department to determine the volumes of water they withdraw, and to eliminate the requirement for withdrawers to use measuring equipment or the services of a professional. In addition, the requirement to install measuring equipment would henceforth be evaluated as part of the application for authorization of a project, in concordance with the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1). An amendment is also proposed to introduce the requirement to declare, not later than 31 March 2027, the withdrawals made in the 2026 calendar year and intended for agricultural and aquacultural purposes, where sections 33 and 34

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) apply to the withdrawals and the withdrawals are made outside the territory of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. Another amendment allows the use of consumption coefficients for watering and raising activities for the purposes of calculating water consumption. Various amendments are also proposed, in particular with regard to the definitions, to simplify the interpretation and application of certain sections. Lastly, consequential amendments are made to the applicable monetary administrative penalties and penal sanctions.

The Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact is amended to clarify certain provisions. Amendments are proposed to the content of an application for authorization for a water withdrawal, in connection with the amendments proposed to the Regulation respecting the declaration of water withdrawals, but also to allow a water withdrawal estimation tool made available by the Minister on the website of the Minister's department to be used as part of certain activities, mainly agricultural activities. An authorization exemption is also proposed for water withdrawals made as part of dredging work. Lastly, the period granted to obtain an authorization for certain water withdrawals for agricultural and aquacultural purposes in accordance with the Regulation is extended by 5 years.

Amendments are also proposed to the Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1) so that the requirement to install measuring equipment is henceforth evaluated as part of the application for authorization of a project, in concordance with the Regulation respecting the declaration of water withdrawals and the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact. Various amendments are also proposed to simplify the interpretation and application of certain sections. Lastly, consequential amendments are made to the applicable monetary administrative penalties and penal sanctions.

The regulatory relief proposed is aimed at ensuring greater equity and improving the efficiency of the parties involved by implementing regulations that are simpler, more specific and more consistent, while maintaining a high level of environmental protection. The regulatory relief should enable the enterprises concerned to save approximately 23.1 million dollars per year, including approximately 21.5 million dollars in savings for agricultural enterprises. The other measures proposed would not generate any additional costs for enterprises.

Further information on the draft Regulations may be obtained by contacting Maude Durand, Director, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; email: question.bsrlr@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to Maude Durand 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, subpars. *b, e, g, j* and *l*, and s. 95.1, 1st par., subpars. 20, 21, 21.1 and 25.1).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

1. The Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) is amended in section 1 by replacing “of water withdrawals” in the first paragraph by “of water withdrawal activities and volumes withdrawn”.

2. Section 2 is amended

(1) by striking out the definition of “level 1 drainage basin”;

(2) by inserting “or, where the water is withdrawn using a pond, a basin or other retaining works having a hydraulic interconnection with groundwater or surface water, the rated volume of the pond, basin or other works” at the end of the definition of “rated capacity”;

(3) by replacing the definition of “water withdrawal” or “withdrawal” by the following:

““water withdrawal” or “withdrawal” means the taking of surface water or groundwater by any means;”;

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

““Minister” means the Minister of Sustainable Development, Environment and Parks;

““Ministère” means the Ministère du Développement durable, de l'Environnement et des Parcs;

““temporary industrial camp” means a group of facilities and their dependencies, that an employer temporarily sets up to house, for not more than 6 months during the 12-month period following the setting-up, the employer’s employees who carry out forest management, mining exploration, mining operation, transport infrastructure and water retaining work or any other work;”.

3. Section 3 is amended

(1) by replacing subparagraphs 7 to 11 of the second paragraph by the following:

“(7) withdrawals used for the production of hydroelectric power by means of run-of-river works or facilities directly connected to the watercourse;

(8) withdrawals by means of works used for the impounding of water, such as a dam, or a pond or a basin having no hydraulic interconnection with groundwater and not supplied by means of a drainage system, unless they are intended to produce hydroelectric power, whether they are intended to transport water to a site where the water is used or made for mining, quarrying and oil and gas extraction (NAICS 21);

(9) withdrawals using a drain or a drainage ditch that is not connected to an active pumping system, that are not intended to transport water to a site where the water is used, 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);

(10) withdrawals referred to in paragraphs 3 to 6 of section 173 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), amended by the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 November 2024.”;

(2) by inserting “subject to section 18.7,” at the beginning of subparagraph 1 of the third paragraph;

(3) by replacing the fourth paragraph by the following:

“Despite subparagraph 1 of the second paragraph and subparagraphs 1 and 2 of the third paragraph, a withdrawer that makes a withdrawal referred to in one of those subparagraphs becomes subject to this Regulation as soon as the withdrawer transfers water out of the St. Lawrence River Basin or is required, under Title II, to make a declaration on the basis of the withdrawal rated capacity of the works or facilities used for water withdrawals.”.

4. Section 3.1 is revoked.

5. The following is inserted after section 5:

“**4.1.** To determine if the maximum daily volume of withdrawal reaches the volume from which the withdrawer is required, under a provision of this Regulation, to declare the withdrawal activities, all the volumes of water withdrawn from withdrawal sites connected to a single establishment or waterworks system must be added up. Establishments whose activities are under the responsibility of one withdrawer are deemed to be part of the same establishment.”.

6. Sections 5 and 5.1 are replaced by the following:

“**5.** For the purposes of the declaration provided for in section 9, every withdrawer is required to determine the volumes of water withdrawn for each withdrawal site by direct measurement taken by measuring equipment that belongs to the withdrawer.

Despite the foregoing, if the withdrawer does not make a water withdrawal referred to in the third paragraph, or if the withdrawer’s authorisation provides for it, a withdrawer that does not have measuring equipment may determine the volumes of water withdrawn by one of the following means:

- (1) direct measurement taken by measuring equipment that belongs to a third party;
- (2) estimates based on a generally recognized method;
- (3) in the case of withdrawals intended for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, the use of the estimation tool available online on the website of the Minister’s department.

A withdrawer that intends to make a water withdrawal as part of a project that requires an authorisation to be issued, amended or renewed under the Environment Quality Act (chapter Q-2) and involves establishing or altering a withdrawal site must, before making that withdrawal, instal on the site measuring equipment that belongs to the withdrawer and meets the requirements of Chapter IV, unless the withdrawer’s authorization allows the use of one of the means referred to in the second paragraph.

5.1. For the purposes of section 5, where a withdrawal is intended for a transfer of water out of the St. Lawrence River Basin and one of the time limits referred to in the second paragraph of section 5 occurs, the appropriate measuring equipment must be installed at the points where water is transferred and, where applicable, returned to the Basin, in addition to the points where water is withdrawn.”.

7. The following is added at the end of section 6:

“A withdrawer that uses estimates based on a generally recognized method must comply with the provisions of Chapter V.”.

8. Sections 7 and 8 are revoked.

9. Section 9 is amended

(1) in the second paragraph

(a) by replacing “Ministère du Développement durable, de l’Environnement et des Parcs” by “Ministère’s”;

(b) by replacing “18.7” by “18.5”;

(2) in the third paragraph

(a) by inserting “in bankruptcy, dissolved or liquidated, or” after “legal person”;

(b) by replacing “18.7” by “18.5”;

(3) by striking out “or, if the withdrawer ceases to withdraw water, within 60 days after the date on which the withdrawals cease” in the fourth paragraph;

(4) in subparagraph 3 of the fifth paragraph

(a) by inserting “where applicable,” at the beginning of subparagraph *a*;

(b) by replacing subparagraph *e.1* by the following:

“(e.1) if the volumes of water withdrawn are determined using the estimates referred to in subparagraph 2 of the second paragraph of section 5, the name of the professional who certified the estimates of the volumes of water withdrawn and his or her profession and a description of the estimation method used;”;

(c) by replacing subparagraph *j* by the following:

“(j) a statement specifying that the withdrawals are authorized pursuant to the Environment Quality Act (chapter Q-2) or, in the absence of such authorization, a statement specifying the first year in which the withdrawals totalled a daily volume equal to or greater than 75,000 litres for at least 1 day in the year, or a statement indicating that the withdrawals never reached that threshold, as the case may be.”;

(5) by striking out “to” in the sixth paragraph;

(6) by replacing “including the estimates provided for in section 7” in the seventh paragraph by “including, where applicable, the estimates provided for in subparagraph 2 of the second paragraph of section 5”;

(7) by replacing “the Minister’s department’s” in the eighth paragraph by “the Ministère’s”.

10. Section 10 is amended by replacing “the estimation method is used” at the end of subparagraph 5 of the first paragraph by “the estimates referred to in subparagraph 2 of the second paragraph of section 5 are used”.

11. The following is inserted before section 11:

“**10.1.** The provisions of this Chapter apply to a withdrawer that uses direct measurements taken by measuring equipment.”.

12. Section 11 is amended by replacing “in the case of an aquaculture site or a fishing pond site” in paragraph 1 by “where the withdrawal is intended for the operation of an aquaculture site or a fishing pond site or is for lowering or diverting water that is immediately returned to the hydrographic network in the original watershed”.

13. Section 12 is amended

(1) by replacing “every 3 years in the case of a water meter and at least once a year for any other type of measuring equipment, by comparing the readings with the results obtained using either method listed in the third paragraph” in subparagraph 2 of the first paragraph by “every 3 years, by comparing the readings with the results obtained using an estimation method referred to in subparagraph 2 of the second paragraph of section 5”;

(2) by replacing “measured using either method in the third paragraph” in the second paragraph by “determined using an estimation method referred to in subparagraph 2 of the second paragraph of section 5”;

(3) by striking out the third paragraph.

14. Section 15 is amended by replacing “or 18.7” in the first paragraph by “, 18.4 or 18.5”.

15. The heading of Chapter V is amended by striking out “WITHDRAWN”.

16. Section 16 is replaced by the following:

“**16.** The provisions of this Chapter apply to a withdrawer that, pursuant to subparagraph 2 of the second paragraph of section 5 or the fourth paragraph of section 5, uses estimates based on a generally recognized method.

16.1. Every estimate of the volumes of water must rely on measurements taken on site.

16.2. A withdrawer that uses estimates based on a generally recognized method must, for each month, calculate or cause to be calculated all the estimated volumes of water withdrawn, as well as the margin of error in percentage of the evaluation made according to the estimation method used.

That estimate must be certified by a professional.”.

17. Section 18 is amended by replacing “25%” in the first paragraph by “15%”.

18. The heading of Chapter I of Title II is revoked.

19. The following is inserted before section 18.2:

“**18.1.** For the purposes of this Title,

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

“consumptive use” means consumptive use within the meaning of section 31.89 of the Environment Quality Act (chapter Q-2). (*consommation*)”.

20. Section 18.2 is replaced by the following:

“**18.2.** The provisions of this Title apply to any water withdrawal in the St. Lawrence River Basin.”.

21. Chapters II and III of Title II, including sections 18.4 to 18.7, are replaced by the following:

“**18.4.** A withdrawer that withdraws water from the St. Lawrence River Basin from a withdrawal site whose works or facilities have a withdrawal rated capacity equal to or greater than 379,000 litres per day is required to annually declare to the Minister, in addition to the information that must be declared, where applicable, pursuant to sections 9 and 18.5,

(1) the volumes of water consumed every month in the Basin;

(2) for each site of use of the water withdrawn, the georeferenced data of their location, the volumes of water consumed and the activities for which the withdrawals are made, identified by their North American Industry Classification System (NAICS) codes;

(3) where the volumes are determined using the estimates referred to in subparagraph 2 of the second paragraph of section 5, the name of the professional who certified the estimates of the volumes of water consumed and his or her profession and a description of the estimation method used.

For the purposes of the first paragraph, and despite section 5, where the water is withdrawn for the following purposes, the person making the declaration may, without needing to provide a justification, indicate a consumptive use equal to

(1) 15% of the volumes of water withdrawn where the withdrawals are intended to supply a waterworks system serving all or part of the population of a municipality;

(2) 80% of the volumes of water withdrawn where the withdrawals are intended for livestock raising purposes;

(3) 90% of the volumes of water withdrawn where the withdrawals are intended for watering purposes.

To determine if the withdrawal rated capacity reaches the volume from which the withdrawer is required, under this section, to declare the volumes of water it consumes or may consume, all the rated capacities of the works or facilities of withdrawal sites connected to a single establishment or waterworks system must be added up. Establishments whose activities are under the responsibility of one withdrawer are deemed to be part of the same establishment.

Where the volumes of water consumed are calculated using the direct measurement taken by measuring equipment, no supply of water from outside the withdrawal site may affect or distort the calculation.

The information on the volumes of water consumed referred to in subparagraphs 1 and 2 of the first paragraph is public and the Minister publishes the information on the Ministère's website.

18.5. A withdrawer that transfers water out of the St. Lawrence River Basin is required, whatever the volume, to annually declare to the Minister, in addition to the information that the withdrawer must declare, where applicable, pursuant to sections 9 and 18.4,

(1) the volumes of water transferred out of the St. Lawrence River Basin, expressed in litres, indicating for each withdrawal site concerned, the georeferenced data of the sites where the water so transferred is used. Where the water transferred out of the Basin is intended to supply a waterworks system serving all or part of the population of a municipality, the level 1 drainage basins covered by the waterworks system must be indicated, and the name of the watercourse into which the water of the territory flows must be specified, as that name was officialized by the Commission de toponymie du Québec;

(2) the volumes of water discharged into the St. Lawrence River Basin, expressed in litres, specifying the georeferenced data of the discharge points for the water.

18.6. Sections 5 and 5.1 apply, with the necessary modifications, to the determination of the volumes of water referred to in sections 18.4 and 18.5, including the determination of the volumes of water transferred out of the St. Lawrence River Basin, the volumes of water discharged or returned to the Basin and, subject to the second paragraph of section 18.4, the volumes of water consumed.

The second, third, fourth, sixth and seventh paragraphs of section 9 also apply to the declarations provided for in sections 18.4 and 18.5.

TITLE II.1

SPECIAL PROVISIONS APPLICABLE TO WITHDRAWALS INTENDED FOR AGRICULTURAL PURPOSES OR FOR THE OPERATION OF A FISHING POND SITE OR AN AQUACULTURE SITE LOCATED OUTSIDE THE ST. LAWRENCE RIVER BASIN

18.7. A withdrawer that, at least 1 day in the year 2026, withdraws a daily volume of water equal to or greater than 75,000 litres, wholly outside the St. Lawrence River Basin and for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, must, in the case of a withdrawal referred to in sections 33 and 34 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), send to the Minister, not later than 31 March 2027, a declaration on the withdrawals made in the year 2026 that contains the information referred to in the fifth paragraph of section 9.

For the purposes of the declaration provided for in the first paragraph, the volumes of water withdrawn must be determined using one of the means referred to in the first or second paragraph of section 5.

Section 4.1, the second, third, sixth and eighth paragraphs of section 9 and, where applicable, Chapters IV and V of Title I apply for the purposes of the declaration provided for in this section, with the necessary modifications.

This section ceases to apply to a withdrawer referred to in the first paragraph where an authorization for the withdrawal is issued, amended or renewed under the Environment Quality Act (chapter Q-2).”

22. Sections 18.8 and 18.9 are replaced by the following:

“**18.8.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions fixed in the second or third paragraph of section 9 for sending the declarations referred to in sections 9, 18.4, 18.5 and 18.7 to the Minister;

(2) to ensure that the declarations referred to in sections 9, 18.4 and 18.5 were received by the Minister within the time limit provided for in the fourth paragraph of section 9;

(3) to keep or send to the Minister, within the prescribed time limit, the documents in support of the declarations referred to in sections 9, 18.4 and 18.5, in accordance with the seventh paragraph of section 9;

(4) to keep or make available to the Minister the register prescribed by section 10 during the period and on the conditions provided for in that section;

(5) to attest the accuracy of the information contained in the declarations referred to in sections 9, 18.4, 18.5 and 18.7, in accordance with the sixth paragraph of section 9.

18.9. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to determine the volumes of water withdrawn, in accordance with section 4.1 and the first and second paragraphs of section 5;

(2) to fit a withdrawal site with measuring equipment in the cases and on the conditions provided for in the third paragraph of section 5;

(3) to install appropriate measuring equipment in the cases and on the conditions provided for in section 5.1;

(4) to send to the Minister the declaration referred to in section 9 in accordance with the first or fifth paragraph of that section;

(5) to comply with the conditions provided for in sections 11 and 12 relating to the installation, good working order, verification, accuracy, modification or replacement of measuring equipment;

(6) to comply with section 13 for the reading of measuring equipment;

(7) to take the reading of volume data from measuring equipment at least once a month in accordance with the second paragraph of section 14;

(8) to comply with the indications provided for in section 15 or to cause the volumes of water withdrawn to be estimated in accordance with that section;

(9) to comply with the conditions provided for in section 16.1 or 17 regarding an estimate of volumes of water withdrawn or the intervals of the measurements;

(10) to make the calculations or cause to be made the calculations prescribed by section 16.2 in accordance with the conditions provided for therein or to have the estimates certified by a professional in accordance with the second paragraph of that section;

(11) to replace or modify the estimation method or use conforming measuring equipment if the margin of error established under the first paragraph of section 18 is exceeded in accordance with that section;

(12) to send to the Minister the declaration referred to in section 18.4 in accordance with the first and second paragraphs of that section;

(13) to determine the withdrawal rated capacity in accordance with the third paragraph of section 18.4;

(14) to calculate the volumes of water consumed in accordance with the fourth paragraph of section 18.4;

(15) to send to the Minister the declaration referred to in section 18.5 in accordance with that section;

(16) to send to the Minister the declaration referred to in section 18.7 in accordance with the first paragraph of that section.”

23. Section 19 is amended by inserting “, sixth” after “fourth”.

24. Sections 19.1 and 19.2 are replaced by the following:

“**19.1.** Every person who contravenes section 4.1, 5 or 5.1, the first or fifth paragraph of section 9, section 11, 12 or 13, the second paragraph of section 14, section 15, 16.1, 16.2, 17, 18, 18.4 or 18.5 or the first paragraph of section 18.7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.”

25. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except subparagraph 3 of the second paragraph of section 5 of the Regulation respecting the declaration of water withdrawals, replaced by section 6 of this Regulation, which comes into force on 1 January 2026.

Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact

Environment Quality Act
(chapter Q-2, s. 23, 1st par., s. 28, and s. 31.0.11,
1st and 2nd pars.).

Act to affirm the collective nature of water resources and to promote better governance of water and associated environments
(chapter C-6.2, s. 33, 2nd par., and s. 34, 1st par.).

1. The Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) is amended in section 33 by inserting “of this Regulation” after “specific provisions” in paragraph 3.

2. Section 169 is amended

(1) in the first paragraph

(a) by inserting the following after subparagraph 3:

“(3.1) for a withdrawal site, where the withdrawals are subject to the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) and, where applicable, for a discharge point, where the withdrawals are also considered a use of water within the meaning of section 2 of the Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1),

(a) where the withdrawal site or the discharge point cannot be equipped with measuring equipment in accordance with the third paragraph of section 5 of the Regulation respecting the declaration of water withdrawals, replaced by section 6 of the Regulation to amend the Regulation respecting the declaration of water withdrawals, published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 November 2024, or the third paragraph of section 6 of the Regulation respecting the charges payable for the use of water, replaced by section 3 of the Regulation to amend the Regulation respecting the charges payable for the use of water, published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 November 2024,

i. the reasons for which such equipment cannot be installed;

ii. the means referred to in the second paragraph of either section that is used to determine the volumes of water;

(b) where the measuring equipment cannot be installed in accordance with the conditions provided for in section 11 of the Regulation respecting the declaration of water withdrawals, the reasons for which such equipment cannot be installed in accordance with the conditions provided for in that section;

(c) where measuring equipment is installed or cannot be installed in accordance with one of those Regulations, a description of the measuring equipment used to measure the volumes of water withdrawn or discharged, and a description of the equipment’s location and of the measures specific to the equipment’s installation;”;

(b) by replacing subparagraph 5 by the following:

“(5) a technical report on the water withdrawal scenario in order to demonstrate the reasonable nature of the withdrawal, including

(a) an assessment of the water needs, signed by a professional;

(b) a description of the water withdrawals to be authorized, including the average and maximum volumes and their spatial and temporal distribution;

(c) an assessment of the ability of each of the water withdrawal facilities concerned to meet the water needs identified, signed by a professional;”;

(c) by replacing subparagraph *a* of subparagraph 6 by the following:

“(a) water withdrawals with an annual daily volume of 379,000 litres or more per day when the water is withdrawn for one of the following purposes:

- i. to raise animals to which the Agricultural Operations Regulation (chapter Q-2, r. 26) applies on a raising site or spreading site;
- ii. to wash fruit or vegetables on a raising site or spreading site;
- iii. to cultivate plants or mushrooms;
- iv. for maple syrup production;
- v. for the operation of a fishing pond or aquaculture site;”;

(d) by replacing “by a farm producer to raise livestock referred to in section 2 of the Agricultural Operations Regulation, to cultivate plants or mushrooms, or for maple syrup production, or withdrawn for the operation of a fishing pond or aquaculture site” in subparagraph *e* of subparagraph 7 by “for one of the purposes referred to in subparagraphs i to v of subparagraph *a* of subparagraph 6 of the first paragraph”;

(2) by adding the following at the end:

“Despite subparagraph *a* of subparagraph 5 of the first paragraph, the assessment of the water needs may be produced by a water withdrawal estimation tool made available by the Minister on the website of the Minister’s department where the withdrawal is made for one of the purposes referred to in subparagraphs i to v of subparagraph *a* of subparagraph 6 of the first paragraph.”

3. The following is inserted at the end of section 173:

“(6) water withdrawals made as part of dredging work.”

4. Section 364 is amended

(1) in the first paragraph

(a) by inserting “and subject to the second paragraph,” after “(chapter C-6.2),” in the portion before subparagraph 1;

(b) by replacing subparagraph 6 by the following:

“(6) in the case where the withdrawer makes a water withdrawal with an average daily volume of less than 200,000 litres, until 14 August 2029.”;

(2) by replacing the second paragraph by the following:

“In the case where the withdrawer makes a withdrawal for one of the purposes referred to in subparagraphs i to v of subparagraph *a* of subparagraph 6 of the first paragraph of section 169, and despite sections 33 and 34 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments, the water withdrawals referred to in those sections are valid until one of the following dates:

(1) where the withdrawer makes a water withdrawal with an average daily volume equal to or more than 5,000,000 litres, until 14 August 2030;

(2) where the withdrawer makes a water withdrawal with an average daily volume equal to or more than 1,500,000 litres but less than 5,000,000 litres, until 14 August 2031;

(3) where the withdrawer makes a water withdrawal with an average daily volume equal to or more than 600,000 litres but less than 1,500,000 litres, until 14 August 2032;

(4) where the withdrawer makes a water withdrawal with an average daily volume equal to or more than 200,000 litres but less than 600,000 litres, until 14 August 2033;

(5) until 14 August 2034

(a) where the withdrawer makes a water withdrawal with an average daily volume of less than 200,000 litres;

(b) where the withdrawer operates a land-based aquaculture site for which, for each tonne of annual production, the withdrawer withdraws a volume of water equal to or less than 20,000 litres per hour and holds an authorization to produce an annual phosphorous discharge equal to or less than 4.2 kg per tonne of production.

A water withdrawal for which an application for a renewal of authorization or the issue of a new authorization has been made in accordance with this Regulation may continue after the period of validity until a decision on the application has been made by the Minister. However, in the case of a water withdrawal referred to in the second paragraph made in the calendar year 2026, it may continue after the calendar year 2027 only where the withdrawer has met the requirements provided for in the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14).”;

5. Section 365 is amended in the first paragraph

(1) by inserting “, as well as those provided for in subparagraph 3.1 of the first paragraph of section 169” at the end of subparagraph 1;

(2) by replacing “paragraphs 3 and 4” in subparagraph 2 by “subparagraphs 3 to 5 of the first paragraph”;

(3) by replacing “in section” in subparagraph 6 by “in the first paragraph of section”.

6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except paragraph 2 of section 2, which comes into force on 1 January 2026.

Regulation to amend the Regulation respecting the charges payable for the use of water

Environment Quality Act
(chapter Q-2, s. 46, par. 16, subpars. *e, g, j*, and *l*, and s. 95.1, 1st par., subpars. 11, 12, 20, 21 and 21.1)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.)

1. The Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1) is amended in section 2,

(1) in the first paragraph,

(a) by inserting “unless the context indicates a different meaning,” after “Regulation,” in the portion before the definition of “measuring equipment”;

(b) by inserting “or, where the water is withdrawn using a pond, a basin or other retaining works having a hydraulic interconnection with groundwater or surface water, the rated volume of the pond, basin or other works” at the end of the definition of “rated capacity”;

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

““Ministère” means the Ministère du Développement durable, de l’Environnement et des Parcs;

““Minister” means the Minister of Sustainable Development, Environment and Parks;”;

(2) by replacing the second paragraph by the following:

“In addition, for the purposes of this Regulation,

(1) a use of water includes any action for lowering or diverting groundwater, as well as any other withdrawal of water, even where the water is subsequently returned to its environment of origin;

(2) a water discharge refers to water that has been so used.”.

2. Section 4 is amended by striking out “are related or complementary to one another and” in the second paragraph.

3. Section 6 is replaced by the following:

“6. Every person subject to charges for the use of water is required to determine the volume of water the person uses and discharges annually by direct measurement taken by measuring equipment that belongs to the person.

Despite the foregoing, a person that does not have measuring equipment may determine the volumes of water used or discharged using one of the following means, if the person has not made a use of water referred to in the third paragraph or if the person’s authorization provides for it:

(1) direct measurement taken by measuring equipment that belongs to a third party, installed as close as possible to each withdrawal site, another water entry location or water discharge point concerned;

(2) estimates based on a generally recognized method.

A person who intends to make a use of water as part of a project that requires an authorisation to be issued, amended or renewed under the Environment Quality Act (chapter Q-2) and involves establishing or altering a withdrawal site, another water entry location or a discharge point must, before making such water use, instal on the site, location or point measuring equipment that belongs to the person and meets, with the necessary modifications, the requirements of Chapter IV of the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14), unless the person’s authorization allows the use of one of the means referred to in the second paragraph.

For the purposes of the third paragraph, where a use of water consists only in lowering or diverting water that is immediately returned to the hydrographic network of the watershed of origin, only water discharge points must be equipped with measuring equipment.

6.1. A person who uses direct measurement taken by measuring equipment must comply with Chapter IV of the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14), with the necessary modifications.

A person who uses estimates based on a generally recognized method must comply with Chapter V of the Regulation, with the necessary modifications.”

4. Section 8 is amended

(1) by replacing “utilisée et rejetée” in the second paragraph in the French text by “utilisé et rejeté”;

(2) in the third paragraph

(a) by striking out “or, if they have ceased using the water in one year, within 60 days after the cessation” in the portion before subparagraph 1;

(b) by replacing “utilisée et rejetée” in subparagraph 5 in the French text by “utilisé et rejeté”;

(c) by replacing subparagraph 6 by the following:

“(6) if the volumes of water used are determined by direct measurement taken by measuring equipment, the type of measuring equipment installed and any malfunction, breakdown, abnormality or other defect that affected the operation of the equipment, and the number of days during which the volumes could not be measured in a reliable and accurate manner;

(7) if the volumes of water used are determined by estimates referred to in subparagraph 2 of the second paragraph of section 6, the name of the professional who certified the estimates of the volumes of water used and his or her profession and a description of the estimation method used.”;

(3) by replacing the fourth paragraph by the following:

“The person who completes the declaration provided for in the third paragraph must certify that the information it contains is accurate.

The declaration provided for in the third paragraph must be completed and sent electronically, using the form available on the website of the Ministère. Despite the foregoing, where the person referred to in the third paragraph is a legal person in bankruptcy, dissolved or liquidated, or having its seat in the territory of a local municipality or in a territory not organized as a municipality where no Internet service provider offers access to the Internet, the data to be transmitted to the Minister pursuant to this section may be sent using the form provided by the Minister on a medium other than a technology-based medium. In such case, the declaration must be dated and signed by the person who wrote it and specify the reason justifying the use of that medium.

Documents in support of the declaration provided for in the third paragraph, including, where applicable, the estimates provided for in subparagraph 2 of the second paragraph of section 6 and the verification reports on reading accuracy provided for in section 12 must be kept on the premises of the establishment concerned for a period of 5 years and be sent to the Minister within 20 days after a request to that effect.”;

(4) in the sixth paragraph

(a) by replacing “in subparagraph 6” by “in subparagraphs 6 and 7”;

(b) by replacing “the Minister’s department’s website” by “the Ministère’s website”.

5. Sections 11.1, 11.2, 12, 12.1 and 12.2 are replaced by the following:

“**11.1.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person that fails

(1) to indicate the amount of the charges payable to the Minister of Finance in the declaration referred to in the first paragraph of section 8;

(2) to certify that the information contained in the declaration referred to in the third paragraph of section 8 is accurate, in accordance with the fourth paragraph of that section;

(3) to comply with the terms provided for in the fifth paragraph of section 8 for sending the declaration referred to in the third paragraph of that section;

(4) to keep or send to the Minister documents in support of the declaration referred to in the third paragraph of section 8, within the period and on the conditions provided for in the sixth paragraph of that section;

(5) to keep the register prescribed in the seventh paragraph of section 8.

11.2. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person that fails

(1) to determine the volumes of water used and discharged, in accordance with the first and second paragraphs of section 6;

(2) to install the appropriate measuring equipment, in the cases and in accordance with the conditions provided for in the third and fourth paragraphs of section 6;

(3) to pay the charges payable on the date or within the period provided for in section 7;

(4) to indicate the volumes of water used and discharged in the declaration referred to in the first paragraph of section 8, in accordance with the second paragraph of that section;

(5) to declare to the Minister the information listed in the third paragraph of section 8, within the period provided for therein.

12. Every person who contravenes the first, fourth, fifth, sixth or seventh paragraph of section 8 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

12.1. Every person who contravenes section 6 or 7 or the second or third paragraph of section 8 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.”

6. Section 14 is revoked.

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

107104



Draft Regulation

Act respecting land use planning and development
(chapter A-19.1)

Notification of certain documents

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the notification of certain documents, appearing below, may be made by the Minister of Municipal Affairs on the expiry of 45 days following this publication.

The draft Regulation prescribes the terms and conditions applicable to the notification of certain documents, provided for by the Act respecting land use planning and development (chapter A-19.1), between the Minister and local municipalities, regional county municipalities and metropolitan communities.

Further information on the draft Regulation may be obtained by contacting Simon Tremblay, Direction de la planification et de l'analyse, Ministère des Affaires municipales et de l'Habitation, 10, rue Pierre-Olivier-Chauveau, aile Cook, 3^e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 83025; email: simon.tremblay@mamh.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 Tremblay at the above contact information.

ANDRÉE LAFOREST
Minister of Municipal Affairs

Regulation respecting the notification of certain documents

Act respecting land use planning and development
(chapter A-19.1, s. 226.1, subpar. 1).

1. This Regulation prescribes the terms and conditions applicable to the notification of documents by the Minister to local municipalities, regional county municipalities and metropolitan communities, and vice versa.

2. Every notification referred to in section 1 is made by email or registered mail, as the sender may choose.

The recipient may, however, require that the sender notify documents by registered mail. In the case of a local municipality, regional county municipality or metropolitan community, that requirement must be given by means of a resolution.

3. Every local municipality, regional county municipality or metropolitan community must provide the Minister with an active email address intended for the notification of documents and inform the Minister, as soon as possible, of any change of address.

Every notification of documents to the Minister is made using the contact information of the Minister published on the government website.

4. A notification is deemed to be made on the date that the document is sent.

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

107094



Draft Regulation

Pesticides Act
(chapter P-9.3)

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

Pesticides Management Code

Permits and certificates for the sale and use of pesticides

— 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 Pesticides Management Code and the Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulations make various amendments aimed mainly at relaxing certain requirements applicable to agricultural activities.

An amendment is proposed to the Pesticides Management Code (chapter P-9.3, r. 1) to remove the requirement for an agronomic justification to use certain pesticides, making an agronomic prescription the sole requirement for that purpose. Adjustments are also proposed to the content of the agronomic prescription and to the register that must be kept. Consequential amendments are proposed to the applicable monetary administrative penalties and penal sanctions.

Amendments are also proposed to the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2) to create a Subclass E4 certificate, that is, a Farmer's Certificate for Sowing Pesticide Coated Seeds. Amendments consequential to the amendments proposed to the Pesticides Management Code are also made.

The regulatory relief proposed is aimed at ensuring greater equity and improving the efficiency of the parties involved by implementing regulations that are simpler, more specific and more consistent, while maintaining a high level of environmental protection. The regulatory relief should enable the enterprises concerned to save approximately 7.6 million dollars per year. All of those savings would be made by agricultural enterprises. The other measures proposed would not generate any additional costs for enterprises.

Further information on the draft Regulations may be obtained by contacting Maude Durand, Director, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; email: question.bslr@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to Maude Durand at the above contact information.

BENOIT CHARETTE

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

Regulation to amend the Pesticides Management Code

Pesticides Act
(chapter P-9.3, ss. 101, 105 and 107, and s. 109, 1st par., subpars. 10 and 11).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

1. The Pesticides Management Code (chapter P-9.3, r. 1) is amended in section 49 by replacing “74.4” by “74.3”.

2. Section 74.1 is amended

(1) by replacing “justification” in the portion before paragraph 1 by “prescription”;

(2) by striking out paragraph 3;

(3) by replacing paragraph 5 by the following:

“(5) in the case of Class 1 to Class 3 pesticides:

(a) the crop to be treated;

(b) the name of the active ingredient involved in the treatment; and

(c) the names of the pesticides containing the active ingredient involved and the quantity required;”;

(4) by replacing “the parcel” in paragraph 6 by “every parcel”;

- (5) by striking out paragraphs 7 to 11;
- (6) by replacing paragraph 12 by the following:
- “(12) in the case of Class 3A pesticides, the name of every active ingredient, the quantity of seeds required and the plant species concerned;”;
- (7) by replacing “justification” in paragraph 13 by “prescription”.
- 3.** Section 74.2 is revoked.
- 4.** Section 74.3 is amended
- (1) by replacing “justification” wherever it appears in the first and second paragraphs by “prescription”;
- (2) by striking out the third paragraph;
- (3) by replacing “justification” in the fourth paragraph by “prescription”.
- 5.** Section 74.4 is revoked.
- 6.** Section 86.1 is amended by replacing “to 74.4” by “and 74.3”.
- 7.** Section 86.2 is amended in the first paragraph
- (1) by inserting “the name, address and telephone number of the farmer and, for each activity related to the performance of work involving the use of a pesticide,” after “containing” in the portion before subparagraph 1;
- (2) by striking out subparagraphs 1, 3, 6 and 7;
- (3) by striking out “and the name of its active ingredients” in subparagraph 8;
- (4) by replacing subparagraph 11 by the following:
- “(11) if the pesticide used is referred to in section 74.1, the number of the agronomic prescription obtained.”.
- 8.** Section 86.4 is amended
- (1) by replacing paragraph 2 by the following:
- “(2) fails to send a report or an agronomic prescription in accordance with the third paragraph of section 30.3 or section 74.3 or the second paragraph of section 88.1, or to keep it for the period specified in those sections;”;
- (2) by striking out “or the second paragraph of section 74.4” in paragraph 4;
- (3) by striking out paragraph 5.
- 9.** Section 86.6 is amended by striking out “agronomic justification or” and “or third” in paragraph 2.
- 10.** Section 86.9 is amended
- (1) by replacing paragraph 6 by the following:
- “(6) fails to comply with a condition for the application of a pesticide prescribed by section 33, section 48.3 or the first paragraph of section 74.3;”;
- (2) by striking out paragraphs 8 and 9;
- (3) by replacing “justification” in paragraph 11 by “prescription”;
- (4) by striking out paragraph 12.
- 11.** Section 87 is amended
- (1) by replacing paragraph 2 by the following:
- “(2) fails to send a report or an agronomic prescription in accordance with the third paragraph of section 30.3 or section 74.3 or the second paragraph of section 88.1, or to keep it for the period specified in those sections;”;
- (2) by striking out “or the second paragraph of section 74.4” in paragraph 4;
- (3) by striking out paragraph 5.
- 12.** Section 87.2 is amended by striking out “agronomic justification or” and “or third” in paragraph 2.
- 13.** Section 87.5 is amended
- (1) by replacing “, the first paragraph of section 74.3 or the first or third paragraph of section 74.4” in paragraph 6 by “or the first paragraph of section 74.3”;
- (2) by striking out paragraphs 8 and 9;
- (3) by replacing “justification” in paragraph 11 by “prescription”;
- (4) by striking out paragraph 12.

14. Section 88.1 is amended

(1) by replacing “justification” in subparagraph 1 of the first paragraph by “prescription”;

(2) by replacing “justification” wherever it appears in the second paragraph by “prescription”;

(3) by striking out the third paragraph.

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

Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides

Pesticides Act
(chapter P-9.3, ss. 32 and 101, and s. 109, 1st par., subpars. 3, 8 and 10).

1. The Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2) is amended in section 36

(1) by inserting the following after paragraph 3:

“(4) a Subclass E4 “Farmer’s Certificate for Sowing Pesticide Coated Seeds” authorizes the holder to perform, using an application method other than by aircraft, work involving the use of a Class 3A or Class 3B pesticide and to supervise that work at the places where it is performed;”;

(2) by inserting “Farmer’s” before “Certificate” in paragraph 5.

2. Section 44 is amended

(1) in paragraph 3

(a) by replacing “74.2 or, where applicable, section 74.4 of the Pesticides Management Code (chapter P-9.3, r. 1)” in the portion before subparagraph *a* by “74.1 of the Pesticides Management Code (chapter P-9.3, r. 1), amended by section 2 of the Regulation to amend the Pesticides Management Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 November 2024”;

(b) by replacing “or E2” in subparagraph *b* by “, E2 or E4”;

(2) in the portion before subparagraph *a* of paragraph 4

(a) by inserting “Class 1 to Class 3” before “pesticide”;

(b) by replacing “74.2 or, where applicable, section 74.4 of the Pesticides Management Code” by “74.1 of the Pesticides Management Code, amended by section 2 of the Regulation to amend the Pesticides Management Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 November 2024”;

(3) by inserting “Class 1 to Class 3” before “pesticide containing” in paragraph 5;

(4) by replacing “or E2” in subparagraph *b* of paragraph 8 by “, E2 or E4”.

3. Section 48 is amended by striking out “the number of the agronomic justification indicated in the agronomic prescription or, where applicable,” in subparagraphs 9 and 10 of the second paragraph.

4. Section 50 is amended by striking out “the number of the agronomic justification indicated in the agronomic prescription or, where applicable,” in subparagraph 12 of the second paragraph.

5. Section 55.1 is amended by striking out “and the number of the agronomic justification indicated in the agronomic prescription or, where applicable” in subparagraph 6 of the third paragraph.

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

107101



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)

Water withdrawal and protection — 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 Water Withdrawal and Protection Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes various amendments aimed mainly at relaxing certain requirements applicable to agricultural activities.

An amendment is proposed to the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) to grant a period of 9 years instead of the current period of 5 years to send the first update to the analysis reports on the vulnerability of sources of drinking water, both ground-water and surface water. It is also provided that copies of those reports must be sent to the regional advisory panel concerned by the withdrawal.

The regulatory relief proposed is aimed at ensuring greater equity and improving the efficiency of the parties involved by implementing regulations that are simpler, more specific and more consistent, while maintaining a high level of environmental protection. The measures proposed would not generate any additional costs for enterprises.

Further information on the draft Regulation may be obtained by contacting Maude Durand, Director, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; email: question.bslr@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 Maude Durand at the above contact information.

BENOIT CHARETTE

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

Regulation to amend the Water Withdrawal and Protection Regulation

Environment Quality Act
(chapter Q-2, s. 46, par. 16, subpar. 1).

1. The Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) is amended in section 68

(1) by striking out “, every 5 years,” in the portion before subparagraph 1 of the first paragraph;

(2) by adding “The first report must be sent to the Minister at the time of the application for authorization made in accordance with section 169 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), amended by section 2 of the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 November 2024. The second report must be sent 9 years after the issuance of the authorization or, in the cases referred to in section 99, after the transmission of the report in accordance with that section, and the subsequent reports must then be sent every 5 years.” at the end of the second paragraph;

(3) by inserting “and to the regional advisory panel concerned” at the end of the fourth paragraph.

2. Section 75 is amended

(1) by replacing “The subsequent reports must then be sent every 5 years.” in the second paragraph by “The second report must be sent 9 years after the transmission of the first report and the subsequent reports must then be sent every 5 years.”;

(2) by inserting “and to the regional advisory panel concerned” at the end of the fifth paragraph.

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

107103



Gouvernement du Québec

T.B. 231409, 29 October 2024

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 13.2 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Government may, by regulation, determine the actuarial assumptions and methods used to establish the actuarial values of the benefits referred to in sections 109.2 and 109.8 of the Act, which may vary with the pension plans and benefits concerned;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 134 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 163 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS those consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10, s. 109.2, 4th par., s. 109.8, 3rd par. and s. 134, 1st par., subpar. 13.2).

1. The Regulation under the Act respecting the Government and Public Employees Retirement (chapter R-10, r. 2) is amended by replacing section 30.1 by the following:

“**30.1.** For the purposes of sections 109.2 and 109.8 of the Act, the actuarial values of the benefits are determined using the “projected benefit” actuarial method pro rated on service. In the case of section 109.2 of the Act, the pensionable salary of the retirement plans involved in the transfer is the salary that is taken into account to determine the average pensionable salary used to calculate the pension.

Moreover, those values are determined using the actuarial assumptions retained for the actuarial valuation of each retirement plan concerned in respect of the benefits covered by the members, which is available on 1 January of the year in which the values are determined.

For the purposes of sections 109.2 of the Act, the actuarial values of the benefits are also determined using the following actuarial assumptions:

(1) the retirement age is the age on the date on which membership ceases as determined pursuant to section 8.7 or 8.8 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), despite the second paragraph of this section;

(2) the pension under the Pension Plan of Peace Officers in Correctional Services used to determine the actuarial value of the benefits of that plan is reduced by 1/3 of 1% per month computed for each month comprised between the date on which the actuarial value is determined and the first date on which a pension could have been paid to the member without reduction under than plan.”.

2. This Regulation comes into force on 1 January 2025.

107097



Gouvernement du Québec

T.B. 231410, 29 October 2024

Act respecting the Pension Plan of Management Personnel
(chapter R-12.1)

Regulation
— **Amendment**

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 12 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the Government may, by regulation, determine the actuarial assumptions and methods used to establish the actuarial values of the benefits referred to in sections 138.1 and 138.7 of the Act, which may vary with the pension plans and benefits concerned;

WHEREAS the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1) by its Decision dated 24 May 2005 (C.T. 202420);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 196 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 196.2 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS those consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

Act respecting the Pension Plan of Management Personnel (chapter R-12.1, s. 138.1, 3rd par., s. 138.7, 3rd par., and s. 196, 1st par., subpar. 12).

1. The Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1) is amended by replacing section 10.1 by the following:

“**10.1.** For the purposes of sections 138.1 and 138.7 of the Act, the actuarial values of the benefits are determined using the “projected benefit” actuarial method pro rated on service. In the case of section 138.1 of the Act, the pensionable salary of the pension plans involved in the transfer is the salary that is taken into account to determine the average pensionable salary used to calculate the pension.

Moreover, those values are determined using the actuarial assumptions retained for the actuarial valuation of each retirement plan concerned in respect of the benefits covered by the members, which is available on 1 January of the year in which the values are determined.

For the purposes of section 138.1 of the Act, the actuarial values of the benefits are also determined using the following actuarial assumptions:

(1) the retirement age is the age on the date on which membership ceases as determined pursuant to section 8.7 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), despite the second paragraph of this section;

(2) the pension under the Pension Plan of Peace Officers in Correctional Services used to determine the actuarial value of the benefits of that plan is reduced by 1/3 of 1% per month computed for each month comprised between the date on which the actuarial value is determined and the first date on which a pension could have been paid to the member without reduction under than plan.”.

2. This Regulation comes into force on 1 January 2025.

107096



Gouvernement du Québec

T.B. 231411, 29 October 2024

Act respecting the Pension Plan of Peace Officers in Correctional Services
(chapter R-9.2)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under subparagraph 3 of the first paragraph of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), the Government may, by regulation, determine the actuarial assumptions and methods used to calculate the actuarial value of the benefits referred to in sections 23, 41.7 and 41.12 of the Act, which may vary according to the pension plans and benefits concerned;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) by Order in Council 1842-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 130 of the Act, the Government exercises the regulatory powers provided for therein after *Retraite Québec* has consulted the pension committee referred to in section 139.3 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS those consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

Act respecting the Pension Plan of Peace Officers in Correctional Services
(chapter R-9.2, s. 23, 4th par., s. 41.7, 3rd par., and s. 130, 1st par., subpar. 3).

1. The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) is amended by striking out section 3.

2. Section 3.0.1 is replaced by the following:

“3.0.1. For the purposes of sections 23 and 41.7 of the Act, the actuarial values of the benefits are established using the “projected benefit” actuarial method pro rated on service. In the case of section 23 of the Act, if the employee is less than 5 years from retirement under the Government and Public Employees Retirement Plan, the Pension Plan of Peace Officers in Correctional Services or the Pension Plan of Management Personnel, the pensionable salary of the pension plans involved in the transfer prior to the qualification year under the Pension Plan of Peace Officers in Correctional Services must also be taken into account in determining the average pensionable salary.

Moreover, those values are established using the actuarial assumptions retained for the actuarial valuation of each retirement plan concerned in respect of the benefits covered by the members, which is available on 1 January of the year in which the values are established.”

3. This Regulation comes into force on 1 January 2025.

107095

