

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Charges payable for the disposal of residual materials —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 charges payable for the disposal of residual materials, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation increases the charges for the disposal of residual materials as of 1 January 2023 and revises the indexation mechanism. It also makes the charges applicable to transfer stations and introduces a partial charge for the use of residual materials as covering or in the construction of access roads in residual materials disposal areas.

Study of the matter has shown that the draft Regulation has a significant impact on enterprises and municipalities and the revenue generated by the increase in charges will be used to fund the transition to better management of residual materials, in particular by its stakeholders. By aiming to divert as many residual materials as possible away from disposal and by supporting the reclamation of residual materials by reinvesting the amounts derived from the charges, the draft Regulation not only works toward the achievement of the goals of the Québec residual materials management policy, but also the fight against climate change.

Further information on the draft Regulation may be obtained by contacting Martin Létourneau, Director, Direction des matières résiduelles, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 675, boulevard René-Lévesque Est, 9<sup>e</sup> étage, Québec (Québec) G1R 5V7; email: martin.letourneau@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 Martin Létourneau, Director, at the above contact information.

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

## Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials

Environment Quality Act  
(chapter Q-2, ss. 70, 95.1, 115.27 and 115.34)

**1.** The Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) is amended in section 1 by striking out “in disposal facilities” at the end.

**2.** Section 2 is replaced by the following:

“**2.** This Regulation applies to the following disposal facilities referred to in the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19):

- (1) engineered landfills;
- (2) construction or demolition waste landfills;
- (3) residual materials incineration facilities.

It also applies to the residual materials transfer stations referred to in the Regulation respecting the landfilling and incineration of residual materials, except the low capacity transfer stations covered by Division 2 of Chapter IV of that Regulation.”

**3.** Section 3 is replaced by the following:

“**3.** Every operator of a disposal facility referred to in the first paragraph of section 2 must, for each metric ton of residual materials received for disposal, pay charges of \$30.00.

Despite the first paragraph, the charges payable are one third of the charges prescribed by the first paragraph if the residual materials are intended for

(1) daily covering in an engineered landfill in accordance with section 41 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) monthly covering in a construction or demolition waste landfill in accordance with section 105 of the Regulation respecting the landfilling and incineration of residual materials; or

(3) the construction of access roads in residual materials disposal areas of a landfill referred to in subparagraph 1 or 2.

No charge is however payable for the following residual materials when they are intended for the purposes set out in the second paragraph:

- (1) contaminated soils;
- (2) fine construction, renovation and demolition waste from screening or sifting carried out by the sorting stations for residual materials from construction and demolition work.

**3.1.** Every operator of a transfer station referred to in the second paragraph of section 2 must also pay the charges prescribed by the first paragraph of section 3 for each metric ton of residual materials transferred and intended for a disposal facility.

**3.2.** Despite sections 3 and 3.1, no charge is payable for

- (1) residual materials that are sorted and recovered on the premises to be reclaimed;
- (2) mine tailings or residue generated by a mine tailings reclamation process; and
- (3) residual materials for which charges payable under this Regulation were already paid.

**3.3.** Despite paragraph 3 of section 3.2, every operator of an incineration facility referred to in subparagraph 3 of the first paragraph of section 2 may deduct from the quantity of residual materials covered by the charges prescribed by the first paragraph of section 3 the quantity of incineration residue recovered to be reclaimed.

However, when incineration residue is intended for the purposes set out in the second paragraph of section 3, only two thirds of the quantity of that residue may be deducted.”

**4.** Section 4 is amended

- (1) in the first paragraph
  - (a) by replacing “by section 3 are adjusted” by “by the first paragraph of section 3 are increased by \$2”;
  - (b) by striking out “on the basis of the rate calculated in the manner provided for in section 83.3 of the Financial Administration Act (chapter A-6.001)” at the end;
- (2) by replacing “adjustment in a notice in the *Gazette officielle du Québec* or by any other” in the second paragraph by “increase by any”.

**5.** Section 5 is amended

- (1) by replacing “prescribed by section 3 are payable” in the first paragraph by “payable under sections 3 and 3.1 are payable by means of an electronic method of payment”;

- (2) in the second paragraph

- (a) by replacing “the following information must be received by those dates to the” in the portion before subparagraph 1 by “the following information for the same period must be received by those dates by the”;

- (b) by replacing subparagraphs 2 and 3 by the following:

- “(2) the quantity of residual materials, expressed in metric tons, that, as the case may be, are

- (a) received for disposal and covered by the charge payable under the first paragraph of section 3;

- (b) intended for the purposes set out in the second paragraph of section 3 and covered by the charge payable under that paragraph;

- (c) intended for the purposes set out in the second paragraph of section 3 and covered by the third paragraph of section 3;

- (d) transferred, intended for a disposal facility and covered by the charge payable under section 3.1; or

- (e) referred to in section 3.2;

- (3) the quantity of incineration residue, expressed in metric tons, that is deducted in accordance with the first or second paragraph of section 3.3, as the case may be;

- (4) the amount of the charges paid broken down into the applicable categories provided for in subparagraph 2.”.

**6.** Section 6 is amended by adding the following paragraph at the end:

“If the amount of the charges, interest and amounts referred to in the second paragraph paid exceeds by more than \$5 the actual amount outstanding, then the operator is entitled to a credit for a future period equivalent to that difference. Where the operator ceases activities, the operator may ask for the reimbursement of that amount.”.

**7.** Section 7 is amended

(1) by replacing “site referred” by “facility or transfer station referred”;

(2) by inserting “reclaimed on the premises or” after “being”;

(3) by replacing “off-site” by “from the disposal facility or transfer station”.

**8.** Section 8 is amended by inserting “139,” after “128,” in the portion before paragraph 1.

**9.** Section 9 is amended

(1) by replacing “referred” by “or transfer station referred”;

(2) by replacing “at the disposal facility” by “or transferred, as the case may be,”;

(3) by adding “, unless no charge is payable for a given year” at the end.

**10.** Section 10.1 is amended in paragraph 6

(1) by inserting “or transferred, as the case may be,” after “received”;

(2) by inserting “or transfer station” after “facility”.

**11.** Section 10.2 is amended

(1) by replacing “disposal charges and additional charges in the amounts fixed in” in paragraph 1 by “charges prescribed by section 3 or 3.1”;

(2) in paragraph 4

(a) by inserting “or transferred, as the case may be,” after “received”;

(b) by replacing “being” by “before being reclaimed on the premises or”;

(c) by replacing “off-site” by “from the disposal facility or transfer station”.

**12.** This Regulation comes into force on 1 January 2023.

Subparagraph 2 of the third paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials, introduced by section 3 of this Regulation, ceases to have effect on 31 December 2025.

105676

**Draft Regulation**

Act respecting the regulation of the financial sector (chapter E-6.1)

**Ethics of the members of the Financial Markets Administrative Tribunal**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Code of ethics of the members of the Financial Markets Administrative Tribunal, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation sets out the rules of conduct of members and their duties toward the public, the parties, the parties’ witnesses and the persons representing the parties. It defines, in particular, conduct that is derogatory to the honour, dignity or integrity of members. In addition, it states their obligations concerning the disclosure of their interests, and the functions they may exercise free of charge, and determines the activities or situations that are incompatible with their office.

Further information on the draft Regulation may be obtained by contacting Jean-Hubert Smith-Lacroix, coordinator, Direction générale du droit corporatif et des politiques relatives au secteur financier, Ministère des Finances, 8, rue Cook, 4<sup>e</sup> étage, Québec (Québec) G1R 0A4; email: jean-hubert.smith-lacroix@finances.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments, within the 45-day period, to the Minister of Finance, 390, boulevard Charest Est, 8<sup>e</sup> étage, Québec (Québec) G1K 3H4.

ÉRIC GIRARD  
*Minister of Finance*

**Code of ethics of the members of the Financial Markets Administrative Tribunal**

Act respecting the regulation of the financial sector (chapter E-6.1, s. 115.15.25)

**DIVISION I**  
GENERAL

**1.** The purpose of this Code is to ensure and promote public trust in the integrity and impartiality of the Tribunal by favouring high standards of conduct for its members appointed by the Government.