

Regulation to amend the Regulation respecting the application of the Environment Quality Act

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

1. The Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) is amended by adding the following after section 20:

“DIVISION IV MONETARY ADMINISTRATIVE PENALTIES

21. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who

(1) uses or installs any equipment referred to in section 12 that is not in good working order;

(2) uses, during production hours, any equipment referred to in section 12 while not functioning optimally.

DIVISION V PENAL SANCTIONS

22. Every person who contravenes section 12 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.”

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

2792

Gouvernement du Québec

O.C. 655-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Wood-burning appliances — Amendment

Regulation to amend the Regulation respecting wood-burning appliances

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting wood-burning appliances (chapter Q-2, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting wood-burning appliances was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting wood-burning appliances, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting wood-burning appliances

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

1. The Regulation respecting wood-burning appliances (chapter Q-2, r. 1) is amended by inserting the following after section 7:

“CHAPTER II.1 MONETARY ADMINISTRATIVE PENALTIES

7.1. 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 who fails to keep the documents referred to in section 7 for the period and according to the conditions provided for therein.

7.2. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who manufactures, sells, offers

for sale or distributes in Québec a wood-burning appliance that does not comply with the requirements set in Chapter II, as prescribed by section 3.”.

2. The heading of chapter III is amended by replacing “OFFENCES” by “PENAL SANCTIONS”.

3. Sections 8 and 9 are replaced by the following:

“**8.** Every person who contravenes section 7 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 \$6,000,000.

9. Every person who contravenes section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 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, or, in other cases, to a fine of \$24,000 to \$3,000,000.”.

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

2794

Gouvernement du Québec

O.C. 656-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Groundwater Catchment — Amendment

Regulation to amend the Groundwater Catchment Regulation

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Groundwater Catchment Regulation (chapter Q-2, r. 6);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Groundwater Catchment Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 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 Sustainable Development, Environment, Wildlife and Parks:

THAT the Regulation to amend the Groundwater Catchment Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Groundwater Catchment Regulation

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

1. The Groundwater Catchment Regulation (chapter Q-2, r. 6) is amended by inserting the following after section 49:

“CHAPTER VI.1 MONETARY ADMINISTRATIVE PENALTIES

49.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to post at the boundaries of the immediate protection area of a catchment site referred to in the third paragraph of section 24 a notice indicating the information prescribed therein;

(2) to send an application for renewal with the required notice within the period provided for in the second paragraph of section 38;

(3) to seal off the bore holes which have been drilled and which will not be used for the purpose of collecting or monitoring groundwater in the case and on the conditions provided for in section 45.