

**96.8.** Every person who contravenes the second paragraph of section 24 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.

**96.9.** Every person who

(1) contravenes section 12, 13 or 19, the first paragraph of section 24, section 25, 35, 42, 45 or 62,

(2) fails to comply with the values established by the first or second paragraph of section 16 as to the concentration of odours discharged into the atmosphere,

commits an offence and is liable, in the case of natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.”.

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

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Gouvernement du Québec

**O.C. 681-2013, 19 June 2013**

Environment Quality Act  
(chapter Q-2)

**Water quality in swimming pools and  
other artificial pools  
— Amendment**

Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools

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 water quality in swimming pools and other artificial pools (chapter Q-2, r. 39);

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 water quality in swimming pools and other artificial pools 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 Regulation respecting water quality in swimming pools and other artificial pools, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting water quality in swimming  
pools and other artificial pools**

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

**1.** The Regulation respecting water quality in swimming pools and other artificial pools (chapter Q-2, r. 39) is amended by inserting the following after section 22:

**“CHAPTER V.1  
MONETARY ADMINISTRATIVE PENALTIES**

**22.1.** 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 enter the water monitoring results in the record in accordance with the first paragraph of section 21 or to do the certification required under the first or the second paragraph of that section;

(2) to post the record at the frequency or on the conditions prescribed in section 22.

**22.2.** 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 keep a record containing the information prescribed by section 20;

(2) to ensure that the entries or certifications in the record are compliant as prescribed by the third paragraph of section 21;

(3) to keep, for the period provided for therein, the record or reports referred to in section 22 or to make them available to the Minister.

**22.3.** 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 sample water at the frequencies or on the conditions prescribed by section 9, 10 or 11 or to make the results of the microbiological analyses available at the frequency provided for in the second paragraph of section 10;

(2) to collect, preserve, analyze or send water samples in accordance with the methods prescribed by section 13;

(3) to send water samples, forms or analysis results at the frequency or on the conditions prescribed by section 14;

(4) to evacuate the pool, close the access to the pool or increase the chlorine concentration at the frequency or on the conditions prescribed by the first paragraph of section 18.

**22.4.** 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 fails

(1) to ensure compliance with the microbiological or physicochemical quality of pool water prescribed by section 5;

(2) to ensure compliance with the chlorine, bromine or oxidation-reduction potential (ORP) standards prescribed by section 6;

(3) to ensure compliance with the pool water clarity standards prescribed by section 7;

(4) to drain or disinfect daily the type of pool referred to in section 8 before refilling or reusing the pool in accordance with the first paragraph of that section;

(5) to take the necessary measures to enable adequate monitoring of the quality of water made available to the users in the case or on the conditions provided for in section 12;

(6) to immediately communicate any result indicating that the water does not meet a microbiological standard to the person in charge of the pool, as prescribed by section 15;

(7) to take the necessary remedial measures if the pool water does not meet any of the water quality standards in Chapter II, to ascertain whether the system is being adequately maintained and operated, to adjust the level of residual disinfectant in the water or to collect or have a second sample collected to test for the presence of the identified microorganism in the cases or on the conditions provided for in section 16;

(8) to ensure that the parameters referred to in section 19 meet the standards in Chapter II before reopening the pool as prescribed by that section.

**22.5.** 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 fails

(1) to drain or disinfect the type of pool referred to in section 8 following the presence of vomitus or feces in accordance with the first paragraph of that section;

(2) to immediately evacuate or close access to the pool in the cases provided for in section 17;

(3) to ensure that the values of the residual disinfectant and pH meet the standards in Chapter II before permitting access to the pool in the case provided for in the second paragraph of section 18.”.

**2.** The heading of Chapter VI is amended by replacing “OFFENCES” by “PENAL SANCTIONS”.

**3.** Sections 23 to 28 are replaced by the following:

“**23.** Every person who contravenes the first or second paragraph of section 21 or fails to post the record at the frequency or on the conditions prescribed by section 22 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

**24.** Every person who contravenes section 20 or the third paragraph of section 21 or fails to keep for the period provided for therein the record or reports referred to in section 22 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.

**25.** Every person who contravenes section 9, 10, 11 or 13, the first, second or third paragraph of section 14 or the first paragraph of section 18 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.

**26.** Every person who contravenes section 5, 6, 7, 8, 12, 15, 16 or 19 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.

**27.** Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 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 \$15,000 to \$3,000,000.

**28.** Every person who contravenes section 8 or 17 or the second paragraph of section 18 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.

**28.1.** Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

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Gouvernement du Québec

**O.C. 682-2013, 19 June 2013**Environment Quality Act  
(chapter Q-2)**Quality of drinking water  
—Amendment**

Regulation to amend the Regulation respecting the quality of drinking water

WHEREAS, under subparagraphs *e*, *h.1* and *h.2* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment, determine the methods for for collecting, preserving and analyzing samples, and prescribe that any analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under sections 45 and 45.2 46 of the Act, the Government may, by regulation, provide standards related to drinking water and prescribe the requirements regarding the taking and forwarding of the water samples taken;

WHEREAS, under section 115.27 of the Act, 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 the quality of drinking water (chapter Q-2, r. 40);

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 the quality of drinking water 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;