

Gazette
officielle
DU Québec

Part

2

No. 23

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Laws and Regulations

Volume 150

Summary

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Contents

Part 2 contains:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) Orders in Council, decisions of the Conseil du trésor and minister’s orders whose publication is required by law or by the Government;
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PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

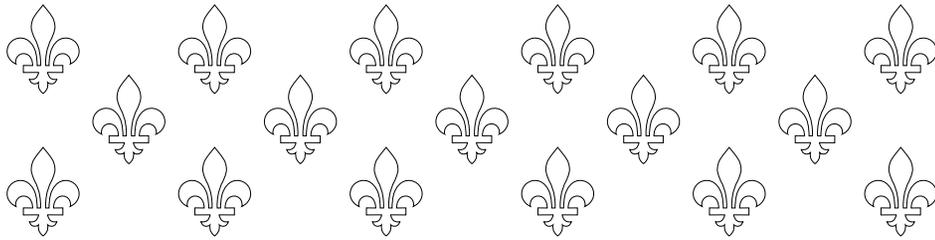
QUÉBEC, 8 MAY 2018

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 8 May 2018*

This day, at fifteen minutes past six o'clock in the evening, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

180 Appropriation Act No. 2, 2018–2019

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 180
(2018, chapter 9)

Appropriation Act No. 2, 2018–2019

Introduced 8 May 2018
Passed in principle 8 May 2018
Passed 8 May 2018
Assented to 8 May 2018

Québec Official Publisher
2018

EXPLANATORY NOTES

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2018–2019 fiscal year, a sum not exceeding \$43,475,722,940.00, including \$219,000,000.00 for the payment of expenditures chargeable to the 2019–2020 fiscal year, representing the appropriations to be voted for each of the portfolio programs, less the appropriations already authorized.

Moreover, the Act indicates which programs are covered by a net voted appropriation. It also determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the balance of the expenditure and investment estimates for the special funds for the 2018–2019 fiscal year, and the excess special fund expenditures and investments for the 2016–2017 fiscal year.

Bill 180

APPROPRIATION ACT NO. 2, 2018–2019

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the general fund of the Consolidated Revenue Fund a sum not exceeding \$43,475,722,940.00 to defray part of the Expenditure Budget of Québec tabled in the National Assembly for the 2018–2019 fiscal year, for which provision has not otherwise been made, including an amount of \$219,000,000.00 for the payment of expenditures chargeable to the 2019–2020 fiscal year, being the amount of the appropriations to be voted for each of the programs listed in Schedules 1 and 2, less the amounts totalling \$16,404,038,160.00 of the appropriations voted pursuant to Appropriation Act No. 1, 2018–2019 (2018, chapter 6).

2. In the case of programs for which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation for the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with the net voted appropriation exceed revenue forecasts.

3. The Conseil du trésor may authorize the transfer between programs or portfolios of the portion of an appropriation for which provision has been made to this end, for the purposes of and, where applicable, according to the conditions described in the Expenditure Budget.

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, insofar as such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10.0%, excluding, where applicable, the portion of the appropriation for which provision has been made.

4. The balance of the expenditure and investment estimates for the special funds listed in Schedule 3 is approved for the 2018–2019 fiscal year.

5. The excess special fund expenditures and investments for the 2016–2017 fiscal year listed in Schedule 4 are approved.

6. This Act comes into force on 8 May 2018.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

PROGRAM 1

Support for Departmental Activities	43,390,725.00
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PROGRAM 2

Municipal Infrastructure Modernization	327,774,100.00
--	----------------

PROGRAM 3

Compensation in Lieu of Taxes and Support to Municipalities	128,418,650.00
--	----------------

PROGRAM 4

Development of the Regions and Territories	121,214,458.00
---	----------------

PROGRAM 5

Promotion and Development of the Metropolitan Region	19,522,743.00
---	---------------

PROGRAM 6

Commission municipale du Québec	2,705,175.00
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PROGRAM 7

Housing	329,877,450.00
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PROGRAM 8

Consumer Protection	6,007,050.00
---------------------	--------------

	978,910,351.00
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AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	225,059,475.00
---	----------------

PROGRAM 2

Government Bodies	329,391,600.00
	<hr/>
	554,451,075.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Support for the Conseil du trésor	60,840,225.00
-----------------------------------	---------------

PROGRAM 2

Support for Government Operations	143,796,375.00
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PROGRAM 3

Commission de la fonction publique	3,487,500.00
------------------------------------	--------------

PROGRAM 4

Retirement and Insurance Plans	3,333,375.00
--------------------------------	--------------

PROGRAM 5

Contingency Fund	1,333,753,875.00
------------------	------------------

	1,545,211,350.00
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CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	568,800.00
------------------------------	------------

PROGRAM 2

Support Services for the Premier and the Conseil exécutif	71,513,550.00
--	---------------

PROGRAM 3

Canadian Relations	11,287,125.00
--------------------	---------------

PROGRAM 4

Aboriginal Affairs	197,498,400.00
--------------------	----------------

PROGRAM 5

Youth	31,415,925.00
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PROGRAM 6

Access to Information and Reform of Democratic Institutions	7,929,300.00
--	--------------

PROGRAM 7

Maritime Affairs	5,729,325.00
------------------	--------------

PROGRAM 8

Relations with English-speaking Quebecers	2,257,500.00
--	--------------

	328,199,925.00
--	----------------

CULTURE ET COMMUNICATIONS**PROGRAM 1**

Internal Management, Centre de conservation du Québec and Conseil du patrimoine culturel du Québec	44,124,150.00
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PROGRAM 2

Support for Culture, Communications and Government Enterprises	471,699,895.00
--	----------------

PROGRAM 3

Charter of the French Language	22,339,875.00
	<hr/>
	538,163,920.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

PROGRAM 1

Environmental Protection	140,122,950.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	3,870,375.00
---	--------------

143,993,325.00

ÉCONOMIE, SCIENCE ET INNOVATION

PROGRAM 1

Management and Administration	26,098,500.00
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PROGRAM 2

Economic Development	229,656,225.00
----------------------	----------------

PROGRAM 3

Development of Science, Research and Innovation	148,526,825.00
--	----------------

PROGRAM 4

Economic Development Fund Interventions	181,193,250.00
--	----------------

PROGRAM 5

Research and Innovation Bodies	78,213,750.00
--------------------------------	---------------

	663,688,550.00
--	----------------

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1

Administration	157,180,125.00
----------------	----------------

PROGRAM 2

Support for Organizations	81,206,475.00
---------------------------	---------------

PROGRAM 3

Financial Assistance for Education	737,296,950.00
------------------------------------	----------------

PROGRAM 4

Preschool, Primary and Secondary Education	8,271,308,100.00
---	------------------

PROGRAM 5

Higher Education	4,176,704,300.00
------------------	------------------

PROGRAM 6

Development of Recreation and Sports	57,513,725.00
---	---------------

PROGRAM 8

Status of Women	12,856,575.00
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PROGRAM 9

Promotion and Development of the Capitale-Nationale	32,327,025.00
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	13,526,393,275.00
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ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	58,035,750.00
	<hr/>
	58,035,750.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	45,552,825.00
---------------------------------------	---------------

PROGRAM 2

Assistance Measures for Families	59,287,825.00
----------------------------------	---------------

PROGRAM 3

Childcare Services	1,569,708,919.00
--------------------	------------------

PROGRAM 4

Condition of Seniors	22,672,500.00
----------------------	---------------

PROGRAM 5

Public Curator	36,921,000.00
----------------	---------------

	1,734,143,069.00
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FINANCES

PROGRAM 1

Management and Administration	22,309,425.00
-------------------------------	---------------

PROGRAM 2

Economic, Taxation, Budgetary and Financial Activities	43,784,775.00
---	---------------

PROGRAM 3

Contributions, Bank Service Fees and Provisions for Transferring Appropriations	78,607,875.00
---	---------------

PROGRAM 4

Debt Service	750,000.00
--------------	------------

	145,452,075.00
--	----------------

FORÊTS, FAUNE ET PARCS

PROGRAM 1

Forests	196,985,075.00
---------	----------------

PROGRAM 2

Wildlife and Parks	97,467,450.00
--------------------	---------------

	294,452,525.00
--	----------------

IMMIGRATION, DIVERSITÉ ET INCLUSION

PROGRAM 1

Immigration, Diversity and Inclusion	260,659,200.00
	<hr/>
	260,659,200.00

JUSTICE

PROGRAM 1

Judicial Activity	28,345,750.00
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PROGRAM 2

Administration of Justice	257,360,550.00
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PROGRAM 3

Administrative Justice	7,650,025.00
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PROGRAM 4

Justice Accessibility	120,057,900.00
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PROGRAM 5

Other Body Reporting to the Minister	12,039,475.00
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PROGRAM 6

Criminal and Penal Prosecutions	123,315,800.00
---------------------------------	----------------

	548,769,500.00
--	----------------

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	12,838,725.00
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PROGRAM 2

The Auditor General	23,713,725.00
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PROGRAM 4

The Lobbyists Commissioner	2,637,225.00
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	39,189,675.00
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RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

Management and Administration	15,119,925.00
-------------------------------	---------------

PROGRAM 2

International Affairs	56,432,675.00
-----------------------	---------------

	71,552,600.00
--	---------------

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Coordination Functions	111,292,725.00
------------------------	----------------

PROGRAM 2

Services to the Public	17,117,501,400.00
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PROGRAM 3

Office des personnes handicapées du Québec	9,827,250.00
--	--------------

	17,238,621,375.00
--	-------------------

SÉCURITÉ PUBLIQUE

PROGRAM 1

Security, Prevention and Internal Management	572,936,900.00
---	----------------

PROGRAM 2

Sûreté du Québec	346,039,300.00
------------------	----------------

PROGRAM 3

Bodies Reporting to the Minister	40,298,250.00
----------------------------------	---------------

	959,274,450.00
--	----------------

TOURISME

PROGRAM 1

Tourism Promotion and Development	<u>137,317,725.00</u>
	137,317,725.00

TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	515,870,550.00
---	----------------

PROGRAM 2

Administration and Corporate Services	42,416,775.00
--	---------------

558,287,325.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Employment Assistance Measures	563,568,700.00
--------------------------------	----------------

PROGRAM 2

Financial Assistance Measures	2,207,465,125.00
-------------------------------	------------------

PROGRAM 3

Administration	366,714,375.00
----------------	----------------

PROGRAM 4

Labour	13,207,700.00
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	3,150,955,900.00
--	------------------

	43,475,722,940.00
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SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2019–2020 FISCAL YEAR

FAMILLE

PROGRAM 3

Childcare Services

219,000,000.00

219,000,000.00

219,000,000.00

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

TERRITORIES DEVELOPMENT FUND

Expenditure estimate	<u>80,551,850.00</u>
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SUBTOTAL

Expenditure estimate	80,551,850.00
----------------------	---------------

CULTURE ET COMMUNICATIONS

AVENIR MÉCÉNAT CULTURE FUND

Expenditure estimate	4,476,075.00
----------------------	--------------

QUÉBEC CULTURAL HERITAGE
FUND

Expenditure estimate	<u>17,288,625.00</u>
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SUBTOTAL

Expenditure estimate	21,764,700.00
----------------------	---------------

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

FUND FOR THE PROTECTION OF THE ENVIRONMENT AND THE
WATERS IN THE DOMAIN OF THE STATE

Expenditure estimate	18,194,625.00
Investment estimate	12,937,500.00

GREEN FUND

Expenditure estimate	638,852,025.00
Investment estimate	2,147,550.00

SUBTOTALS

Expenditure estimate	657,046,650.00
Investment estimate	15,085,050.00

ÉCONOMIE, SCIENCE ET INNOVATION

MINING AND HYDROCARBON
CAPITAL FUND

Expenditure estimate	150,000.00
Investment estimate	138,750,000.00

ECONOMIC DEVELOPMENT FUND

Expenditure estimate	326,719,500.00
Investment estimate	474,246,750.00

SUBTOTALS

Expenditure estimate	326,869,500.00
Investment estimate	612,996,750.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

CAPITALE-NATIONALE REGION FUND

Expenditure estimate	7,125,000.00
----------------------	--------------

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure estimate	60,434,550.00
Investment estimate	97,500,000.00

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure estimate	18,750,000.00
----------------------	---------------

SUBTOTALS

Expenditure estimate	86,309,550.00
Investment estimate	97,500,000.00

ÉNERGIE ET RESSOURCES NATURELLES

ENERGY TRANSITION FUND

Expenditure estimate	75,000.00
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NATURAL RESOURCES FUND

Expenditure estimate	24,222,850.00
Investment estimate	309,000.00

TERRITORIAL INFORMATION FUND

Expenditure estimate	85,770,150.00
Investment estimate	39,469,350.00

SUBTOTALS

Expenditure estimate	110,068,000.00
Investment estimate	39,778,350.00

FAMILLE

CAREGIVER SUPPORT FUND

Expenditure estimate	11,160,000.00
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EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure estimate	1,446,321,774.00
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EARLY CHILDHOOD
DEVELOPMENT FUND

Expenditure estimate	<u>11,250,000.00</u>
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SUBTOTAL

Expenditure estimate	1,468,731,774.00
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FINANCES

FINANCING FUND

Expenditure estimate	1,995,825.00
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NORTHERN PLAN FUND

Expenditure estimate	55,920,600.00
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FUND OF THE FINANCIAL
MARKETS ADMINISTRATIVE
TRIBUNAL

Expenditure estimate	2,166,150.00
Investment estimate	1,936,875.00

TAX ADMINISTRATION FUND

Expenditure estimate	728,463,075.00
----------------------	----------------

SUBTOTALS

Expenditure estimate	788,545,650.00
Investment estimate	1,936,875.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT SECTION

Expenditure estimate	352,457,400.00
Investment estimate	7,500,000.00
	<hr/>

SUBTOTALS

Expenditure estimate	352,457,400.00
Investment estimate	7,500,000.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure estimate	13,311,150.00
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CRIME VICTIMS ASSISTANCE FUND

Expenditure estimate	23,179,575.00
Investment estimate	126,750.00

REGISTER FUND OF THE
MINISTÈRE DE LA JUSTICE

Expenditure estimate	37,490,400.00
Investment estimate	5,000,850.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure estimate	31,222,050.00
Investment estimate	874,275.00

PUBLIC CONTRACTS FUND

Expenditure estimate	300,000.00
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SUBTOTALS

Expenditure estimate	105,503,175.00
Investment estimate	6,001,875.00

SANTÉ ET SERVICES SOCIAUX

HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES FUND

Expenditure estimate	157,885,500.00
Investment estimate	22,500,000.00

SUBTOTALS

Expenditure estimate	157,885,500.00
Investment estimate	22,500,000.00

SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure estimate	487,585,350.00
Investment estimate	20,828,250.00

SUBTOTALS

Expenditure estimate	487,585,350.00
Investment estimate	20,828,250.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure estimate	140,353,650.00
Investment estimate	198,750.00
	<hr/>

SUBTOTALS

Expenditure estimate	140,353,650.00
Investment estimate	198,750.00

**TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS****AIR SERVICE FUND**

Expenditure estimate	55,603,125.00
Investment estimate	15,952,500.00

**ROLLING STOCK MANAGEMENT
FUND**

Expenditure estimate	92,393,475.00
Investment estimate	51,620,775.00

HIGHWAY SAFETY FUND

Expenditure estimate	32,356,050.00
Investment estimate	112,500.00

**LAND TRANSPORTATION
NETWORK FUND**

Expenditure estimate	3,133,352,925.00
Investment estimate	1,568,154,000.00

SUBTOTALS

Expenditure estimate	3,313,705,575.00
Investment estimate	1,635,839,775.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR INDEPENDENT
COMMUNITY ACTION

Expenditure estimate	12,468,498.00
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LABOUR MARKET DEVELOPMENT
FUND

Expenditure estimate	822,909,800.00
----------------------	----------------

GOODS AND SERVICES FUND

Expenditure estimate	87,961,575.00
Investment estimate	3,382,800.00

INFORMATION TECHNOLOGY FUND
OF THE MINISTÈRE DE L'EMPLOI ET
DE LA SOLIDARITÉ SOCIALE

Expenditure estimate	15,019,575.00
Investment estimate	11,826,750.00

ADMINISTRATIVE LABOUR TRIBUNAL
FUND

Expenditure estimate	63,032,250.00
Investment estimate	6,412,500.00

FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure estimate	22,909,725.00
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SUBTOTALS

Expenditure estimate	1,024,301,423.00
Investment estimate	21,622,050.00

TOTALS

Expenditure estimate	9,121,679,747.00
Investment estimate	2,481,787,725.00

SCHEDULE 4

EXCESS SPECIAL FUND EXPENDITURES AND INVESTMENTS FOR
THE 2016–2017 FISCAL YEAR

ÉCONOMIE, SCIENCE ET INNOVATION

MINING AND HYDROCARBON CAPITAL FUND

Expenditure excess	<u>39,155,300.00</u>
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SUBTOTAL

Expenditure excess	39,155,300.00
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ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure excess	5,758,000.00
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SUBTOTAL

Expenditure excess	5,758,000.00
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FINANCES

NORTHERN PLAN FUND

Expenditure excess	22,286,100.00
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FUND OF THE FINANCIAL
MARKETS ADMINISTRATIVE
TRIBUNAL

Investment excess	2,100.00
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SUBTOTALS

Expenditure excess	22,286,100.00
Investment excess	2,100.00

JUSTICE

CRIME VICTIMS ASSISTANCE FUND

Investment excess	36,200.00
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SUBTOTAL

Investment excess	36,200.00
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SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure excess	<u>26,775,800.00</u>
--------------------	----------------------

SUBTOTAL

Expenditure excess	26,775,800.00
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TOURISME

TOURISM PARTNERSHIP FUND

Expenditure excess	9,959,500.00
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SUBTOTAL

Expenditure excess	9,959,500.00
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TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS

HIGHWAY SAFETY FUND

Investment excess	1,653,800.00
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SUBTOTAL

Investment excess	1,653,800.00
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TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

LABOUR MARKET DEVELOPMENT
FUND

Expenditure excess	24,445,800.00
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FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure excess	<u>623,400.00</u>
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SUBTOTAL

Expenditure excess	25,069,200.00
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TOTALS

Expenditure excess	129,003,900.00
Investment excess	1,692,100.00

Regulations and other Acts

Gouvernement du Québec

O.C. 653-2018, 30 May 2018

Corrections to the French text and the English text of the Regulation to amend the Code of ethics of the members of the Ordre des évaluateurs agréés du Québec

WHEREAS, by Order in Council 251-2018 dated 14 March 2018, the Government approved the Regulation to amend the Code of ethics of the members of the Ordre des évaluateurs agréés du Québec;

WHEREAS errors occurred in the French text and the English text of the Regulation and it is expedient to correct them;

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

THAT the French text of the Regulation to amend the Code of ethics of the members of the Ordre des évaluateurs agréés du Québec be amended

(1) by inserting “et obligations” after “devoirs” in section 2;

(2) by inserting the following after section 6:

“6.1. L'article 8 de ce code est modifié par l'insertion, dans le deuxième alinéa et après «l'Ordre», de «des évaluateurs agréés du Québec.»”;

(3) by replacing paragraph 1 of section 10 by the following:

“1° par le remplacement du paragraphe 1° par le suivant:

«1° ignorer toute intervention qui pourrait l'amener à déroger à ses devoirs professionnels, notamment celui d'agir avec objectivité;»”;

(4) by replacing section 24.1, introduced by section 12, by the following:

“24.1. Sous réserve d'une décision d'un tribunal ou d'une autre autorité et des exceptions prévues au deuxième alinéa, l'évaluateur agréé ne peut pas convenir d'honoraires conditionnels, soit des honoraires dont le montant dépend des résultats des services professionnels obtenus.

L'évaluateur agréé peut convenir d'honoraires conditionnels à l'égard des services professionnels de consultation suivants:

1° la vérification de l'exactitude, la présence ou l'absence d'une inscription au rôle d'évaluation foncière ou au rôle de valeur locative relative à un bien;

2° la négociation aux fins de la fixation des indemnités en matière d'expropriation;

3° la vérification et la négociation de frais d'exploitation d'un immeuble dans le cadre d'un bail immobilier.

Malgré le deuxième alinéa, l'évaluateur agréé ne peut en aucun cas, lorsqu'il se présente devant un tribunal ou un arbitre ou devant un organisme ou une personne exerçant des fonctions judiciaires ou quasi judiciaires, fixer ni accepter d'honoraires conditionnels à l'égard de services professionnels de consultation, incluant le témoignage à titre d'expert.”;

(5) by replacing section 20 by the following:

“20. L'article 50 de ce code est modifié:

1° par le remplacement de ce qui précède le paragraphe 1° par ce qui suit:

«50. L'évaluateur agréé doit s'abstenir de faire ce qui suit:»;

2° par le remplacement, dans le paragraphe 3°, de «ne pas signaler au syndic de l'Ordre qu'il a des motifs raisonnables de croire qu'un autre membre de l'Ordre est incompetent ou» par «omettre de signaler au syndic de l'Ordre qu'il a des raisons de croire à l'existence d'une situation susceptible de porter atteinte à la compétence ou à l'intégrité d'un autre évaluateur agréé ou qu'un autre évaluateur agréé»;

3° par l'insertion, après le paragraphe 10°, du paragraphe suivant:

«11° commettre tout acte impliquant de la collusion, de la corruption, de la malversation, de l'abus de confiance ou du trafic d'influence.»”;

THAT the English text of the Regulation to amend the Code of ethics of the members of the Ordre des évaluateurs agréés du Québec also be amended

(1) by inserting “and obligations” after “duties” in section 2;

(2) by inserting the following after section 6:

“6.1. Section 8 is amended by replacing “Order” in the second paragraph by “Ordre des évaluateurs agréés du Québec”.”;

(3) by replacing paragraph 1 of section 10 by the following:

(1) by replacing paragraph 1 by the following:

“(1) ignore any intervention which could incite him to depart from his professional duties, in particular the duty to act with objectivity.”;

(4) by replacing section 24.1, introduced by section 12, by the following:

“24.1. Subject to a decision of a tribunal or another authority and to the exceptions provided for in the second paragraph, no chartered appraiser may agree to conditional fees, that is, fees whose amount depends on the results of the professional services obtained.

A chartered appraiser may agree to conditional fees in respect of the following professional consultation services:

(1) verification of the accuracy, presence or absence of an entry on the municipal assessment roll or on the roll of rental values relating to a property;

(2) negotiations to determine the amount of indemnities in case of expropriation;

(3) verification and negotiations of the operating expenses of an immovable under lease.

Despite the second paragraph, when appearing before a tribunal or an arbitrator or before a body or a person carrying out judicial or quasi-judicial duties, no chartered appraiser may in any case determine or accept conditional fees in respect of professional consultation services, including acting as an expert witness.”;

(5) by replacing section 20 by the following:

“20. Section 50 is amended

(1) by replacing the part preceding paragraph 1 by the following:

“50. Every chartered appraiser must refrain from performing any of the following acts:”;

(2) by replacing “reasonable cause to believe that another member of the Order is incompetent or” in paragraph 3 by “reason to believe that there is a situation likely to affect the competence or integrity of another chartered appraiser or that another chartered appraiser”;

(3) by inserting the following paragraph after paragraph 10:

“(11) committing any act involving collusion, corruption, malfeasance, breach of trust or influence peddling.”.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

103512

M.O., 2018-03

Order number V-1.1-2018-03 of the Minister of Finance dated 24 May 2018

Securities Act
(chapter V-1.1)

CONCERNING concordant regulations to Regulation to amend Regulation 44-101 respecting Short Form Prospectus Distributions

WHEREAS subparagraphs 9, 11, 14 and 34 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l’Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the following regulations have been made by the *Autorité des marchés financiers* or approved by the minister of Finance:

— Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations was made by ministerial order 2009-04 dated September 9, 2009 (2009, *G.O.* 2, 3309A);

— Regulation 33-109 respecting Registration Information has been approved by ministerial order no. 2009-05 dated September 9, 2009 (2009, *G.O.* 2, 3362A);

— Regulation 41-101 respecting General Prospectus Requirements approved by ministerial order no. 2008-05 dated March 4, 2008 (2008, *G.O.* 2, 810A);

— Regulation 44-102 respecting Shelf Distributions adopted by decision no. 2001-C-0201 dated May 22, 2001 (Supplement to the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 22, dated June 1, 2001);

— Regulation 45-106 respecting Prospectus and Registration Exemptions approved by ministerial order no. 2009-05 dated September 9, 2009 (2009, *G.O.* 2, 3362A);

— Regulation 51-102 respecting Continuous Disclosure Obligations approved by ministerial order no. 2005-03 dated May 19, 2005 (2005, *G.O.* 2, 1507);

— Regulation 81-102 respecting Investment Funds was made by decision no. 2001-C-0209 dated May 22, 2001 (*Bulletin hebdomadaire*, vol. 32, no 22, dated June 1, 2001);

— Regulation 81-106 respecting Investment Fund Continuous Disclosure approved by ministerial order no. 2005-05 dated May 19, 2005 (2005, *G.O.* 2, 1601A);

WHEREAS there is cause to amend those regulations;

WHEREAS the following draft regulations were published in the *Bulletin de l'Autorité des marchés financiers*, volume 14, no. 26 of July 6, 2017:

— Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations;

— Regulation to amend Regulation 33-109 respecting Registration Information;

— Regulation to amend Regulation 41-101 respecting General Prospectus Requirements;

— Regulation to amend Regulation 44-102 respecting Shelf Distributions;

— Regulation to amend Regulation 45-106 respecting Prospectus and Registration Exemptions;

— Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations;

— Regulation to amend Regulation 81-102 respecting Investment Funds;

— Regulation to amend Regulation 81-106 respecting Investment Fund Continuous Disclosure;

WHEREAS those draft regulations were made by the *Autorité des marchés financiers* by decision no. 2018-PDG-0035 dated May 2, 2018;

WHEREAS there is cause to approve those regulations without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the following regulations appended hereto:

— Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations;

— Regulation to amend Regulation 33-109 respecting Registration Information;

— Regulation to amend Regulation 41-101 respecting General Prospectus Requirements;

— Regulation to amend Regulation 44-102 respecting Shelf Distributions;

— Regulation to amend Regulation 45-106 respecting Prospectus and Registration Exemptions;

— Regulation to amend Regulation 51-102 respecting Continuous Disclosure Obligations;

— Regulation to amend Regulation 81-102 respecting Investment Funds;

— Regulation to amend Regulation 81-106 respecting Investment Fund Continuous Disclosure.

May 24, 2018

CARLOS LEITÃO,
Minister of Finance

REGULATION TO AMEND REGULATION 31-103 RESPECTING REGISTRATION REQUIREMENTS, EXEMPTIONS AND ONGOING REGISTRANT OBLIGATIONS

Securities Act

(chapter V-1.1, s. 331.1, par. (9) and (34))

1. Section 1.1 of Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligation (chapter V-1.1, r. 10) is amended:

(1) by replacing the definitions of the expressions “designated rating” and “designated rating organization” with the following:

““designated rating” has the same meaning as in paragraph (b) of the definition of “designated rating” in Regulation 81-102 respecting Investment Funds (chapter V-1.1, r. 39);

““designated rating organization” has the same meaning as in Regulation 44-101 respecting Short Form Prospectus Distributions (chapter V-1.1, r. 16);

(2) by inserting, after the definition of the expression “subsidiary”, the following:

““successor credit rating organization” has the same meaning as in Regulation 44-101 respecting Short Form Prospectus Distributions;”.

2. Schedule 1 of Form 31-103F1 is amended by replacing subparagraph (i) of subparagraph (a) of paragraph (2) with the following:

“(i) Bonds, debentures, treasury bills and other securities of or guaranteed by the Government of Canada, of the United Kingdom, of the United States of America or of any other national foreign government (provided those foreign government securities have a current credit rating described in subparagraph (i.1)) maturing (or called for redemption):

within 1 year:	1% of fair value multiplied by the fraction determined by dividing the number of days to maturing by 365
over 1 year to 3 years:	1% of fair value
over 3 years to 7 years:	2% of fair value
over 7 years to 11 years:	4% of fair value
over 11 years	4% of fair value.

“(i.1) A credit rating from a designated rating organization listed below, from a DRO affiliate of an organization listed below, from a designated rating organization that is a successor credit rating organization of an organization listed below or from a DRO affiliate of such successor credit rating organization, that is the same as one of the following corresponding rating categories or that is the same as a category that replaces one of the following corresponding rating categories:

Designated Rating Organization	Long Term Debt	Short Term Debt
DBRS Limited	AAA	R-1(high)
Fitch Ratings, Inc.	AAA	F1+
Moody's Canada Inc.	Aaa	Prime-1
S&P Global Ratings Canada	AAA	A-1+

”.

3. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 33-109 RESPECTING REGISTRATION INFORMATION

Securities Act
(chapter V-1.1, s. 331.1, par. (9))

1. Form 33-109F6 of Regulation 33-109 respecting Registration Information (chapter V-1.1, r. 12) is amended by replacing, in Schedule 1 of Schedule C, subparagraph (i) of subparagraph (a) of paragraph (2) with the following:

“(i) Bonds, debentures, treasury bills and other securities of or guaranteed by the Government of Canada, of the United Kingdom, of the United States of America or of any other national foreign government (provided those foreign government securities have a current credit rating described in subparagraph (i.1)) maturing (or called for redemption):

within 1 year:	1% of fair value multiplied by the fraction determined by dividing the number of days to maturing by 365
over 1 year to 3 years:	1% of fair value
over 3 years to 7 years:	2% of fair value
over 7 years to 11 years:	4% of fair value
over 11 years	4% of fair value.

“(i.1) A credit rating from a designated rating organization listed below, from a DRO affiliate of an organization listed below, from a designated rating organization that is a successor credit rating organization of an organization listed below or from a DRO affiliate of such successor credit rating organization, that is the same as one of the following corresponding rating categories or that is the same as a category that replaces one of the following corresponding rating categories:

Designated Rating Organization	Long Term Debt	Short Term Debt
DBRS Limited	AAA	R-1(high)
Fitch Ratings, Inc.	AAA	F1+
Moody's Canada Inc.	Aaa	Prime-1
S&P Global Ratings Canada	AAA	A-1+

2. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 41-101 RESPECTING GENERAL PROSPECTUS REQUIREMENTS

Securities Act

(chapter V-1.1, s. 331.1, par. (11), (14) and (34))

1. Section 1.1 of Regulation 41-101 respecting General Prospectus Requirements (chapter V-1.1, r. 14) is amended:

(1) by replacing the definition of the expression “designated rating organization” with the following:

““designated rating organization” has the same meaning as in Regulation 44-101 respecting Short Form Prospectus Distributions (chapter V-1.1, r. 16);

(2) by inserting, after the definition of the expression “subordinate voting security”, the following:

““successor credit rating organization” has the same meaning as in Regulation 44-101 respecting Short Form Prospectus Distributions;”.

2. Section 7.2 of the Regulation is amended:

(1) in paragraph (2):

(a) by inserting, after “Despite subsection (1),”, “and subject to subsection (2.1),”;

(b) by replacing the words “received a rating” with the words “received a credit rating”;

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

“(2.1) If the only credit ratings of the securities referred to in subsection (2) are from Kroll Bond Rating Agency, Inc., its DRO affiliate, any successor credit rating organization of Kroll Bond Rating Agency, Inc. or any DRO affiliate of any successor credit rating organization of Kroll Bond Rating Agency, Inc., subsection (2) does not apply unless the distribution is of asset-backed securities.”.

3. Section 19.1 of the Regulation is amended by inserting, in paragraph (3) and after the words “Except in”, the words “Alberta and”.

4. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 44-102 RESPECTING SHELF DISTRIBUTIONS

Securities Act

(chapter V-1.1, s. 331.1, par. (11) and (34))

1. Section 1.1 of Regulation 44-102 respecting Shelf Distributions (chapter V-1.1, r. 17) is amended by inserting, in paragraph (1) and after the definition of the expression “conventional warrant or right”, the following:

““designated rating” has

(a) for the purposes of section 2.6, the meaning ascribed to that term in paragraph (a) of the definition of “designated rating” in Regulation 44-101 respecting Short Form Prospectus Distributions; and

(b) except as described in paragraph (a), the meaning ascribed to that term in paragraph (b) of the definition of “designated rating” in Regulation 44-101 respecting Short Form Prospectus Distributions;”.

2. Section 11.1 of the Regulation is amended by inserting, in paragraph (2.1) and after the words “Except in”, the words “Alberta and”.

3. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 45-106 RESPECTING PROSPECTUS EXEMPTIONS

Securities Act

(chapter V-1.1, s. 331.1, par. (11), (14) and (34))

1. Section 1.1 of Regulation 45-106 respecting Prospectus Exemptions (chapter V-1.1, r. 21) is amended:

(1) by replacing the definitions of the expressions “designated rating” and “designated rating organization” with the following:

““designated rating” has the same meaning as in paragraph (b) of the definition of “designated rating” in Regulation 81-102 respecting Investment Funds (chapter V-1.1, r. 39);

““designated rating organization” has the same meaning as in Regulation 44-101 respecting Short Form Prospectus Distributions (chapter V-1.1, r. 16);

(2) by inserting, after the definition of the expression “subsidiary”, the following:

““successor credit rating organization” has the same meaning as in Regulation 44-101 respecting Short Form Prospectus Distributions;”.

2. Section 2.35 of the Regulation is amended by replacing, in paragraph (1), subparagraphs (b) and (c) with the following:

“(b) the note or commercial paper has a credit rating from a designated rating organization listed below, from a DRO affiliate of an organization listed below, from a designated rating organization that is a successor credit rating organization of an organization listed below or from a DRO affiliate of such successor credit rating organization, that is at or above one of the following corresponding rating categories or that is at or above a category that replaces one of the following corresponding rating categories:

(i) R-1(low) - DBRS Limited;

(ii) F1 - Fitch Ratings, Inc.;

(iii) P-1 - Moody’s Canada Inc.;

(iv) A-1(Low) (Canada national scale) - S&P Global Ratings Canada;

“(c) the note or commercial paper has no credit rating from a designated rating organization listed below, from a DRO affiliate of an organization listed below, from a designated rating organization that is a successor credit rating organization of an organization listed below or from a DRO affiliate of such successor credit rating organization, that is below one of the following corresponding rating categories or that is below a category that replaces one of the following corresponding rating categories:

- (i) R-1(low) - DBRS Limited;
- (ii) F2 - Fitch Ratings, Inc.;
- (iii) P-2 - Moody's Canada Inc.;
- (iv) A-1(Low) (Canada national scale) or A-2 (global scale) - S&P Global Ratings Canada.”.

3. This Regulation is amended by inserting, immediately before section 2.35.2, the following:

“2.35.1.1. Definition applicable to section 2.35.2

For the purposes of paragraph 2.35.2(a), a reference to “designated rating organization” includes the DRO affiliates of the organization, a designated rating organization that is a successor credit rating organization of the designated rating organization and the DRO affiliates of such successor credit rating organization.”.

4. Section 2.35.2 of the Regulation is amended:

(1) in paragraph (a):

(a) by replacing subparagraphs (i) and (ii) with the following:

“(i) it has a credit rating from not less than two designated rating organizations listed below and at least one of the credit ratings is at or above one of the following corresponding rating categories or is at or above a category that replaces one of the following corresponding rating categories:

- (A) R-1(high)(sf) - DBRS Limited;
- (B) F1+sf - Fitch Ratings, Inc.;
- (C) P-1(sf) - Moody's Canada Inc.;
- (D) A-1(High)(sf) (Canada national scale) or A-1+(sf) (global scale) - S&P Global Ratings Canada;

“(ii) it has no credit rating from a designated rating organization listed below that is below one of the following corresponding rating categories or that is below a category that replaces one of the following corresponding rating categories:

- (A) R-1(low)(sf) - DBRS Limited;
- (B) F2sf - Fitch Ratings, Inc.;
- (C) P-2(sf) - Moody's Canada Inc.;

(D) A-1(Low)(sf) (Canada national scale) or A-2(sf) (global scale) - S&P Global Ratings Canada;”;

(b) by replacing subparagraph (C) of subparagraph (iv) with the following:

“(C) the liquidity provider has a credit rating from each of the designated rating organizations providing a credit rating on the short-term securitized product referred to in subparagraph 2.35.2(a)(i), for its senior, unsecured short-term debt, none of which is dependent upon a guarantee by a third party, and each credit rating from those designated rating organizations is at or above the following corresponding rating categories or is at or above a category that replaces one of the following corresponding rating categories:

1. R-1(low) - DBRS Limited;
2. F2 - Fitch Ratings, Inc.;
3. P-2 - Moody’s Canada Inc.;
4. A-1(Low) (Canada national scale) or A-2 (global scale) - S&P Global Ratings Canada;”.

5. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 51-102 RESPECTING CONTINUOUS DISCLOSURE OBLIGATIONS

Securities Act
(chapter V-1.1, s. 331.1, par. (11) and (34))

1. Section 1.1 of Regulation 51-102 respecting Continuous Disclosure Obligations (chapter V-1.1, r. 24) is amended by deleting, in paragraph (1), the definitions of the expressions “designated rating organization” and “DRO affiliate”.
2. Section 13.1 of the Regulation is amended by inserting, in paragraph (3) and after the words “Except in”, the words “Alberta and”.
3. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 81-102 RESPECTING INVESTMENT FUNDS

Securities Act

(chapter V-1.1, s. 331.1, par. (34))

1. Section 1.1 of Regulation 81-102 respecting Investment Funds (chapter V-1.1, r. 39) is amended:

(1) by replacing the definitions of the expressions “designated rating” and “designated rating organization” with the following:

““designated rating” means

(a) for the purposes of paragraph 4.1(4)(b), a designated rating under paragraph (b) of the definition of “designated rating” in Regulation 44-101 respecting Short Form Prospectus Distributions (chapter V-1.1, r. 16), or

(b) except as described in paragraph (a), a credit rating from a designated rating organization listed below, from a DRO affiliate of an organization listed below, from a designated rating organization that is a successor credit rating organization of an organization listed below or from a DRO affiliate of such successor credit rating organization, that is at or above one of the following corresponding rating categories, or that is at or above a category that replaces one of the following corresponding rating categories, if

(i) there has been no announcement from the designated rating organization, from a DRO affiliate of the organization, from a designated rating organization that is a successor credit rating organization or from a DRO affiliate of such successor credit rating organization, of which the investment fund or its manager is or reasonably should be aware that the credit rating of the security or instrument to which the designated rating was given may be down-graded to a rating category that would not be a designated rating, and

(ii) no designated rating organization listed below, no DRO affiliate of an organization listed below, no designated rating organization that is a successor credit rating organization of an organization listed below and no DRO affiliate of such successor credit rating organization, has rated the security or instrument in a rating category that is not a designated rating:

Designated Rating Organization	Commercial Paper/Short Term Debt	Long Term Debt
DBRS Limited	R-1 (low)	A
Fitch Ratings, Inc.	F1	A
Moody’s Canada Inc.	P-1	A2
S&P Global Ratings Canada	A-1 (Low)	A

”;

““designated rating organization” means, if designated under securities legislation, any of

(a) DBRS Limited, Fitch Ratings, Inc., Moody’s Canada Inc. or S&P Global Ratings Canada, or

(b) a successor credit rating organization of a credit rating organization listed in paragraph (a);

(2) by inserting, after the definition of the expression “sub-custodian”, the following:

““successor credit rating organization” means, with respect to a credit rating organization, any credit rating organization that succeeded to or otherwise acquired all or substantially all of another credit rating organization’s business in Canada, whether through a restructuring transaction or otherwise, if that business was, at any time, owned by the first-mentioned credit rating organization;”.

2. Section 4.1 of the Regulation is amended by repealing paragraph (4.1).

3. This Regulation comes into force on June 12, 2018.

REGULATION TO AMEND REGULATION 81-106 RESPECTING INVESTMENT FUND CONTINUOUS DISCLOSURE

Securities Act
(chapter V-1.1, s. 331.1, par. (34))

1. Section 1.1 of Regulation 81-106 respecting Investment Fund Continuous Disclosure (chapter V-1.1, r. 42) is amended by inserting, after the definition of the expression “current value”, the following:

““designated rating” has the same meaning as in paragraph (b) of the definition of “designated rating” in Regulation 81-102 respecting Investment Funds (chapter V-1.1, r. 39);”.

2. Section 1.3 of the Regulation is amended by replacing, in paragraph (2), the words “Terms defined” with the words “Unless defined in section 1.1 of this regulation, terms defined”.

3. This Regulation comes into force on June 12, 2018.

M.O., 2018-02

Order number V-1.1-2018-02 of the Minister of Finance dated 24 May 2018

Securities Act
(chapter V-1.1)

CONCERNING Regulation to amend Regulation 44-101 respecting Short Form Prospectus Distributions

WHEREAS subparagraphs 11 and 34 of section 331.1 of the Securities Act (chapter V-1.1) stipulate that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the Regulation 44-101 respecting Short Form Prospectus Distributions has been approved by ministerial order no. 2005 24 dated November 30, 2005 (2005, *G.O.* 2, 5183);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation to amend Regulation 44-101 respecting Short Form Prospectus Distributions was published in the *Bulletin de l'Autorité des marchés financiers*, volume 14, no. 26 of July 6, 2017;

WHEREAS the *Autorité des marchés financiers* made, on May 2, 2018, by the decision no. 2018-PDG-0034, Regulation to amend Regulation 44-101 respecting Short Form Prospectus Distributions;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation to amend Regulation 44-101 respecting Short Form Prospectus Distributions appended hereto.

May 24, 2018

CARLOS LEITÃO,
Minister of Finance

REGULATION TO AMEND REGULATION 44-101 RESPECTING SHORT FORM PROSPECTUS DISTRIBUTIONS

Securities Act

(chapter V-1.1, s. 331.1, par. (11) and 34))

1. Section 1.1 of Regulation 44-101 respecting Short Form Prospectus Distributions (chapter V-1.1, r. 16) is amended:

(1) by replacing the definitions of the expressions “designated rating” and “designated rating organization” with the following:

““designated rating” means the following:

(a) for the purposes of paragraph 2.6(1)(c), a credit rating from a designated rating organization listed in this paragraph, from a DRO affiliate of an organization listed in this paragraph, from a designated rating organization that is a successor credit rating organization of an organization listed in this paragraph or from a DRO affiliate of such successor credit rating organization, that is at or above one of the following corresponding rating categories or that is at or above a category that replaces one of the following corresponding rating categories:

Designated Rating Organization	Long Term Debt	Short Term Debt	Preferred Shares
DBRS Limited	BBB	R-2	Pfd-3
Fitch Ratings, Inc.	BBB	F3	BBB
Kroll Bond Rating Agency, Inc.	BBB	K3	BBB
Moody’s Canada Inc.	Baa	Prime-3	Baa
S&P Global Ratings Canada	BBB	A-3	P-3

(b) except as described in paragraph (a), a credit rating from a designated rating organization listed in this paragraph, from a DRO affiliate of an organization listed in this paragraph, from a designated rating organization that is a successor credit rating organization of an organization listed in this paragraph or from a DRO affiliate of such successor credit rating organization, that is at or above one of the following corresponding rating categories or that is at or above a category that replaces one of the following corresponding rating categories:

Designated Rating Organization	Long Term Debt	Short Term Debt	Preferred Shares
DBRS Limited	BBB	R-2	Pfd-3
Fitch Ratings, Inc.	BBB	F3	BBB
Moody’s Canada Inc.	Baa	Prime-3	Baa
S&P Global Ratings Canada	BBB	A-3	P-3

”.

““designated rating organization” means

- (a) if designated under securities legislation, any of
 - (i) DBRS Limited, Fitch Ratings, Inc., Kroll Bond Rating Agency, Inc., Moody’s Canada Inc. or S&P Global Ratings Canada,
 - (ii) a successor credit rating organization of a credit rating organization listed in subparagraph (i); or
- (b) any other credit rating organization designated under securities legislation;”.

(2) by inserting, after the definition of the expression “short form eligible exchange”, the following:

““successor credit rating organization” means, with respect to a credit rating organization, any credit rating organization that succeeded to or otherwise acquired all or substantially all of another credit rating organization’s business in Canada, whether through a restructuring transaction or otherwise, if that business was, at any time, owned by the first-mentioned credit rating organization;”.

2. Section 8.1 of the Regulation is amended by inserting, in paragraph (4) and after the words “Except in”, the words “Alberta and”.

3. This Regulation comes into force on June 12, 2018.

103508

M.O., 2018-01

Order number V-1.1-2018-01 of the Minister of Finance dated 24 May 2018

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 45-102 respecting Resale of Securities and the Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations

WHEREAS subparagraphs 11 and 34 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l’Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the Regulation 45-102 respecting Resale of Securities approved by ministerial order no. 2005-21 dated August 12, 2005 (2005, *G.O.* 2, 3648);

WHEREAS the Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations was made by ministerial order 2009-04 dated September 9, 2009 (2009, *G.O.* 2, 3309A);

WHEREAS there is cause to amend those regulations;

WHEREAS the draft Regulation to amend Regulation 45-102 respecting Resale of Securities and the draft Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations were published in the *Bulletin de l’Autorité des marchés financiers*, vol. 14, no. 25 of June 19, 2017;

WHEREAS the *Autorité des marchés financiers* made, on May 2, 2018, by the decision no. 2018-PDG-0030, Regulation to amend Regulation 45-102 respecting Resale of Securities and, by the decision no. 2018-PDG-0031, Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations;

WHEREAS there is cause to approve those regulations without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 45-102 respecting Resale of Securities and the Regulation to amend Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations appended hereto.

May 24, 2018

CARLOS LEITÃO,
Minister of Finance

REGULATION TO AMEND REGULATION 45-102 RESPECTING RE SALE OF SECURITIES

Securities Act

(chapitre V-1.1, s. 331.1, par. (11) and (34))

1. Regulation 45-102 respecting Resale of Securities (chapter V-1.1, r. 20) is amended by inserting, before Part 1, the following text box:

“

Text boxes in this Regulation located below sections 2.14 and 2.15 refer to local regulations in Alberta and Ontario. These text boxes do not form part of this Regulation and have no official status.

”.

2. Section 2.14 of the Regulation is amended by adding, after paragraph (2), the following:

“(3) This section does not apply in Alberta and Ontario.

In Ontario, section 2.7 of Ontario Securities Commission Rule 72-503 Distributions Outside Canada provides a similar exemption to the exemption in section 2.14 of this Regulation. In Alberta, Alberta Securities Commission Blanket Order 45-519 Prospectus Exemptions for Resale Outside Canada provides a similar exemption to the exemption in section 2.14 of this Regulation.

”.

3. The Regulation is amended by adding, after section 2.14, the following:

“2.15. First Trades in Securities of a Non-Reporting Foreign Issuer Distributed under a Prospectus Exemption

(1) In this section

“executive officer” means, for an issuer, an individual who is

(a) a chair, vice-chair or president;

(b) a chief executive officer or a chief financial officer, or

(c) in charge of a principal business unit, division or function including sales, finance or production and that fact is disclosed in any of the following documents:

(i) the issuer’s most recent disclosure document containing that information that is publicly available in a foreign jurisdiction where its securities are listed or quoted;

(ii) the offering document provided by the issuer in connection with the distribution of the security that is the subject of the trade;

“foreign issuer” means an issuer that is not incorporated or organized under the laws of Canada, or a jurisdiction of Canada, unless any of the following applies:

(a) the issuer has its head office in Canada;

(b) the majority of the executive officers or directors of the issuer ordinarily reside in Canada.

(2) The prospectus requirement does not apply to the first trade of a security distributed under an exemption from the prospectus requirement if all of the following apply:

(a) the issuer of the security was a foreign issuer on the distribution date;

(b) the issuer of the security

(i) was not a reporting issuer in any jurisdiction of Canada on the distribution date, or

(ii) is not a reporting issuer in any jurisdiction of Canada on the date of the trade;

(c) the trade is made

(i) through an exchange, or a market, outside of Canada, or

(ii) to a person outside of Canada.

(3) The prospectus requirement does not apply to the first trade of an underlying security if all of the following apply:

(a) the convertible security, exchangeable security or multiple convertible security that, directly or indirectly, entitled or required the holder to acquire the underlying security was distributed under an exemption from the prospectus requirement;

(b) the issuer of the underlying security was a foreign issuer on the distribution date;

(c) the issuer of the underlying security

(i) was not a reporting issuer in any jurisdiction of Canada on the distribution date, or

(ii) is not a reporting issuer in any jurisdiction of Canada on the date of trade;

(d) the trade is made

(i) through an exchange, or a market, outside of Canada, or

(ii) to a person outside of Canada.

- (4) This section does not apply in Alberta and Ontario.

In Ontario, section 2.8 of Ontario Securities Commission Rule 72-503 Distributions Outside Canada provides a similar exemption to the exemption in section 2.15 of this Regulation. In Alberta, Alberta Securities Commission Blanket Order 45-519 Prospectus Exemptions for Resale Outside Canada provides a similar exemption to the exemption in section 2.15 of this Regulation.

”.

4. Appendix D of the Regulation is amended by inserting, in section 1 and after “as well as the following local exemptions from the prospectus requirement”, the following:

“- section 2.4 of Ontario Securities Commission Rule 72-503 *Distributions Outside of Canada*.”

5. This Regulation comes into force on June 12, 2018.

**REGULATION TO AMEND REGULATION 31-103 RESPECTING
REGISTRATION REQUIREMENTS, EXEMPTIONS AND ONGOING
REGISTRANT OBLIGATIONS**

Securities Act
(chapter V-1.1, s. 331.1, par. (11))

1. Section 8.16 of Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations (chapter V-1.1, r. 10) is amended, in paragraph (3), by replacing subparagraph (b) with the following and making the necessary changes:

“(b) the conditions of one of the following exemptions are satisfied:

(i) except in Alberta and Ontario, section 2.14 or 2.15 of Regulation 45-102 respecting Resale of Securities (chapter V-1.1, r. 20);

(ii) in Ontario, section 2.7 or 2.8 of Ontario Securities Commission Rule 72-503 *Distributions Outside Canada*;

(iii) in Alberta, exemptions similar to the exemptions set out in subparagraph (i) as made by the securities regulatory authority in Alberta.

In Alberta, Alberta Securities Commission Blanket Order 45-519 Prospectus Exemptions for Resale Outside Canada provides similar exemptions to the exemptions in section 2.14 and 2.15 of Regulation 45-102 respecting Resale of Securities.

”.

2. This Regulation comes into force on June 12, 2018.

Draft Regulations

Draft Regulation

An Act respecting industrial accidents and occupational diseases
(chapter A-3.001)

Medical aid — 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 medical aid, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), on the expiry of 45 days following this publication.

The draft Regulation proposes to increase the rates for acupuncture, chiropractic, podiatry, psychology, psychotherapy and neuropsychology and to add the intrathecal pump in the category of therapeutic aids in Schedule II (technical aids and costs) to the Regulation respecting medical aid (chapter A-3.001, r. 1). It also clarifies certain sections.

The impact of the draft Regulation on enterprises, including small and medium-sized businesses, is negligible since it does not result in direct costs for all the enterprises in Québec.

The new rates proposed in the draft Regulation increases the disbursements in medical aid estimated at \$1,600,000 compared to 2016. The slight increase of costs for the Commission has no impact on the rates of assessment of employers.

Further information may be obtained by contacting Michelle Morin, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1; telephone: 514 906-3006, extension 2409; fax: 514 906-3009.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President for Partnership and Expert Counselling, Commission

des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MANUELLE OUDAR,
*Chair of the board of directors and
Chief Executive Officer of the
Commission des normes, de l'équité,
de la santé et de la sécurité du travail*

Regulation to amend the Regulation respecting medical aid

An Act respecting industrial accidents and occupational diseases
(chapter A-3.001, s. 189, par. 5, and s. 454, 1st par., subpar. 3.1)

1. The Regulation respecting medical aid (chapter A-3.001, r. 1) is amended by revoking section 19.

2. The following is inserted after section 26:

“§1.1. Special rules for daily life aids

26.1. The Commission shall assume the cost of purchasing or leasing, according to the case provided for in Schedule II, of a daily life aid where

(a) it has been prescribed by a physician in charge of the worker in accordance with section 3; or

(b) its use is recommended by an occupational therapist or a physiotherapist to whom the physician in charge of the worker referred the worker.”

3. Section 28 is amended

(1) by inserting the following after the second paragraph:

“The cost of leasing, purchasing or renewing a transcutaneous nerve stimulator includes the accessories required for its use.

The accessories are wires, batteries, battery charger and either electrodes, gel and hypoallergenic adhesive tape, or self-adhesive rigid or flexible electrodes, where the physician in charge of the worker prescribes the use for such electrodes.” at the end;

(2) by adding “plus, where applicable, the cost of self-adhesive rigid or flexible electrodes, up to \$400 for the first year.” at the end.

4. Section 29 is replaced by the following:

“**29.** The cost of renewing accessories of a transcutaneous nerve stimulator is assumed by the Commission up to the amounts provided for in paragraphs 1 and 2 or, where the physician in charge of the worker prescribes the use of self-adhesive rigid or flexible electrodes, paragraphs 2 and 3:

(1) \$180 per year for all of the following accessories:

- (a) 4 electrodes;
- (b) gel;
- (c) hypoallergenic adhesive tape;

(2) \$120 per year for all of the following accessories:

- (a) 2 pairs of wires;
- (b) batteries and battery charger;

(3) \$400 per year for self-adhesive rigid or flexible electrodes.”

5. The following is inserted after section 30:

“§3. *Special rules for communication aids*

30.1. The Commission shall assume the cost of purchasing or leasing, according to the case provided for in Schedule II, of a communication aid referred to in paragraph 1 or 2 of section 4 of the Schedule if the use of such aid is recommended by the following health worker, to whom the physician in charge of the worker referred the worker:

- (a) in the case of paragraph 1: a speech therapist;
- (b) in the case of paragraph 2: an audiologist.”

6. Schedule I is amended by replacing

(1) “Acupuncture care administered by an acupuncturor, per session \$27.00” by “Acupuncture care administered by an acupuncturor, per session \$36.00”;

(2) “Chiropractic treatment, per session, including cost of x-rays \$32.00” by “Chiropractic treatment, per session, including cost of x-rays \$40.50;

(3) “Chiropractic treatment, per session \$50.00” in Home care by “Chiropractic treatment, per session \$63.00”;

(4) “Per session \$32.00” in Podiatry by “Per session \$54.00”;

(5) “Psychological, psychotherapeutic and neuropsychological care, hourly rate \$86.60” by “Psychological, psychotherapeutic and neuropsychological care, hourly rate \$94.50”.

7. Schedule II is amended

(1) by striking out “The use of daily life aids may be recommended by the occupational therapist or physiotherapist to whom the physician in charge of the worker referred him.” in section 2;

(2) by replacing paragraph 2 of section 3 by the following:

“(2) The cost of purchasing epidural and intra-thalamic nerve stimulators;”;

(3) by adding “(g) intrathecal pumps;” after subparagraph *f* in paragraph 3 of section 3;

(4) by replacing paragraph 1 in section 4 by the following:

“(1) the cost of purchasing

- (a) imagers;
- (b) communication boards;”;

(5) by striking out “, if the worker sends the Commission a recommendation for use by an audiologist to whom the physician in charge of the worker referred him” in paragraph 2 of section 4.

8. Schedule IV is amended

(1) by replacing paragraph 9 of section 2 by the following:

“(9) in the case of a neuropsychological evaluation,

i. the observations on the worker’s behaviour during the meetings and when taking the tests, and the evaluation of the worker’s behaviour in the following areas: cognitive, motor, somesthetic, affective, personality and perception;

ii. the identification and results of the validity scales used to corroborate the results of the tests taken;

iii. the correlation between the results of the tests referred to in subparagraph i and those of the validity scales;”;

(2) by adding “in relation to the objectives sought” at the end of subparagraph iii of paragraph 10 of section 2;

(3) by adding “with respect to the means and activities for attaining the objectives” at the end of subparagraph iv of paragraph 10 of section 2;

(4) by replacing subparagraph v of paragraph 10 of section 2 by the following:

“v. the means and progress indicators used to measure progress made under the individualized treatment plan for each of the objectives sought;”;

(5) by replacing “the objectives sought” in paragraph 4 of section 3 by “each of the objectives sought taking into account progress indicators”;

(6) by inserting “each of” after “in relation to” in paragraph 5 of section 3;

(7) by inserting “each of” after “attainment of” in paragraph 4 of section 4;

(8) by replacing “the objectives sought,” in paragraph 5 of section 4 by “each of the objectives sought taking into account progress indicators and”.

9. The goods and services provided before the date of coming force of this Regulation are paid by the Commission according to the rate applicable at the time at which they were provided.

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

103503

Draft Regulation

Municipal Powers Act
(chapitre C-47.1)

Eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act, appearing below, may be made by the Minister of Municipal Affairs and Land Occupancy on the expiry of 45 days following this publication.

The draft Regulation lists, from among the headings provided for in the Manuel d'évaluation foncière du Québec referred to in the Regulation respecting the real estate assessment roll (chapter F-2.1, r. 13), those to which the immovables used to determine eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act (chapter C-47.1) must belong. In accordance with the second paragraph of section 92.2 of that Act, the draft Regulation comes into force on 1 January of the year following the year it is made.

Further information may be obtained by contacting Mario Boisvert, Direction des politiques et de la démocratie municipales, Ministère des Affaires municipales et de l'Occupation du territoire, 10, rue Pierre-Olivier-Chauveau, 3^e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 3847; email: mario.boisvert@mamot.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 Municipal Affairs and Land Occupancy, 10, rue Pierre-Olivier-Chauveau, 3^e étage, Québec (Québec) G1R 4J3.

MARTIN COITEUX,
*Minister of Municipal Affairs
and Land Occupancy*

Regulation respecting eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act

Municipal Powers Act
(chapitre C-47.1, s. 92.2)

1. For the purposes of section 92.2 of the Municipal Powers Act, the headings determined by the Minister are mentioned in Schedule I.

2. This Regulation comes into force on 1 January of the year that follows the year on which it is made.

SCHEDULE I

LIST OF HEADINGS

- (1) “2-3 MANUFACTURING INDUSTRIES”;
- (2) “41 Railway and subway”;
- (3) “42 Transport by motor vehicle (infrastructure)”,
except
“4291 Transport by taxi”,
“4292 Ambulance service”,
“4293 Limousine service”;
- (4) “43 Air transportation (infrastructure)”;
- (5) “44 Marine transportation (infrastructure)”;
- (6) “47 Information industry and cultural industry”,
except
“4713 Wired telecommunications service providers
(except wireless and cable distribution)”,
“4744 Satellite television network”,
“4745 Pay television, subscription”,
“4746 Cable television network”,
“4749 Other television program distribution and tele-
vision broadcasting network activities”,
“4773 Motion picture and video distribution”,
“4799 All other information services”;
- (7) “4923 Transport test centre”;
- (8) “6348 Environmental remediation service”;
- (9) “636 Research centre (except test centres)”;
- (10) “6391 Service of research, development and
tests”;

(11) “6392 Management consulting and business
management service”;

(12) “655 Computer service”;

(13) “6592 Engineering service”;

(14) “6593 Educational and scientific research
services”;

(15) “6831 School of trades (not integrated into high
schools)”;

(16) “6838 Computer training”;

(17) “71 Exhibition of cultural objects”;

(18) “751 Tourist centre”.

103500

Draft conservation plan

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve aquatique projetée du Lac-Waswanipi — Temporary protection status

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Minister of Sustainable Development, the Environment and the Fight Against Climate Change intends to assign a temporary protection status as a proposed aquatic reserve to the territory in the conservation plan established for the Réserve aquatique projetée du Lac-Waswanipi, appearing below, on the expiry of 45 days following this publication.

The setting aside of the territory, authorized under Order in Council 72-2018 dated 7 February 2018, in accordance with the Natural Heritage Conservation Act, will be for a period of four years. The assignment of a temporary protection status as a proposed aquatic reserve will make the activities framework provided for in the Act and in the conservation plan established for the proposed aquatic reserve applicable to the territory designated in the plan accompanying it.

The activities framework is set out in section 4 of the draft conservation plan of the Réserve aquatique projetée du Lac-Waswanipi. It provides for prohibitions in addition to those set out in the Act and it regulates the carrying out of certain activities that may be carried out within the territory to better ensure the protection of the natural

environment, in conformity with the principles of conservation and other objectives of management of the proposed aquatic reserve. Thus certain activities are subject to the prior authorization from the Minister.

Further information may be obtained by contacting Francis Bouchard, Director, Direction des aires protégées, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 4^e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: francis.bouchard@mddelcc.gouv.qc.ca.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Francis Bouchard, at the above contact information.

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the Fight
Against Climate Change*

Temporary protection status assigned as Réserve aquatique projetée du Lac-Waswanipi

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

- 1.** The conservation plan of the Réserve aquatique projetée du Lac-Waswanipi appears in Schedule A.
- 2.** The territory in the Schedule to the conservation plan constitutes the Réserve aquatique projetée du Lac-Waswanipi.
- 3.** The temporary status as proposed aquatic reserve, for a period of 4 years, and the conservation plan of the Réserve aquatique projetée du Lac-Waswanipi, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A

CONSERVATION PLAN OF THE RÉSERVE AQUATIQUE PROJETÉE DU
LAC-WASWANUPI
(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve aquatique projetée du Lac-Waswanipi

Conservation plan



April 2018

1. Legal protection status and toponym

The protection status of the territory described below is that of proposed aquatic reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status to be granted is that of “aquatic reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is “Réserve aquatique projetée du Lac-Waswanipi”. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve aquatique projetée du Lac-Waswanipi was created primarily to protect and maintain biological diversity and the associated natural and cultural resources.

In ecological terms, the proposed reserve would protect natural environments that are characteristic of the Chibougamau Depression natural region, as well as Lac Waswanipi, which is part of the Rivière Nottaway watershed.

Culturally, the proposed reserve is the result of a proposal by the Cree community of Waswanipi, which wanted to conserve the integrity of Lac Waswanipi in order to maintain traditional Cree activities there. Also, Lac Waswanipi is part of the network of waterways used historically by this community, so the area has good archeological potential.

Recreotourism activities by people from the surrounding municipalities will also be maintained.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

Réserve aquatique projetée du Lac-Waswanipi is located in the administrative region of Nord-du-Québec. Covering an area of 577.4 km², it lies about 35 km southwest of the Cree community of Waswanipi and 50 km northeast of the municipality of Lebel-sur-Quévillon, between 49° 27' and 49° 43' north latitude and between 76° 17' and 76° 42' west longitude.

The boundaries and location of the proposed reserve are shown on the map comprising Appendix 1.

3.2. Ecological portrait

Réserve aquatique projetée du Lac-Waswanipi is in the Mistassini Highlands natural province. More precisely, it will protect natural environments characteristic of the Chibougamau Depression natural region.

The waters of the proposed reserve are part of the Rivière Nottaway watershed.

The proposed reserve is in the Superior geological province. The geological foundation is mostly tonalitic rocks of intrusive origin, with smaller proportions of metamorphosed volcanic-sedimentary rocks (amphibolite, metabasalt and mafic gneiss) and sedimentary rocks.

The surface deposits present in the proposed reserve are primarily silty clay of glacio-lacustrine origin, although organic deposits and glacial deposits with no particular morphology are also abundant. In the centre of the territory and at the southern end of Lac Waswanipi, there are stretches of carbonate-rich clay attributable to the presence of small pockets of carbonate-rich sedimentary rocks of Paleozoic age that were carried southeast out of the James Bay basin by glacial activity. The elevation ranges from 258 m to 341 m.

The proposed aquatic reserve is subject to a subpolar climate, with the average annual temperature ranging from -1.1 to 0.8 °C. Total annual precipitation is on the order of 850 to 989 mm, while the growing season ranges from 144 to 163 days.

The plant cover of the proposed reserve, which is in the black spruce/moss bioclimatic domain, is characterized by the presence of conifer forests, dominated by black spruce, along with mixed forests. A few bogs and coniferous swamps are also present.

With regard to terrestrial and aquatic wildlife, the proposed reserve is probably home to abundant or representative species associated with the Mistassini Highlands natural province, including moose, American marten, beaver, lake trout and lake sturgeon. The following aquatic species can also be found in Lac Waswanipi: pickerel, whitefish, walleye and yellow perch.

3.3. Land occupation and uses

Under the James Bay and Northern Québec Agreement (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1), the territory of the proposed reserve partly overlies, in the north, the Category II lands of the community of Waswanipi, and in the south, Category III lands. Category III lands are lands over which Aboriginals do not generally have exclusive rights, but where they may pursue their activities of hunting, fishing and trapping, without compensation rights for areas affected by development projects. The Category III lands on which the proposed reserve is located are under the responsibility of the Eeyou-Istchee James Bay Regional Government, which is governed by the *Cities and Towns Act* (chapter C-19), subject to special provisions of the *Act establishing the Eeyou Istchee James Bay Regional Government* (chapter G-1.04). Under the *Agreement on Governance in the Eeyou Istchee James Bay Territory*, the Cree Nation Government, a legal person established in the public interest by the *Act respecting the Cree Nation Government* (chapter G-1.031), may also exercise municipal and supramunicipal authority where the proposed reserve overlies Category II lands.

The *Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec*, known as “the Peace of the Braves”, concluded in February 2002, includes a provision, in section 4.18, that allows the communities concerned to revise the selection of Category I lands. The implementation of this commitment is under discussion by the Crees and the Québec government. The reconfigurations being considered could affect the boundaries of certain sectors of the proposed reserve. Once the reconfiguration of Category I lands becomes official, the management of these lands will no longer be subject to the conservation plan, and will revert to the local Cree administrations concerned, in accordance with the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1).

With regard to conservation, Réserve aquatique projetée du Lac-Waswanipi overlies a wildlife habitat protected under the *Act respecting the conservation and development of wildlife* (chapter C-61.1), namely the Lac Waswanipi heronry (No. 03-10-0073-2007).

The proposed reserve is in hunting zone 17. It is also in Abitibi beaver reserve, where the Cree community of Waswanipi enjoys specific rights pertaining to the hunting and trapping of fur-bearing animals, and in fur-bearing animal management unit 88. The proposed reserve also overlies three Cree trapping grounds within the meaning of the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1). The proposed protected area also overlies part of the operating territories of outfitters without exclusive rights that offer hunting and fishing activities. Seven land rights have also been granted, including four for temporary shelters and three for accommodation by an outfitter without exclusive rights. Note that an enclave in the southern part of the proposed reserve will serve to exclude the campground of the municipality of Baie-James, together with its boat launch and access road.

There are numerous forest roads on the terrestrial portion of the proposed aquatic reserve.

In cultural terms, note that the proposed reserve includes the Vieux-Poste site, where the original village of Waswanipi was located, which the community still uses as a gathering place. Two privately-owned lots on Île du Vieux-Poste are excluded from the proposed reserve. Also, the community of Waswanipi hosts an annual walleye fishing tournament, an important event that takes place on Lac Waswanipi and thus within the territory of the proposed reserve. Each year, the holding of this tournament will be authorized by the Minister of Sustainable Development, Environment and the Fight against Climate Change, so long as a positive recommendation is received based on the annual monitoring of walleye populations.

4. Activities framework

§1 – Introduction

The purpose of the proposed aquatic reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed aquatic reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed aquatic reserve are governed mainly by the provisions of the Natural Heritage Conservation Act. The measures provided for in the Natural Heritage Conservation Act and by this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Under section 34 of the Natural Heritage Conservation Act (chapter C-61.01), the main activities prohibited in an area to which status as proposed aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed aquatic reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed aquatic reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed aquatic reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

Since the measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the aquatic reserve, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) has prepared an explanatory document indicating the compatibility or incompatibility of each type of activity with the biodiversity and aquatic reserves. The document may be consulted on the website of the MDDELCC at:

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 – Prohibitions, prior authorizations and other conditions governing certain activities in the proposed aquatic reserve

§2.1 – Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required for the removal of soapstone by a beneficiary within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where, as the case may be,
 - (a) fauna or flora species are sampled or likely to be sampled; or
 - (b) vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of the second paragraph are met:

- (1) the maintenance, repair or upgrade of a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
- (2) the construction or erection of
 - (a) an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - (b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed aquatic reserve;
- (3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

- (1) the work involves a structure, infrastructure or works permitted within the proposed reserve;
- (2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

- (3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;
- (4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and
- (5) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

Despite the first paragraph, no authorization is required for an outfitting operation for using a facility or disposal site, in accordance with the Environment Quality Act (chapter Q-2) and its regulations, where the outfitting operation was already using it on the effective date of the protection status as a proposed aquatic reserve.

§2.2 – Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 – Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

- (1) the occupation or use of a site includes
 - (a) staying or settling in the proposed reserve, including for vacation purposes;
 - (b) installing a camp or shelter in the proposed reserve; and

(c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle; and

(2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

(1) on the effective date of the protection status as a proposed aquatic reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State, the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed aquatic reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(1) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

(a) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

(b) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(2) in all other cases if

(a) the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed aquatic reserve, a designation as such had already been made by the Minister;

(b) the wood is collected by a person who, on the effective date of the protection status as a proposed aquatic reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

(c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

Despite the first paragraph, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

- (1) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or
- (2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

4.11. No person may carry on commercial activities in the proposed aquatic reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

- (1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;
- (2) to carry on commercial activities which, on the effective date of the protection status as a proposed aquatic reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 – Authorization exemptions

4.12. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization. Note that only Cree Native persons, beneficiaries of the Agreement concerning James Bay and Northern Québec, are subject to such an exemption.

It is understood that the provisions of this plan are applicable subject to the authorization exemptions and other provisions provided for in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1).

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed aquatic reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed aquatic reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);

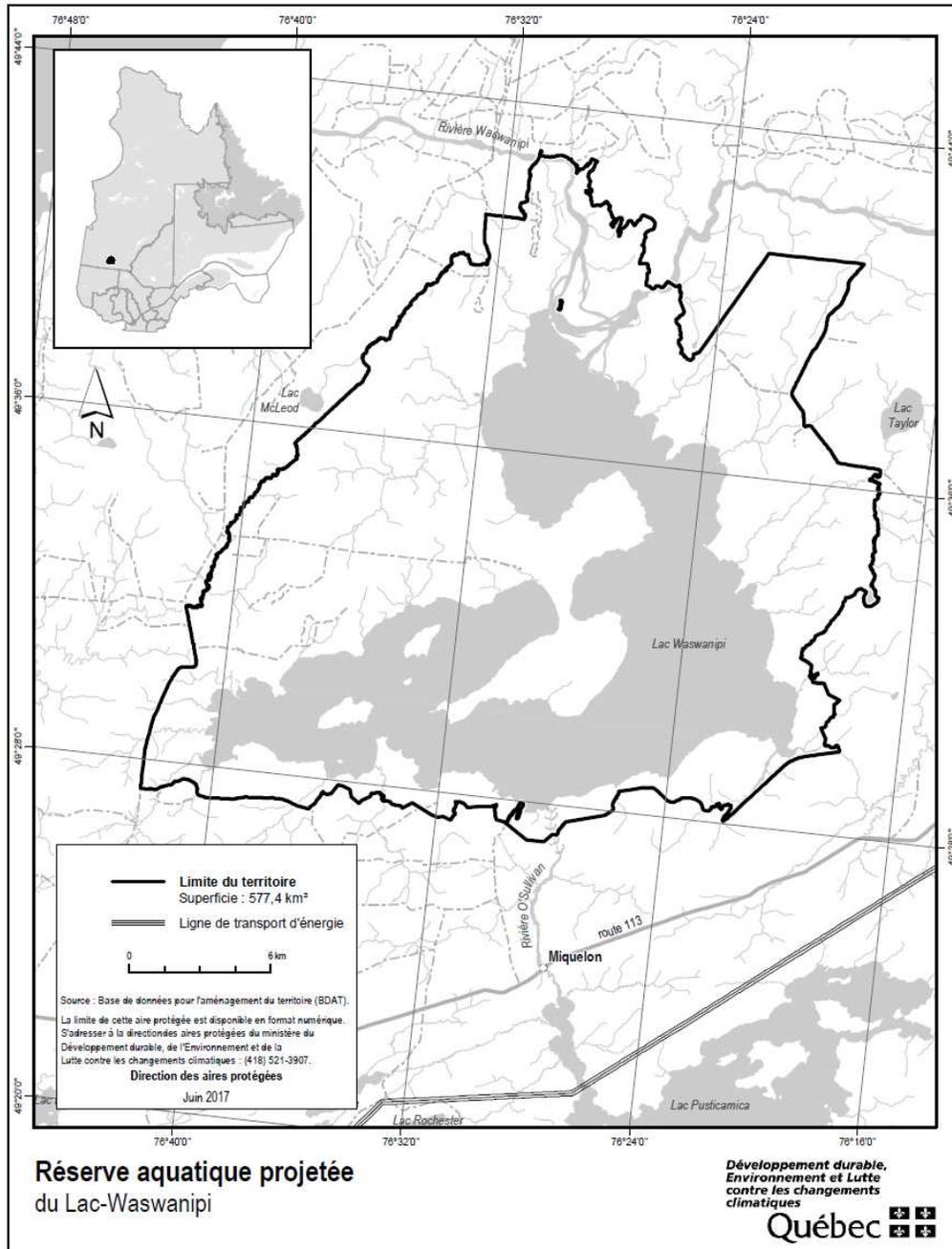
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Archeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Réserve aquatique projetée du Lac-Waswanipi. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve aquatique projetée du Lac-Waswanipi



Draft conservation plan

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve de biodiversité projetée Assinica — Temporary protection status

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Minister of Sustainable Development, the Environment and the Fight Against Climate Change intends to assign a temporary protection status as a proposed biodiversity reserve to the territory in the conservation plan established for the Réserve de biodiversité projetée Assinica, appearing below, on the expiry of 45 days following this publication.

The setting aside of the territory, authorized under Order in Council 72-2018 dated 7 February 2018, in accordance with the Natural Heritage Conservation Act, will be for a period of four years. The assignment of a temporary protection status as a proposed biodiversity reserve will make the activities framework provided for in the Act and in the conservation plan established for the proposed biodiversity reserve applicable to the territory designated in the plan accompanying it.

The activities framework is set out in section 4 of the draft conservation plan of the Réserve de biodiversité projetée Assinica. It provides for prohibitions in addition to those set out in the Act and it regulates the carrying out of certain activities that may be carried out within the territory to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

Further information may be obtained by contacting Francis Bouchard, Director, Direction des aires protégées, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 4^e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: francis.bouchard@mddelcc.gouv.qc.ca.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Francis Bouchard, at the above contact information.

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Temporary protection status assigned as Réserve de biodiversité projetée Assinica

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

- 1.** The conservation plan of the Réserve de biodiversité projetée Assinica appears in Schedule A.
- 2.** The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée Assinica.
- 3.** The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée Assinica, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ PROJETÉE ASSINICA
(s. 1)**

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve de
biodiversité
projetée
Assinica****Conservation plan**

April 2018

1. Protection status and toponym

The protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The envisaged permanent protection status could be "biodiversity reserve" or "national park" a status governed by the Parks Act (chapter P-9).

The provisional toponym is "Réserve de biodiversité projetée Assinica". The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée Assinica was created primarily to protect and maintain biological diversity and the associated natural and cultural resources.

In ecological terms, Réserve de biodiversité projetée Assinica would protect natural environments that are characteristic of the Chibougamau Depression and Upper Rupert Plateau natural regions (see section 3.2).

Culturally, protection of this territory will allow the pursuit of traditional activities by the Cree Nation, specifically the communities of Oujé-Bougoumou, Mistissini and Waswanipi, who frequent the land in the course of these activities. It should also be noted that recreotourism activities by people from the surrounding municipalities will also be maintained.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

Réserve de biodiversité projetée Assinica is located in the administrative region of Nord-du-Québec. It is composed of two distinct parts, the larger of which is 324.7 km² in size. Lying adjacent to Réserve de parc national Assinica, it is approximately 32 km northwest of the city of Chibougamau, between 50°05' and 50°27' north latitude and between 74°34' and 74°50' west longitude. The smaller part is more to the north, and is 60.9 km² in size. It is approximately 140 km northwest of Chibougamau, between 50°44' and 50°47' north latitude and between 75°50' and 76°04' west longitude. The total area of the proposed reserve is 385.6 km².

The boundaries and location of Réserve de biodiversité projetée Assinica are shown on the map comprising Appendix 1.

3.2. Ecological portrait

Réserve de biodiversité projetée Assinica is in the Superior geological province. The geological foundation of the northern part consists essentially of tonalitic rocks of intrusive origin along with sedimentary rocks. To a lesser extent there are also granitic foundation rocks. The northern part of the reserve will protect a formation of sub-aerial deltas, a unique geomorphological phenomenon. In the southern part the geological foundation is primarily granitoid rocks of intrusive origin, with a smaller proportion of sedimentary rocks and amphibolites. The surface deposits characterizing the northern part are glacial deposits with no particular morphology, together with organic deposits. The same is true of the southern part, where there are also fluvioglacial deposits.

According to the ecological reference framework of Québec (MDDELCC, 2014), Réserve de biodiversité projetée Assinica belongs to the Mistassini Highlands natural province. More precisely, it will protect natural environments characteristic of the Chibougamau Depression and Upper Rupert Plateau natural regions, and of the following physiographic complexes: the Lac Caminscanane hummocky plain, the Lac Mistassini and Lac Albanel knolls, and the Lac Sauvage hummocky terrain.

The waters of the proposed biodiversity reserve belong to two large watersheds in the Baie-James territory, namely the Rivière Broadback and Rivière Nottaway watersheds. Occupying a large proportion of the proposed reserve, especially in the southern part, the wetlands present are primarily ombrotrophic and minerotrophic bogs.

With a topographic relief of hummocky terrain, the territory has an elevation ranging from about 360 to 470 m.

The area is subject to a cold subpolar climate, with the average annual temperature ranging from -3.1 to -1.1 °C. The average annual precipitation ranges from 850 to 989 mm, while the average growing season ranges from 124 to 143 days.

The forest cover of the proposed reserve, which is in the black spruce/moss bioclimatic domain, is characterized by the presence of black spruce stands with mosses or heaths, along with a few grey pine stands. The woodlands are of various age classes, resulting from the principal natural disturbances of the Baie-James region, namely forest fires, windthrow and spruce budworm outbreaks. The reserve will protect several old-growth forests, a habitat favoured by woodland caribou, which in 2005 was designated vulnerable in Québec under the *Act respecting threatened or vulnerable species* (chapter E-12.01).

Besides woodland caribou, Réserve de biodiversité projetée Assinica is probably home to abundant or representative species associated with boreal forest ecosystems, including moose, American marten, beaver, lake trout and lake sturgeon.

3.3. Land occupation and uses

Under the James Bay and Northern Québec Agreement (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1), the proposed reserve is on Category III lands. The Category III lands on which the proposed reserve is located are under the responsibility of the Eeyou-Istchee James Bay Regional Government, which is governed by the *Cities and Towns Act* (chapter C-19), subject to special provisions of the *Act establishing the Eeyou Istchee James Bay Regional Government* (chapter G-1.04). Category III lands are lands over which Aboriginals do not generally have exclusive rights, but where they may pursue their activities of hunting, fishing and trapping, without compensation rights for areas affected by development projects. It should be noted that, with the implementation of Complementary Agreement No. 22 to the JBNQA and the *Final Settlement Agreement Related to Certain Issues Referred to in Schedule G of the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec*, concluded in November 2011, the proposed reserve will partly overlie, in the south, Category II lands belonging to the community of Oujé-Bougoumou. Under the *Agreement on Governance in the Eeyou Istchee James Bay Territory*, the Cree Nation Government, a legal person established in the public interest by the *Act respecting the Cree Nation Government* (chapter G-1.031), may also exercise municipal and supramunicipal authority where the proposed reserve overlies Category II lands. The Crees will have exclusive hunting and fishing rights there.

With regard to conservation, Réserve de biodiversité projetée Assinica includes one biological refuge (No. 02664R029). The protection status of biological refuge, governed by the *Sustainable Forest Development Act* (chapter A-18.1), is aimed at conserving the biological diversity associated with mature or overmature forests. Significant portions of both parts of the proposed reserve also overlie Réserve faunique Assinica.

Regarding wildlife development and harvesting, the proposed reserve is in hunting zone 22 and in fur-bearing animal management units 88 and 90. The northern part is in the Abitibi beaver reserve and in fur-bearing animal management unit 88. The southern part is in the Mistassini beaver reserve and straddles fur-bearing animal management units 87 and 91. It also overlies, in varying proportions, eight Cree trapping grounds within the meaning of the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1), two of which are in the northern part while six are in the southern part.

The territory of the proposed reserve is relatively unfragmented by anthropic infrastructures. An electrical transmission line crosses the northern part. A 60-metre right-of-way has been excluded from the reserve for this line. No leases have been granted by the Ministère de l'Énergie et des Ressources naturelles.

4. Activities framework

§1 – Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act. The measures provided for in the Natural Heritage Conservation Act and by this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Under section 34 of the Natural Heritage Conservation Act (chapter C-61.01), the main activities prohibited in an area to which status as proposed biodiversity reserve has been assigned are:

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

Since the measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the biodiversity reserve, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) has prepared an explanatory document indicating the compatibility or incompatibility of each type of activity with the biodiversity and aquatic reserves. The document may be consulted on the website of the MDDELCC at:

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 – Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§2.1 – Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;

- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required for the removal of soapstone by a beneficiary within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where, as the case may be,
 - (a) fauna or flora species are sampled or likely to be sampled; or
 - (b) vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of the second paragraph are met:

- (1) the maintenance, repair or upgrade of a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
- (2) the construction or erection of
 - (a) an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - (b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve;

(3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

- (1) the work involves a structure, infrastructure or works permitted within the proposed reserve;
- (2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
- (3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;
- (4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and
- (5) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

Despite the first paragraph, no authorization is required for an outfitting operation for using a facility or disposal site, in accordance with the Environment Quality Act (chapter Q-2) and its regulations, where the outfitting operation was already using it on the effective date of the protection status as a proposed biodiversity reserve.

§2.2 - Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 – Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

- (1) the occupation or use of a site includes
 - (a) staying or settling in the proposed reserve, including for vacation purposes;
 - (b) installing a camp or shelter in the proposed reserve; and;
 - (c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle; and
- (2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

- (1) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State, the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;
- (2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or;
- (3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

- (1) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if
 - (a) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);
 - (b) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

- (2) in all other cases if
- (a) the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;
 - (b) the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;
 - (c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

Despite the first paragraph, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

- (1) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or
- (2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

- (1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;
- (2) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 – Authorization exemptions

4.12. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization. Note that only Cree Native persons, beneficiaries of the Agreement concerning James Bay and Northern Québec, are subject to such an exemption.

It is understood that the provisions of this plan are applicable subject to the authorization exemptions and other provisions provided for in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1).

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

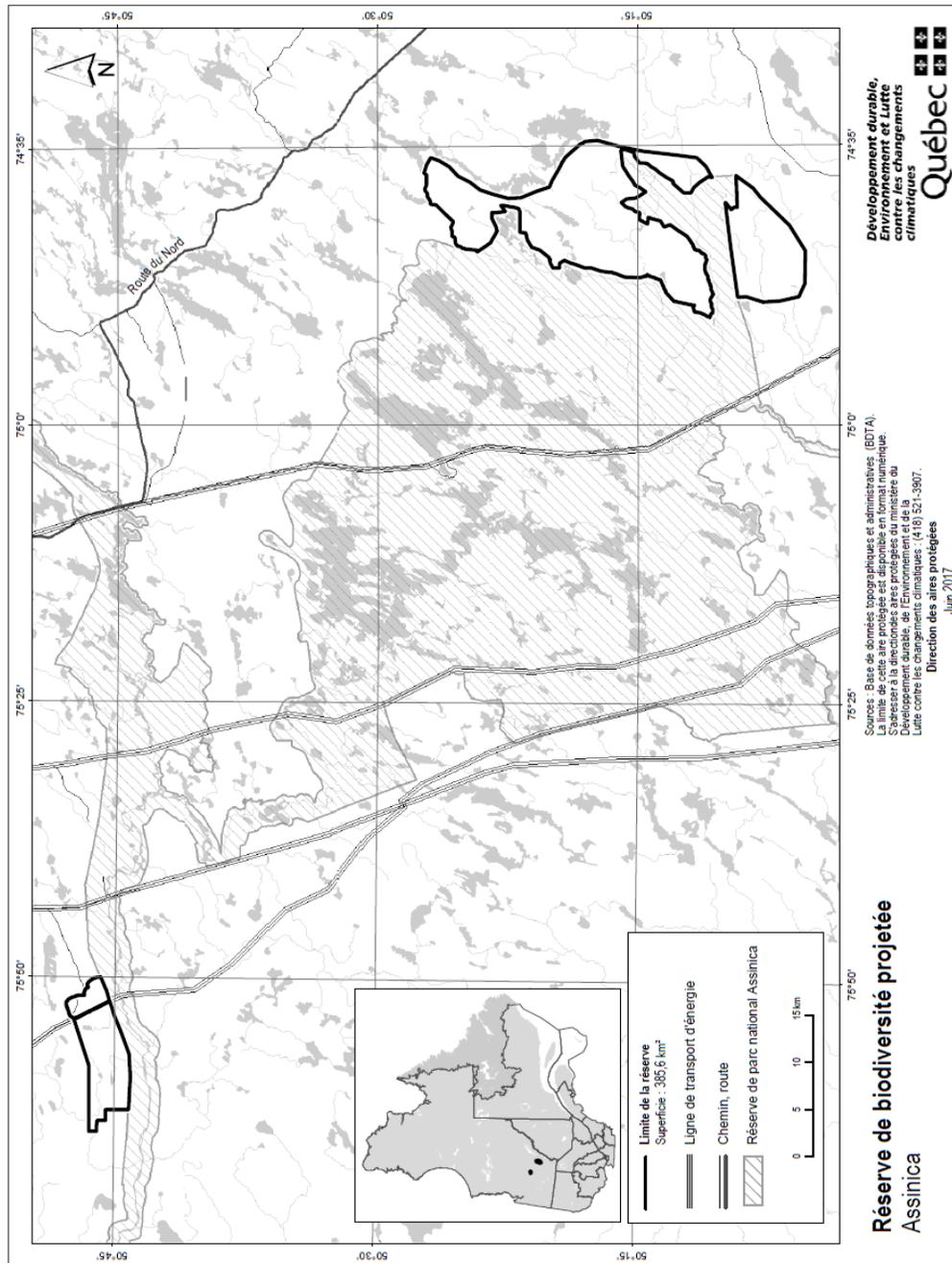
- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Archaeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Réserve de biodiversité projetée Assinica. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée Assinica



Draft conservation plan

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback — Temporary protection status

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Minister of Sustainable Development, the Environment and the Fight Against Climate Change intends to assign a temporary protection status as a proposed biodiversity reserve to the territory in the conservation plan established for the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, appearing below, on the expiry of 45 days following this publication.

The boundaries of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback include the territories of the Réserve de biodiversité projetée du Lac-Dana and the Réserve de biodiversité projetée des Tourbières-Boisées-du-Chiwakamu whose plans are revoked.

The setting aside of the territory, authorized under Order in Council 72-2018 dated 7 February 2018, in accordance with the Natural Heritage Conservation Act, will be for a period of four years. The assignment of a temporary protection status as a proposed biodiversity reserve will make the activities framework provided for in the Act and in the conservation plan established for the proposed biodiversity reserve applicable to the territory designated in the plan accompanying it.

The activities framework is set out in section 4 of the draft conservation plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback. It provides for prohibitions in addition to those set out in the Act and it regulates the carrying out of certain activities that may be carried out within the territory to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

Further information may be obtained by contacting Francis Bouchard, Director, Direction des aires protégées, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 4^e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: francis.bouchard@mdelcc.gouv.qc.ca.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Francis Bouchard, at the above contact information.

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Temporary protection status assigned as Réserve de biodiversité projetée de Chisesaakahikan-et-de-la- Rivière-Broadback

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

- 1.** The conservation plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback appears in Schedule A.
- 2.** The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback.
- 3.** The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A

CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ PROJETÉE DE
CHISESAAKAHIKAN-ET-DE-LA-RIVIÈRE-BROADBACK

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de Chisesaakahikan- et-de-la-Rivière- Broadback

Conservation plan

April 2018

1. Protection status and toponym

The protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status to be granted is that of “biodiversity reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is “Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback”. In Cree, “Chisesaakahikan” means “big lake” and also refers to Lac Evans. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback was created primarily to protect and maintain biological diversity and the associated natural and cultural resources.

In ecological terms, Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback would protect natural environments that are characteristic of the Matagami Depression and Upper Rupert Plateau natural regions (see section 3.2).

Culturally, protection of this territory will allow the pursuit of traditional activities by the Cree Nation, specifically the communities of Nemaska, Waswanipi and Mistissini, who frequent the land in the course of these activities. Note that Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback protects the old trading post of the Hudson’s Bay Company and the old village of the community of Nemaska at Lac Nemiscau. This site is still used today by the members of the community, notably for an annual gathering. The recreotourism activities of people from the surrounding municipalities will also be maintained.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is located in the administrative region of Nord-du-Québec. It is approximately 150 km northeast of the city of Matagami, between 50°41’ and 51°17’ north latitude and between 75°49’ and 77°26’ west longitude. It covers an area of 4977.9 km².

In the Lac Nemiscau / Rivière Rupert area, the boundaries of the proposed reserve correspond to the 100-year flood line. Staying above this line respects commitments related to authorizations for the Eastmain-1-A-Sarcelle-Rupert project with regard to the ecological instream flow from the Rupert spillway,

which is managed jointly by Hydro-Québec and the Crees through the Rivière Rupert Water Management Board.

The boundaries and location of Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback are shown on the map comprising Appendix 1.

3.2. Ecological portrait

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is in the Abitibi Lowlands and Mistassini Highlands natural provinces. More precisely, it will protect natural environments characteristic of the Matagami Depression and Upper Rupert Plateau natural regions, and of the following physiographic complexes: the Lac Evans plain, the Lac Tésécau mounds and the Lac Caminscanane hummocky plain.

The waters of the proposed biodiversity reserve are part of two large watersheds in the Baie-James territory, namely those of Rivière Broadback and, to a lesser extent, Rivière Rupert. Occupying a large proportion of the proposed reserve, the wetlands present are primarily ombrotrophic and minerotrophic bogs.

The proposed reserve is in the Superior geological province. The geological foundation consists essentially of pre- to syntectonic metasedimentary and granitoid rocks. The surface deposits are varied and include organic, lacustrine and glacial deposits with no particular morphology.

The proposed reserve has a topographic relief of plains and hills in which the elevation ranges from about 240 to 380 m.

The territory is subject to a cold subpolar climate, with the average annual temperature ranging from -3.1 to -1.1 °C. The average annual precipitation ranges from 850 to 989 mm, while the average growing season ranges from 124 to 143 days.

The forest cover of the proposed reserve, which is in the black spruce/moss bioclimatic domain, is characterized by the presence of black spruce stands with mosses or heaths, along with a few grey pine stands. The woodlands are of various age classes, resulting from the principal natural disturbances of the Baie-James region, namely forest fires, windthrow and spruce budworm outbreaks. The reserve will protect several old-growth forests, a habitat favoured by woodland caribou, which in 2005 was designated vulnerable in Québec under the *Act respecting threatened or vulnerable species* (chapter E-12.01).

Besides woodland caribou, Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is probably home to abundant or representative species associated with the Abitibi Lowlands and Mistassini Highlands natural provinces, including moose, Canada lynx, American marten, beaver, lake trout and lake sturgeon.

3.3. Land occupation and uses

Under the James Bay and Northern Québec Agreement (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1), the territory of Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is on Category III lands. The Category III lands on which the proposed reserve is located are under the responsibility of the Eeyou-Istchee James Bay Regional Government, which is governed by the *Cities and Towns Act* (chapter C-19), subject to special provisions of the *Act establishing the Eeyou Istchee James Bay Regional Government* (chapter G-1.04). Category III lands are lands over which Aboriginals do not generally have exclusive rights, but where they may pursue their activities of hunting, fishing and trapping, without compensation rights for areas affected by development projects.

The *Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec*, known as “the Peace of the Braves”, concluded in February 2002, includes a provision, in section 4.18, that allows the communities concerned to revise the selection of Category I lands. The implementation of this commitment is under discussion by the Crees and the Québec government. The reconfigurations being considered could affect the boundaries of certain sectors of the proposed reserve. Once the reconfiguration of Category I lands becomes official, the management of these lands will no longer be subject to the conservation plan, and will revert to the local Cree administrations concerned, in accordance with the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1).

With regard to conservation, Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback includes six biological refuges (Nos. 08666R001, 08666R002, 08666R003, 08666R006, 08666R007 and 08666R030). The protection status of biological refuge, governed by the *Sustainable Forest Development Act* (chapter A-18.1), is aimed at conserving the biological diversity associated with mature or overmature forests. The proposed reserve overlies two wildlife habitats protected under the *Act respecting the conservation and development of wildlife* (chapter C-61.1), namely the Lac du Tast heronry (No. 03-10-0083-2007) and the Lac Evans heronry (No. 03-10-0079-2007). Lastly, the eastern part of the proposed reserve overlies the northwestern extremity of Réserve faunique Assinica.

Regarding wildlife development and harvesting, the proposed biodiversity reserve is in hunting zone 22. It straddles the Abitibi and Nottaway beaver reserves, as well as fur-bearing animal management units 88 and 90. It also overlies, in varying proportions, sixteen Cree trapping grounds within the meaning of the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1). It also overlaps part of the operating territory of an outfitter without exclusive rights that offers hunting and fishing activities.

The territory of the proposed reserve is relatively unfragmented. There are a few forest roads in the southern part, and two electrical transmission lines in the east. A 60-metre right-of-way has been excluded from the reserve for each of these lines. There are also a few leases granted by the Ministère de l'Énergie

et des Ressources naturelles, including eleven cottage leases, seven leases for temporary forest shelters, two for accommodation by an outfitter without exclusive rights, and one for a telecommunications tower.

Due to the presence of two mineral titles on the territory, the withdrawal from mineral exploration cannot, for the moment, be applied to the totality of the proposed reserve. Reflecting this reality, the boundaries indicated in the Registre des aires protégées exclude the lands of the mineral titles. As these titles expire or are not renewed, or are abandoned or revoked, these lands will gradually be withdrawn from mineral exploration and incorporated into the biodiversity reserve.

With regard to cultural features, it should be noted that the proposed biodiversity reserve includes the site of the old Nemaska post, where the community's original village was located, and which they still use today as a gathering place.

4. Activities framework

§1 – Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act. The measures provided for in the Natural Heritage Conservation Act and by this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Under section 34 of the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as proposed biodiversity reserve has been assigned are

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed biodiversity reserve and the conservation of

the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

Since the measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the biodiversity reserve, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) has prepared an explanatory document indicating the compatibility or incompatibility of each type of activity with the biodiversity and aquatic reserves. The document may be consulted on the website of the MDDELCC at:

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 – Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§2.1 – Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required for the removal of soapstone by a beneficiary within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where, as the case may be,
 - (a) fauna or flora species are sampled or likely to be sampled; or
 - (b) vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of the second paragraph are met:

- (1) the maintenance, repair or upgrade of a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
- (2) the construction or erection of
 - (a) an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - (b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve;
- (3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

- (1) the work involves a structure, infrastructure or works permitted within the proposed reserve;
- (2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
- (3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;
- (4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and
- (5) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

Despite the first paragraph, no authorization is required for an outfitting operation for using a facility or disposal site, in accordance with the Environment Quality Act (chapter Q-2) and its regulations, where the outfitting operation was already using it on the effective date of the protection status as a proposed biodiversity reserve.

§2.2 – Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 – Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

- (1) the occupation or use of a site includes
 - (a) staying or settling in the proposed reserve, including for vacation purposes;
 - (b) installing a camp or shelter in the proposed reserve; and
 - (c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle; and
- (2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

- (1) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State, the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;
- (2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or
- (3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(1) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

(a) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

(b) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(2) in all other cases if

(a) the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

(b) the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

(c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

Despite the first paragraph, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

- (1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;
- (2) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 – Authorization exemptions

4.12. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization. Note that only Cree Native persons, beneficiaries of the Agreement concerning James Bay and Northern Québec, are subject to such an exemption.

It is understood that the provisions of this plan are applicable subject to the authorization exemptions and other provisions provided for in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1).

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Archeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);

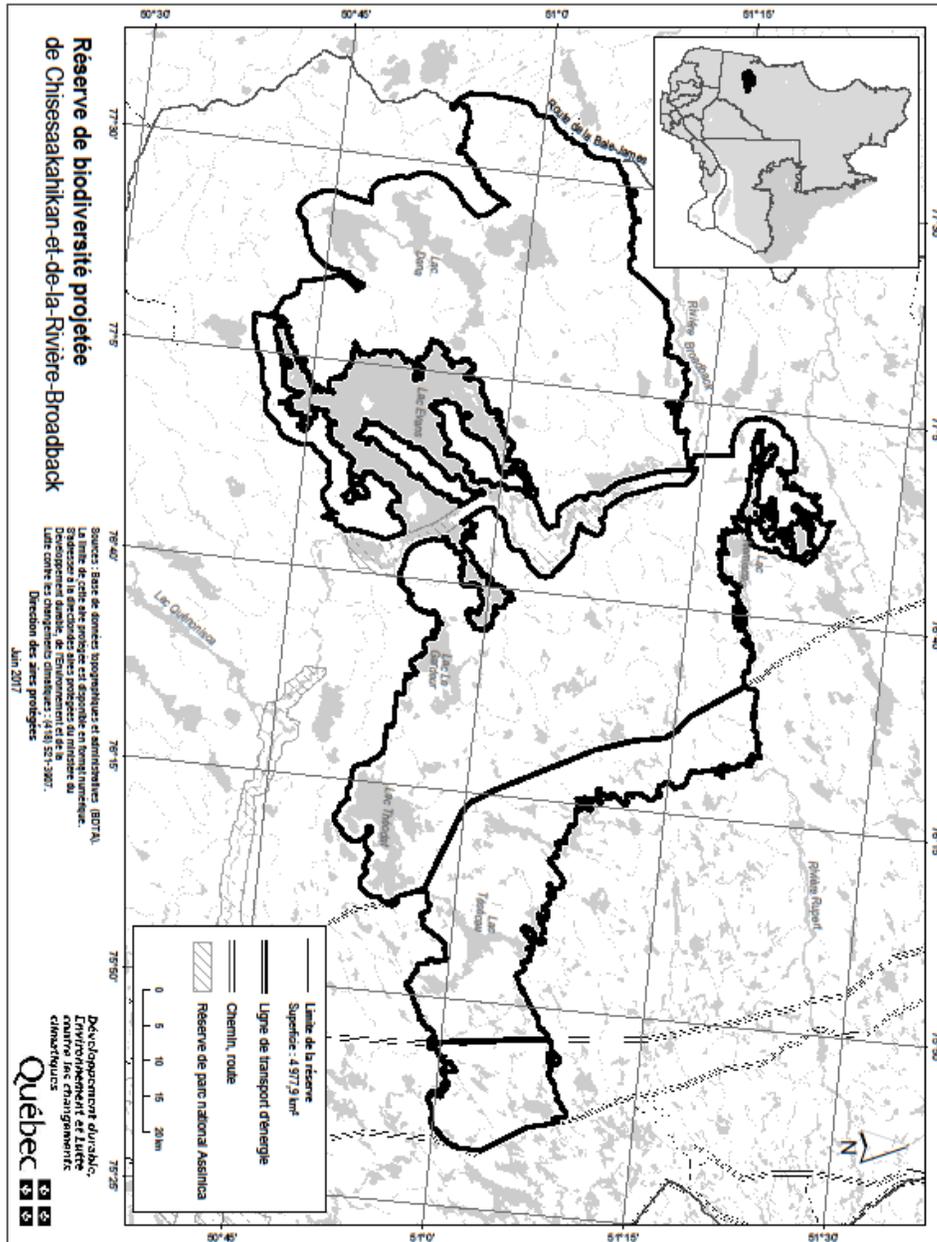
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Chisesaakahikan-et-de-la-Rivière-Broadback. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback



103504

Decisions

Decision 2017QCCTQ1538, 9 June 2017

An Act respecting transportation services by taxi
(chapter S-6.01)

Commission des transports du Québec — Setting of rates for limousine transportation services with no reservations from Montreal’s Pierre Elliott Trudeau International Airport

Please note that by virtue of section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), the Commission des transports du Québec has established, with its decision 2017QCCTQ1538 of June 9, 2017, rates for various zones and destinations for transportation services with no reservations from Montreal’s Pierre Elliott Trudeau International Airport for holders of a taxi owner’s permit offering limousine services. The rates for such services range from \$52 to \$141 for the Montréal-Laval zones and the greater Montréal region, and vary from one municipality to another for the other regions of Québec.

This decision was rendered following a public hearing for which a notice inviting interested parties to attend was posted on the Commission’s Web site. The details of this decision, along with the attached chart of limousine rates for transportation services with no reservations from Montréal’s Pierre Elliott Trudeau International Airport (volume 5), which includes rates for all destinations in Québec, can be viewed on the Commission’s Web site at: <http://www.ctq.gouv.qc.ca>.

M^e HÉLÈNE CHOUINARD,
Secretary
Commission des transports du Québec

103501

Decision 2018QCCTQ0740, 29 March 2018

Redress decision 2018QCCTQ0923, 13 April 2018

An Act respecting transportation services by taxi
(chapter S-6.01)

Commission des transports du Québec — Setting of general rates/tariffs for private taxi transportation services

Please note that by virtue of section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), the Commission des transports du Québec has established, with its decision 2018QCCTQ0740 of March 29, 2018 and its redress decision 2018QCCTQ0923 of April 13, 2018, the rates/tariffs for private taxi transportation services and their conditions of application, with the exception of rates and conditions for transportation services delivered under a specialized taxi permit.

The general and special rates provided for under the Compendium of tariffs of private transportation by taxi will apply as of June 1, 2018.

Note that the Compendium of tariffs of private transportation by taxi, the contents of which follows, replaces the Compendium of tariffs of private transportation by taxi published in the *Gazette officielle du Québec*, no. 9, February 27, 2013.

M^e HÉLÈNE CHOUINARD,
Secretary
Commission des transports du Québec

Encl.: Compendium of tariffs of private transportation
by taxi

Compendium of tariffs of private transportation by taxi

Compendium of tariffs of private transportation by taxi 2018-0001, 1 June 2018 (redressed)

An Act respecting transportation services by taxi (chapter S-6.01, s. 60)

DIVISION I GENERAL PROVISIONS

1. This tariff is applicable to private transportation by taxi except for transportation provided under a specialized taxi permit, and this as of June 1, 2018.

2. When the vehicle used by the holder of a taxi permit is not equipped with a taximeter, the distance covered with a customer is measured by the odometer.

3. A taxi driver cannot claim for the price of a trip a price higher than the one calculated in accordance with this tariff.

4. For the purpose of this tariff, the term “hour or fraction of an hour wait” designates the time during which the taxi is not running or is running at less than 22.2857 km per hour during a trip.

The number 22.2857 is calculated from the hourly tariff (\$39.00) divided by the tariff per km (\$1.75) specified in section 6.

DIVISION II GENERAL TARIFFS

5. General tariffs are applicable to private transportation provided by holders of taxi owner’s permits throughout Québec, subject to the application of special tariffs.

6. The price of a trip calculated by the taximeter is as follows:

	Drop rate	Per kilometer covered with a customer	Per hour or fraction of an hour wait
Basic price	\$3.05	\$1.52	\$33.92
5% GST	\$0.15	\$0.08	\$1.70
9.975% QST	\$0.30	\$0.15	\$3.38
Taximeter rate	\$3.50	\$1.75	\$39.00

7. The price of a trip calculated by the odometer is as follows:

	Drop rate	Per kilometer covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.52	\$33.92
5% GST	\$0.00	\$0.08	\$1.70
9.975% QST	\$0.00	\$0.15	\$3.38
Taximeter rate	\$0.00	\$1.75	\$39.00

DIVISION III SPECIAL TARIFFS

§1. Tariffs applicable to transportation for which the starting point or destination is Montréal Trudeau Airport

8. The price of a trip between the airport and downtown Montréal, whatever the number of passengers, is as follows:

Basic flat rate	\$35.66
5% GST	\$1.78
9.975% QST	\$3.56
Total flat rate	\$41.00

This price applies when the trip has only one pick-up point and one drop-off point.

For the purpose of this section, downtown Montréal is bounded as follows:

— westward: Avenue Atwater to the Lachine Canal; the Lachine Canal to the foot of Rue de Condé; Rue de Condé to Rue Saint-Patrick; Rue Saint-Patrick eastward to Rue Bridge; Rue Bridge to the Victoria Bridge;

— eastward: Avenue Papineau;

— southward: the buildings located on Avenue Pierre-Dupuy to the De la Concorde Bridge;

— northward: Avenue des Pins; Rue Saint-Denis, from Avenue des Pins to Rue Cherrier; Rue Cherrier, from Rue Saint-Denis to Rue Sherbrooke; Rue Sherbrooke, from Rue Cherrier to Avenue Papineau.

Houses and buildings on either side of bordering streets are part of downtown Montréal.

9. When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

10. The minimum price for a trip starting at the main terminal of Montréal Trudeau Airport is \$17.45, including GST and QST.

Any lower taximeter reading is assumed to be \$17.45.

§2. Tariffs applicable to Québec Jean-Lesage Airport

11. The price of a trip between the main terminal of Jean-Lesage Airport and downtown Québec, whatever the number of passengers, is as follows:

Basic flat rate	\$30.52
5% GST	\$1.53
9.975% QST	<u>\$3.05</u>
Total flat rate	\$35.10

For the purpose of this section, downtown Québec is bounded as follows:

—northward: Autoroute Félix-Leclerc;

—eastward: Avenue d'Estimauville and its extension to the St. Lawrence River;

—southward: St. Lawrence River;

—westward: Autoroute Laurentienne; Rue Saint-Anselme to Rue des Commissaires; Rue des Commissaires; Boulevard Langelier; Côte-de-Salaberry; Avenue de Salaberry and its extension to the St. Lawrence River.

Houses and buildings on either side of bordering streets are part of downtown Québec.

12. The price of a trip from the main terminal of Jean-Lesage Airport to the Sainte-Foy area, whatever the number of passengers, is as follows:

Basic flat rate	\$13.40
5% GST	\$0.67
9.975% QST	<u>\$1.33</u>
Total flat rate	\$15.40

This price applies when the trip has only one pick-up point and one drop-off point.

For the purpose of this section, the Sainte-Foy area is bounded as follows:

—northward: Rang Sainte-Anne; Route de l'Aéroport; Avenue Sainte-Geneviève;

—eastward: Autoroute Henri IV;

—southward: Autoroute Charest;

—westward: Avenue Jean-Gauvin; Boulevard Wilfrid-Hamel; Rue des Champs Élysées and its extension between Boulevard Wilfrid-Hamel and Autoroute Charest.

Houses and buildings on either side of bordering streets are part of the Sainte-Foy area.

13. When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

§3. Tariffs applicable to the Fermont 297201 and James Bay (Radisson) 299101 servicing areas

14. The price of a trip calculated by the odometer is as follows:

	Drop rate	Per kilometer covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$2.09	\$33.92
5% GST	\$0.00	\$0.10	\$1.70
9.975% QST	<u>\$0.00</u>	<u>\$0.21</u>	<u>\$3.38</u>
Taximeter rate	\$0.00	\$2.40	\$39.00

15. The minimum price of a trip with an origin or destination in one of these servicing areas is \$6.55, including GST and QST. Any lower taximeter reading is assumed to be \$6.55.

§4. Tariffs applicable to the Saint-Augustin 298206 (Lower North Shore) servicing area

16. The price of a trip between Saint-Augustin Airport or pier and the Saint-Augustin servicing area as well as between Saint-Augustin Airport and Pakuashipi Reservation is \$8.20, including GST and QST, per customer per trip.

DIVISION IV
FINAL PROVISIONS

17. These rates, as of June 1, 2018, will replace the rates in the Compendium of tariffs of private transportation by taxi, R.S.R.Q., c. S-6.01 s. 6, published in the *Gazette officielle du Québec*, part 2, February 27, 2013, page 739.

103502

Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

**Rivière-Malbaie (Conservation de la nature -
Québec) Nature Reserve
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of Sustainable Development, Environment and the Fight Against Climate Change has recognized as a nature reserve a private property situated on the territory of the Municipality of Percé, Regional County Municipality Le Rocher-Percé, known and designated as lots 4 899 705, 4 899 720, 4 899 729, 4 899 802, 5 082 704, 5 082 707, 5 082 710, 5 082 739, 5 213 285, 5 213 287, 5 517 477, 5 606 925, 5 606 927, 5 606 930, 5 606 932, 5 609 838, 5 626 563, 5 626 565 and as one part of lots 5 626 559 and 5 626 560, of the Quebec cadastre, Gaspé registry division. This property covering an area of 306,67 hectares.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

FRANCIS BOUCHARD,
The Director of the Protected Areas

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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