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## Part 2

# LAWS AND REGULATIONS

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1 September 2021 / Volume 153

### **Summary**

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Regulations and other Acts  
Draft Regulations

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Regulation respecting the *Gazette officielle du Québec*, section 4

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## Regulations and other Acts

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Gouvernement du Québec

### O.C. 1141-2021, 18 August 2021

Act respecting municipal courts  
(chapter C-72.01)

Courts of Justice Act  
(chapter T-16)

Criminal Code  
(R.S.C. 1985, c. C-46)

#### Municipal Courts

##### Municipal Courts Regulation

WHEREAS, under the first paragraph of section 56.2 of the Act respecting municipal courts (chapter C-72.01), a majority of the municipal judges, in agreement with the chief judge, may adopt uniform regulations applicable to all municipal courts in matters necessary for the exercise of their jurisdiction, either at a meeting called for that purpose by the chief judge or through any other means whereby the chief judge may consult them;

WHEREAS, under the third paragraph of section 56.2 of that section, the regulations must be compatible with the provisions of the Act respecting municipal courts and the provisions of the Code of Civil Procedure (chapter C-25.01) and the Code of Penal Procedure (chapter C-25.1);

WHEREAS, under paragraph *d* of subsection 2 of section 482 of the Criminal Code (R.S.C. 1985, c. C-46), every municipal court in the Province of Quebec may make rules of court not inconsistent with the Criminal Code or any other Act of Parliament that are applicable to any prosecution, proceeding, action or appeal, within the jurisdiction of that court, instituted in relation to any matter of a criminal nature or arising from or incidental to the prosecution, proceeding, action or appeal;

WHEREAS, under subsection 1 of section 482.1 of the Code, a municipal court in the Province of Quebec may make rules for case management in criminal matters;

WHEREAS, under the fourth paragraph of section 56.2 of the Act respecting municipal courts, the regulations of municipal courts are subject to the approval of the Government, except regulations respecting criminal

and penal matters, and the provisions of the Regulations Act (chapter R-18.1), except Division V, apply to the regulations;

WHEREAS the Municipal Courts Regulation was adopted, in French and in English, by a majority of the municipal judges in agreement with the assistant chief judge responsible for municipal courts;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act, a draft Municipal Courts Regulation was published in Part 2 of the *Gazette officielle du Québec* of 31 March 2021 with a notice that it could be submitted to the Government for approval, except the provisions that only apply in criminal and penal matters, on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Municipal Courts Regulation, attached to this Order in Council, without amendment, except the provisions that only apply in criminal and penal matters;

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

THAT the Municipal Courts Regulation, attached to this Order in Council, be approved, except the provisions that only apply in criminal and penal matters.

YVES OUELLET  
*Clerk of the Conseil exécutif*

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#### Municipal Courts Regulation

Act respecting municipal courts  
(chapter C-72.01, s. 56.2)

Courts of Justice Act  
(chapter T-16, s. 98)

Criminal Code  
(R.S.C. 1985, c. C-46, ss. 482 and 482.1)

#### CHAPTER I GENERAL

**1.** This Regulation applies to all municipal courts of Québec, subject to any special regulations adopted to supplement the Regulation and that are applicable only

before the Municipal Court of Ville de Montréal pursuant to section 56.2 of the Act respecting municipal courts (chapter C-72.01).

**2. Application exemption.** In a proceeding, the judge may, in light of the particular circumstances of the case of which the judge is seized, exempt a party or person from the application of any provision of this Regulation, including the provisions relating to time limits, decorum, conduct during the hearing and applications for postponement.

**3. Information technology.** The terms pleading, reverse side or back, exhibit, expert report, transcript, register, record, document, copy, consultation, filing, producing and service also include, where applicable, their technology-based versions and technology-based access.

## CHAPTER II PROVISIONS APPLICABLE TO ALL MATTERS

### DIVISION I ADMINISTRATION

**4. Keeping of registers, records, orders and judgments.** The registers, records, orders and judgments necessary for the application of the Code of Civil Procedure (chapter C-25.01), the Criminal Code (R.S.C. 1985, c. C-46) and the Code of Penal Procedure (chapter C-25.1), and those required by specific Acts, must be kept in the court offices.

**5. Consultation of registers, records, orders and judgments.** Subject to specific legislative provisions or an order made by a judge, any person may have access to the registers, records, orders and judgments of the court during court office hours.

**6. Consultation of a record.** A record or an exhibit filed may be consulted only in the presence of the clerk or a person designated by the clerk from among the personnel of the court.

**7. Copies of documents or exhibits.** Subject to legislative provisions or an order made by a judge, any person may obtain a copy of documents or exhibits filed in the court record on payment of the fees under the tariffs of court costs.

**8. Removal.** A record or exhibit may be removed from the court office only at the request or with the authorization of a judge.

**9. Contact information.** Parties, their lawyers and parties not represented by a lawyer must provide the court office concerned with their name, address, postal code and a telephone number and, if available, an email address

where they can be contacted. They must ensure that the information is kept up to date and inform the court office without delay of any change.

### DIVISION II PLEADINGS AND EXHIBITS

**10. Format and font.** Except if exempted by the judge, all pleadings must be written on one side only of a letter-size document measuring 21.5 x 28 cm (8½ x 11 in) using 12-point Arial font or be legibly written in the case of a handwritten pleading.

**11. Reference to relevant provisions.** Every application must indicate the title of and reference to the statutory or regulatory provision on which it is based.

**12. Numbering of exhibits.** Each exhibit number must be preceded by an identifying letter assigned to each party, and which is used until the end of the proceeding. There is only one series of numbers per party.

**13. Reverse side or back.** When required, the reverse side or back of a pleading must indicate the record number, the name of the parties, the nature or object of the pleading and, as applicable, the amount in dispute.

The lawyer representing a party must indicate on the reverse side or back his or her name, address, postal code, telephone number, fax number, email address and permanent court number, as applicable.

A party not represented by a lawyer must indicate on the reverse side or back his or her contact information including his or her name, address, postal code, telephone number, email address and fax number, if available.

**14. Signature.** Every pleading must be signed by the party, the party's lawyer or the person authorized by the lawyer's partnership.

**15. Designation of the parties.** In all pleadings, the parties retain the same order and designation as in the judicial application.

**16. Filing of pleadings.** A clerk who receives a pleading enters upon it the date and time it was received and, if applicable, numbers it and enters it in the court register.

**17. Medical record.** A medical record, an expert report or a document prepared by a physician, psychologist or social worker, or any other expert report of a psycho-social nature filed in the record in a sealed envelope is kept in the envelope and no person, except a person authorized

by law, may have access to it without the permission of the court or a judge. The nature of the documents filed in a sealed envelope must be written on the envelope.

Access to such documents includes the right to make copies.

**18. Filing of documents in a sealed envelope.** Documents in a sealed envelope are filed using an envelope on the reverse side or back of which the following information in block letters must appear:

- (1) record number;
- (2) filing date;
- (3) identity of the filer and, if applicable, the party represented;
- (4) exhibit number and nature of the document filed.

The filing of a document that does not satisfy this section may be refused. If difficulties arise, the clerk refers the matter to a judge.

**19. Recording of information.** The name and capacity of a person consulting a document filed in a sealed envelope or requesting a copy of it are entered in the record by the clerk.

**20. Changes and clarifying particulars.** Where a change is made to a pleading, additions or substitutions must be underlined or indicated in the margin and deletions must be indicated by a dotted line or underlining between parentheses.

Where clarifying changes to a pleading have been ordered, a new pleading incorporating them must be filed in the record within the time set for doing so, following the same procedure.

**21. Technology-based document.** If the technological environment for court business so allows, the court may, on its own initiative or at the request of a party, require the filing of all or any part of certain documents or testimony using technology-based media, unless a party does not have the technology-based media.

The technology-based document must, when the information it contains is in text form, allow key-word searches as an essential function. If there is more than one document in the same file, the documents must be accompanied by an index containing hyperlinks between the index and each document filed.

A party that files or produces a technology-based document must reveal, in addition to its essential functions, all the other functions of the document of which the party is aware, as well as all the other functions that may affect the technological environment for court business.

### DIVISION III COURTROOMS AND ROLLS OF THE COURT

**22. Courtrooms.** The president judge or the judge responsible for the court determines the use and purposes of available courtrooms.

**23. Preparation of roll.** The roll is prepared by the clerk under the authority of the president judge, the judge responsible for the court or the judge.

**24. Content of roll available in courtroom.** The roll states the name of the presiding judge, the record number, the number of times the record has appeared on the roll since the beginning of the proceedings, the date of the last appearance on the roll, the date on which the information laid was sworn to or the ascertainment was served, the names of the parties and their lawyers, whether the presence of the defendant is required, whether the defendant is in custody, the nature of the offence, the nature of the proceeding, the number of the statement of offence, if any, the date, duration and place of the hearing, and the existence of victims' statements.

**25. Copy of roll.** Not later than 3:00 p.m. on the day before the hearing, a copy of the roll is delivered to the judge. On the day of the hearing, copies are available for consultation by the parties in the courtroom.

**26. Posting of roll.** The clerk sees to the posting of the roll at the entrance to the courtroom and at any other location designated by the president judge, the judge responsible for the court or the judge.

**27. Official version of roll.** Although versions of the roll are available in other media, the only official version of the roll is the version posted in the various municipal courts and, in the event of a discrepancy, that version prevails.

**28. Addition of case to roll.** No case may be added to the roll on the day of the hearing without authorization from the president judge, the judge responsible for the court or a judge.

**29. Transfer of case.** At the hearing, a party requesting the transfer of a case to another judge of the same court must first obtain authorization to do so from that other judge.

**30. Setting of dates.** The sittings of the court are set by the president judge, the judge responsible for the court or the judge and, in all cases, after consulting the clerk.

**31. Time of sittings.** The sittings of the court are held in the morning, afternoon or evening, at any time set by the president judge, the judge responsible for the court or the judge and, in all cases, after consulting the clerk.

#### DIVISION IV HEARING, DECORUM AND ORDER

**32. Opening and adjournment of sitting.** All persons present at the hearing are to rise as the judge enters the courtroom and remain standing until the judge is seated.

At the opening of the sitting, the clerk, the usher or the person acting as usher says aloud: “Silence. Please rise. The Municipal Court of [...], presided over by the Honourable Judge [...], is now in session.”

Once the judge is seated, the clerk, the usher or the person acting as usher asks those present to be seated.

When the judge leaves the bench, the clerk, the usher or the person acting as usher asks those present to again rise, and no one may leave his or her seat until the judge has retired.

**33. Decorum.** The judge may make any order to ensure the proper administration of justice, the serenity of hearings, decorum, security, good order, and respect for the rights of the parties or their lawyers.

The usher, or any security officer, ensures decorum and good order are respected and sees that silence is maintained and the persons present at the hearing are suitably seated. He or she assists the judge in the application of this Regulation and the guidelines concerning the use of technology in the courtroom.

**34. Food and drink.** Drinking, eating and chewing gum are not permitted in the courtroom.

**35. Technological devices.** The use of personal technological devices is permitted in accordance with the guidelines concerning the use of technology in the courtroom.

**36. Dress code.** Every person present in the courtroom must wear suitable attire.

Judges wear a gown either closed in front or with a black waistcoat, a white shirt, collar and bands, dark clothing and appropriate footwear at all times in the courtroom.

Lawyers wear a black gown either closed in front or with a black waistcoat, a white shirt, collar and bands, dark clothing and appropriate footwear at all times in the courtroom.

The same rule applies to articling students, minus the bands.

At all times, the clerks, ushers and other officers of the court wear a gown with plain clothing of a dark hue. Appropriate footwear must be worn.

**37. Punctuality.** The parties and lawyers must be present and ready to proceed at the opening of sittings or at any other set time.

**38. Conduct during hearing.** Every person who addresses the court or a witness must rise and remain standing.

The person must show respect, courtesy and restraint towards the judge, the opposing party, the lawyers, the witnesses and the personnel of the court.

In addition, no person may enter into a discussion with another person, including the clerk, or consult the court record.

**39. Place of defendant.** Throughout the trial or proceeding, the defendant is to remain in the assigned place and rise and remain standing during the reading of the information laid and the pronouncement of the judgment and the sentence, as applicable.

**40. Support for party not represented.** Before the hearing, a party not represented by a lawyer must take the necessary steps to obtain information on the proper manner in which the party’s rights may be asserted before the court.

**41. Persons with disability who need assistance.** Persons with a disability who need assistance must inform the clerk as quickly as possible so that the appropriate measures may be taken.

If the request appears excessive, the clerk refers it to the judge seized of the case.

**42. Swearing in.** The clerk, in the presence of the judge, swears witnesses in by asking them to take an oath or make a solemn affirmation.

**43. Interpreter.** A party requiring the services of an interpreter must so inform the court office without delay.

In civil matters, a party requiring the assistance of an interpreter must retain and pay for the interpreter's services, except in the cases provided for in articles 298 and 299 of the Code of Civil Procedure.

**44. Security in courtrooms.** During a hearing, the security of the persons present and responsibility for the persons for whom detention has been ordered must be ensured by appropriate personnel designated by the municipality responsible for the court.

The hearing is held when the judge considers that security is ensured.

**45. Postponement and cancellation of subpoena or summons.** No case set for trial may be postponed solely by the consent of the parties or by reason of their absence.

A party foreseeing that it will not be able to proceed on the date set by the court or applying to have a subpoena or summons cancelled must immediately notify the opposing party and submit the application to the president judge, the judge responsible for the court or the judge.

Except with permission from one of the above judges, an application for the postponement of a case set for trial must be presented in writing, with reasons, at least 10 days before the date set for the trial.

Prior notice of the application of 3 working days, excepting Saturdays, must be given to all the parties.

Despite the time limit set out in the third paragraph, if the reasons for the postponement become known less than 10 days before the date set for the trial, the president judge, the judge responsible for the court or the judge may receive a written application for postponement, and decides it in the best interest of justice.

When postponement is granted, the reasons for the decision are entered in the minutes.

**46. Technological means.** The court may, on its own initiative or at the written request of a party, hear an application using any appropriate technological means. The use of such technology is contingent on the quality of the equipment used and its availability. After examining the application, the judge communicates the decision to the parties.

Where applicable, the parties make representations in the courtroom before the judge, in a suitably equipped room, or in the judge's chambers.

The parties and their lawyers are responsible for providing the judge's office with the contact information to be used and for being available and able to be contacted at the set time.

In all instances, a sound recording is required for conservation and reproduction purposes.

#### **DIVISION V** SOUND RECORDINGS, STENOGRAPHIC NOTES AND MINUTES

**47. Sound recording.** The clerk is required to make a sound recording of the trial, and when so requested by the court, ensures the operation of any other technology-based means of communication.

**48. Testimony outside court.** Testimony given outside the court is recorded in a manner that allows it to be stored and reproduced.

When a stenographer's services are used, the stenographer may, in the event that decorum or good order is disturbed, suspend the sitting in order to obtain from the judge, as soon as possible, a decision on whether to continue.

Stenographic notes may be presented in a "4 in one" format, with an alphabetical index.

**49. Transcript or copy of recording.** When a transcript is ordered by the judge, the clerk provides the judge with the transcript within 30 days unless the judge decides otherwise.

Every transcript of a judgment so ordered must be submitted to the judge who rendered the judgment to allow that judge to verify its accuracy before the transcript is given to the party requesting it. The verified transcript is also filed in the court record.

Unless otherwise provided or otherwise ordered by a judge, any person may obtain a copy of the sound recording of the trial from the clerk.

**50. Minutes of hearing.** The clerk draws up the minutes of the hearing and enters the following:

- (1) in all matters:
  - (a) the record number;
  - (b) the names of the parties;
  - (c) the presence or absence of the parties;

(d) the names of the lawyers, their permanent court number and the party they are representing or, if applicable, the fact that a party has declined to be represented;

(e) the name of the judge presiding the hearing;

(f) the name of the clerk and, if applicable, of the stenographer;

(g) the courtroom number, the date and time of the beginning and end of the sitting and the tape position numbers;

(h) the names of the interpreters;

(i) the names and addresses of the witnesses, and mention of the party calling them to testify;

(j) the classification code and description of all exhibits produced, by letter in numerical order;

(k) admissions;

(l) objections to evidence;

(m) the reasons for any decision on an application for postponement;

(n) the conclusions of any judgment, decision or measures rendered at the hearing by the judge;

(o) the different stages in the proceeding showing the time and, if applicable, the tape position numbers;

(2) in civil matters, the minutes must also indicate the nature of the case and the amount in dispute, if any;

(3) in criminal and penal matters, the following information must also be entered:

(a) in addition to the conclusions of any decision or order made by the judge at the hearing, the sentence imposed by the judge;

(b) any waiver of language rights and notice concerning those rights.

## DIVISION VI AUTHORITIES

**51. Authorities.** A party relying on a judgment or doctrine must provide a copy to the judge and the parties, on which the relevant passages are highlighted.

Producing only the relevant excerpts of doctrine and case law is permitted, in which case the pages immediately preceding and following the excerpts or, for case law, the judicial decision, its reference and headnote, must be produced.

Double-sided printing is permitted.

**52. List of authorities.** In a given matter, a list of authorities for doctrine and case law may be established or agreed on by the parties with the consent of the judge. The authorities are considered to have been produced and the parties are exempted from reproducing them.

**53. Regulatory and legislative provisions.** In civil matters, a represented party relying on regulatory or legislative provisions other than those of the Civil Code, the Code of Civil Procedure, the Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), (1982, c. 11), the Charter of Human Rights and Freedoms (chapter C-12) and the Consumer Protection Act (chapter P-40.1) must provide the judge and the parties with a copy of the provisions.

In criminal and penal matters, a party relying on regulatory or legislative provisions other than those of the Canadian Charter of Rights and Freedoms, the Criminal Code, the Canada Evidence Act (R.S.C. 1985, c. C-5), the Controlled Drugs and Substances Act (S.C. 1996, c. 19), the Charter of Human Rights and Freedoms, the Code of Penal Procedure and the Highway Safety Code (chapter C-24.2) must provide the judge and the parties with a copy of the provisions.

**54. Outline of argument.** The judge may require the parties to produce an outline of argument concisely setting out the points of law or fact to be discussed, with references to the supporting evidence and authorities.

## DIVISION VII QUARRELSOMENESS

**55. Declaration of quarrelsomeness.** After filing it in the register, the clerk sends to the Ministère de la Justice du Québec, for entry into the public register of persons found to be quarrelsome, a copy of any order prohibiting the person from introducing a pleading that has been filed in the court office, while respecting the confidentiality required by law; the clerk then informs the chief judge accordingly.

**56. Application by quarrelsome party for authorization to file an application.** An application for authorization to file an application must be addressed to and served on the chief judge or the judge designated by the chief judge and be filed in the court office where the order originated. The application may be decided on the face of the documents, without a hearing.

The application for authorization must be filed with a copy of the order and the planned pleading.

The chief judge or the judge designated by the chief judge may defer the application to the court, in which case the applicant must have the planned pleading served on the parties, giving 10 days' notice of presentation.

A pleading that has not received prior authorization is deemed not to exist. The clerk must refuse to receive it, or the judge must reject it, unless it is an application for authorization or a notice of appeal.

### CHAPTER III CRIMINAL AND PENAL PROCEEDINGS

#### DIVISION I CRIMINAL PROCEEDINGS

##### *§1. Rules of practice*

**57. Matters subject to directive.** The chief justice may establish directives on, among others, the following matters: judicial authorizations, handling of sealed materials, appearances by videoconference, joint hearings, and applications under the Canadian Charter of Rights and Freedoms.

##### *§2. Applications*

**58. Application.** Every application must set out the facts on which it is based and be accompanied by an affidavit from the applicant attesting to those facts, and by a notice of presentation.

The application must contain

- (1) a concise description of its object;
- (2) a description of the arguments that will be pleaded;
- (3) a detailed description of its factual basis, specific to the case; and
- (4) the conclusions sought.

If the judge requires a transcript in order to decide the application, the applicant must serve the transcript and file it with the application and supporting exhibits.

**59. Service.** Every application must be served on the opposing party or the lawyer for that party when so required, and on the president judge, the judge responsible for the court or the judge, with a notice of presentation of at least 3 working days, except Saturdays.

An application under the Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, must be served within at least 30 days.

The application must also be filed at the court office as soon as possible after service.

Proof of service must be attached to the original of the document served.

**60. Time limit for filing application.** A judge may refuse to enter on a roll any application that has not been filed with the court office one working day before the date scheduled for its presentation.

**61. Service on lawyer.** Service on a lawyer is made at the lawyer's office.

##### *§3. Appearance and withdrawal of a lawyer*

**62. Representation of lawyer.** The defendant's lawyer of record may be represented by an associate or by another lawyer mandated for the purpose.

**63. Presence of lawyer.** A lawyer whose client fails to appear in the courtroom when his or her name is called must nonetheless appear before the court.

**64. Withdrawal of lawyer.** A lawyer who has appeared for a defendant may not withdraw from the matter unless an application to that effect has been made and served on the defendant and on the opposing party.

##### *§4. Case management conference, pre-hearing conference and facilitation conference*

**65. Case management conference.** In accordance with section 551.3 of the Criminal Code, an appointed judge may hold a case management conference in the presence of the defendant and the lawyers of record to define the issues genuinely in dispute and to establish appropriate means to simplify the proceedings and reduce the duration of the hearing.

**66. Pre-hearing conference.** A pre-hearing conference under section 625.1 of the Criminal Code is held on the date and at the time and place set by the judge.

**67. Facilitation conference.** A judge may hold a facilitation conference with the parties' lawyers to seek partial or full resolution of the matter.

**68. Appointment of judge responsible for case management.** An application for a case management conference is made under sections 551.1 and 551.7 of the Criminal Code.

## DIVISION II PENAL PROCEEDINGS

**69. Provisions applicable.** The provisions of Division I of this Chapter apply, with the necessary modifications, to all matters under the Code of Penal Procedure.

**70. Content of notice of hearing.** The notice of hearing given to the defendant in penal matters must contain the provisions of articles 62 and 63 of the Code of Penal Procedure.

**71. Designation of judge responsible for case management.** An application to have a case management judge designated is made in accordance with articles 186.1 and 186.3 of the Code of Penal Procedure.

**72. Pre-hearing conference.** A pre-hearing conference may be held under article 218.0.1 of the Code of Penal Procedure on a judge's own initiative or on a party's application.

## CHAPTER IV PROVISIONS APPLICABLE IN CIVIL MATTERS

### §1. Record

**73. Court register.** When a record is to be forwarded to the court or the judge, an updated extract from the court register is filed in it and all previous extracts are destroyed.

### §2. Applications presented in civil practice and to judge sitting in chambers

**74. Content.** A written application presented in civil practice or to a judge sitting in chambers must indicate its nature and object and provide a reference to the legislative or regulatory provision on which it is based.

An application presented in connection with a case management conference must indicate its nature and object, be accompanied by all that is necessary for its analysis, and provide a reference to the legislative or regulatory provision on which it is based.

### §3. Case management and pre-trial conference

**75. Examination of case protocol.** The case protocol is examined and the case management conference is held by the court.

**76. Examinations.** The judge may authorize a pre-trial examination, an examination by affidavit or an examination of a witness outside the court using videoconferencing facilities or any other means of communication, if the means proposed appears to the judge to be reliable and proportionate to the circumstances of the case, taking into account the quality of the equipment used and its availability, and the possibility for the court of taking cognizance of and using the content of the examination. The judge must take into consideration, for the court, the technological environment for court business.

**77. Application to set date by priority.** Every application to have a date set by priority for a case must be in writing, give reasons, and be presented to the president judge, the judge responsible for the court or a judge.

The application may be made for any serious reason, in particular the complexity of the case and the number of witnesses.

### §4. Readiness for trial and setting down by default

**78. Readiness for trial.** After the filing of the joint declaration, the parties must immediately inform the court of any proceeding or circumstance that could modify the status of the case.

Similarly, in the event of a discontinuance, transaction or bankruptcy, the parties must immediately inform the court office and file, without delay, a copy of the notice of bankruptcy or the declaration evidencing the discontinuance or transaction.

**79. Setting down by default.** A setting down by default after a failure by a party to answer a summons, attend a case management conference without valid reason or defend the application must specify the nature of the case and the amount in dispute.

§5. *Advisement and judgment*

**80. Advisement.** Before submitting the record to the judge to be taken under advisement, the clerk ensures that it is complete. If the record is incomplete, the clerk so informs the lawyers or parties so that they may remedy the situation within the time set by the judge.

No case is taken under advisement until the record has been completed, unless the judge decides otherwise.

**81. Judgment signed on pleading.** A judgment written and signed on a pleading presented to the judge does not need to be written out and signed again on a separate sheet, and a certified true copy of it may be issued by the clerk.

**82. Incomplete trial or record.** If the parties fail to complete the trial or the record within the time set by the judge when trying a case, whether contested or not, the judge may withdraw from the adjudication, render judgment on the basis of the record as constituted or make any other order the judge considers appropriate.

**CHAPTER V**  
FINAL

**83.** This Regulation replaces the Rules of the municipal courts (chapter C-2.01, r. 1).

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

105239



## Draft Regulations

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### Draft Regulation

Environment Quality Act  
(chapter Q-2)

Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4)

#### Fees payable with respect to the environmental authorization scheme and other fees

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the fees payable with respect to the environmental authorization scheme and other fees, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation replaces the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) to take into account the modernization of the environmental authorization scheme resulting from the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4).

It proposes fees payable by an applicant, under the Environment Quality Act (chapter Q-2), for the issue or amendment of an authorization relating to projects subject to any of the environmental impact assessment and review procedures as well as the issue, amendment or renewal of a ministerial authorization.

It also proposes fees payable by an applicant, under the Environment Quality Act (chapter Q-2), for the approval of a rehabilitation plan and the fees payable by anyone required to file a declaration of compliance with the Minister in accordance with that Act.

The proposed fees are, in most cases, comparable or less than the fees currently in force. They are, however, higher for certain applications, in particular for the establishment of a facility for the treatment of wastewater with unvalidated technology, overflow of wastewater and certain projects in wetlands or bodies of water.

Further information on the draft Regulation may be obtained by consulting the website of the Ministère de l'Environnement et de la Lutte contre les changements climatiques at <https://www.environnement.gouv.qc.ca/ministere/tarification/arrete.htm>. Such information may also be obtained by contacting Matilde Thérroux-Lemay, Direction du soutien à la gouvernance, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 675, boul. René-Levesque Est, RC 265, Québec (QC) G1R 5V7; telephone: 418-521-3929, extension 4085; email: [matilde.theroux-lemay@environnement.gouv.qc.ca](mailto:matilde.theroux-lemay@environnement.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Matilde Thérroux-Lemay, at the above-mentioned contact information.

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

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### Regulation respecting the fees payable with respect to the environmental authorization scheme and other fees

Environment Quality Act  
(chapter Q-2, s. 95.3; 2017, chapter 4, s. 296)

#### CHAPTER I GENERAL

**1.** The purpose of this Regulation is to determine the fees payable by an applicant, under the Environment Quality Act (chapter Q-2), hereinafter referred to as “the Act”, for the issue or amendment of an authorization relating to projects subject to any of the environmental impact assessment and review procedures and for the issue, amendment or renewal of a ministerial authorization or approval of a rehabilitation plan by the Minister. It also determines the fees payable by anyone required to file a declaration of compliance with the Minister in accordance with the Act.

**CHAPTER II****AUTHORIZATIONS RELATING TO PROJECTS  
SUBJECT TO ANY OF THE ENVIRONMENTAL  
IMPACT ASSESSMENT AND REVIEW  
PROCEDURES****DIVISION I****ENVIRONMENTAL IMPACT ASSESSMENT  
AND REVIEW PROCEDURE COVERED  
BY TITLE I OF THE ACT**

**2.** The following fees are payable by any person or municipality applying for the issue of an authorization under section 31.1. of the Act for a project subject to the environmental impact assessment and review procedure. They are determined according to the step of the procedure and the class assigned to the project in accordance with Schedule I.

Class 4 fees are payable for a project that is not listed in Schedule I, but that is subject to the environmental impact assessment and review procedure.

<b>Steps of the environmental impact assessment and review procedure</b>	<b>Fees payable according to the class assigned to the project</b>			
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Filing of the notice provided for in section 31.2 of the Act	\$1,459	\$1,459	\$1,459	\$1,459
Filing of the environmental impact assessment statement with the Minister provided for in section 31.3.2 of the Act	\$5,838	\$20,439	\$35,037	\$49,638
Public information period provided for in the first paragraph of section 31.3.5 of the Act	\$1,459	\$5,110	\$8,759	\$12,410
Public consultation provided for in subparagraph 1 of the fifth paragraph of section 31.3.5 or section 31.3.6 of the Act	\$14,200	\$50,247	\$86,135	\$122,026
Targeted consultation provided for in subparagraph 2 of the fifth paragraph of section 31.3.5 or section 31.3.6 of the Act	\$8,520	\$29,837	\$51,149	\$72,461
Mediation provided for in subparagraph 3 of the fifth paragraph of section 31.3.5 of the Act	\$5,778	\$5,778	\$5,778	\$5,778

**3.** The following fees are payable by any person or municipality that, under section 31.7 of the Act, applies for the amendment of an authorization issued under section 31.5 of the Act. They are determined according to the class assigned to the project in accordance with Schedule I.

Class 4 fees are payable for a project that is not listed in Schedule I, but that is subject to the environmental impact assessment and review procedure.

Type of amendment	Fees payable according to the class assigned to the project			
	1	2	3	4
Amendment to support documents or information already filed with an application and not involving capacity, production or a process change or having no environmental impact	\$1,459	\$1,459	\$1,459	\$1,459
Amendment involving capacity, a production increase or a process change	\$4,378	\$13,503	\$22,628	\$31,754
Rate for any other amendment	\$2,919	\$10,218	\$10,218	\$10,218

## DIVISION II

### ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT AND REVIEW PROCEDURE APPLICABLE TO THE JAMES BAY AND NORTHERN QUÉBEC REGION REFERRED TO IN TITLE II OF THE ACT

**4.** The following fees are payable by any person or municipality that, under section 160 or 196 of the Act, applies for the issue of an authorization referred to in paragraph *a* of section 154 or paragraph *a* of section 189 of the Act, for a project automatically subject to the environmental and social impact assessment and review procedure. They are determined according to the step of the procedure and the class assigned to the project in accordance with Schedule II or III.

Class 1 fees are payable for a project that is not listed in Schedule II or III, but that is subject to the environmental and social impact assessment and review procedure.

Steps of the environmental and social impact assessment and review procedure	Fees payable according to the class assigned to the project			
	1	2	3	4
Receiving of the notice provided for in section 155 of the Act and analysis of the recommendations formulated by the Evaluating Committee under section 157 of the Act or by the Commission de la qualité de l'environnement Kativik under section 192 of the Act	\$1,459	\$1,459	\$1,459	\$1,459
Analysis of the impact assessment statement referred to in sections 160 and 196 of the Act	\$7,297	\$25,547	\$43,795	\$62,048

**5.** The following fees are payable by any person or municipality that, under the second paragraph of section 122.2 of the Act, applies for the amendment of an authorization issued under Title II of the Act. They are determined according to the class assigned to the project in accordance with Schedule II or III.

Class 1 fees are payable for a project that is neither listed in Schedule II or Schedule III, but that is subject to the environmental and social impact assessment and review procedure.

Type of amendment	Fees payable according to the class assigned to the project			
	1	2	3	4
Amendment to support documents or information already filed with an application and not involving capacity, production or a process change or having no environmental impact	\$1,459	\$1,459	\$1,459	\$1,459
Amendment involving capacity, a production increase or a process change	\$4,378	\$13,503	\$22,628	\$31,754
Rate for any other amendment	\$2,919	\$10,218	\$10,218	\$10,218

### CHAPTER III MINISTERIAL AUTHORIZATIONS

**6.** The fees provided for in Schedule IV are payable by any person or municipality that applies for, as the case may be,

(1) the issue of a ministerial authorization under section 22 of the Act;

(2) the amendment of a ministerial authorization under section 30 of the Act;

(3) the renewal of a ministerial authorization under section 28 of the Act.

The fees are determined according to each activity covered by the application. Where an application covers more than one activity subject to the same subparagraph of the first paragraph of section 22 of the Act, except subparagraph 10, the fees payable for each activity are not added; the highest fees from those payable for each activity apply.

Where the application covers the issue, amendment or renewal of an activity for which no fees are provided for in any of the tables in Schedule IV, the fee payable is \$600.

Where an application for the amendment of a ministerial authorization covers a new activity referred to in section 22 of the Act, in accordance with section 28 of

the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), the fees payable for that application for amendment are those applicable to the issue of an authorization for that activity.

**7.** The fee payable by any person or municipality that applies for the issue of a ministerial authorization under subparagraph 4 of the first paragraph of section 22 of the Act for a project covered by the environmental impact assessment and review procedure provided for in subdivision 4 of Division II of Chapter IV of Title I of the Act is, in all cases, \$600.

**8.** No fees are payable by a person who applies, as the case may be, for the issue, amendment or renewal of a ministerial authorization for a water withdrawal activity referred to in subparagraph 2 of the first paragraph of section 22 of the Act, for the spreading of fertilizers, where those activities are carried out for the cultivation of non-aquatic plants and mushrooms, a maple syrup production site, the raising of animals referred to in section 2 of the Agricultural Operations Regulation (chapter Q-2, r. 26) or the operation of an aquaculture site.

No fees are payable by an applicant, as the case may be, for the issue, amendment or renewal of a ministerial authorization for an activity referred to in subparagraph 8 of the first paragraph of section 22 of the Act where the activity is carried out by the operator on a raising site, spreading site or an aquaculture site on such a site.

**9.** Despite section 6, the fees payable by an enterprises having 10 employees or less that applies, as the case may be, for the issue, amendment or renewal of a ministerial authorization may not exceed the amount of \$1,100 for each activity covered by the application.

**10.** The following fees are payable by a person who applies to the Minister, under section 296 of the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4), to combine into only one authorization all the authorizations issued under section 22 of the Act before 23 March 2018:

- (1) for combining 5 authorizations or less: \$1,900;
- (2) for combining 6 to 10 authorizations: \$2,950;
- (3) for combining 11 to 20 authorizations: \$4,400;
- (4) for combining 21 authorizations or more: \$6,650.

#### CHAPTER IV DECLARATION OF COMPLIANCE

**11.** Fees of \$100 are payable by any person or municipality that files with the Minister a declaration of compliance under section 31.0.6 or 31.68.1 of the Act.

No fees are payable where the declaration of compliance concerns an activity referred to in sections 135, 142, 144, 150, 153, 161, 252, 255 and 257 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1).

#### CHAPTER V APPROVAL

**12.** Fees of \$600 are payable by any person or municipality that files with the Minister, for approval, a land rehabilitation plan under Division IV of Chapter IV of Title I of the Act.

Despite the first paragraph, the following fees are payable by any person or municipality that files with the Minister, for approval, a land rehabilitation plan under Division IV of Chapter IV of Title I of the Act, where the plan provides for, as the case may be,

- (1) the treatment on the land of contaminated soils and the reclamation of those soils outside the land: \$1,900;
- (2) the keeping on the land of contaminated soils: \$4,400.

#### CHAPTER VI METHODS FOR THE PAYMENT OF FEES AND INTEREST

**13.** The fees payable under this Regulation must be paid in full, electronically,

(1) at the beginning of each step of the environmental impact assessment and review procedure where the fees are payable under Chapter II;

(2) when filing the application in accordance with the second paragraph of section 16 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) where the fees are payable under Chapter III;

(3) when filing the declaration of compliance in accordance with the second paragraph of section 41 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact where the fees are payable under Chapter IV; and

(4) when filing the rehabilitation plan where the fees are payable under Chapter V.

**14.** The fees payable under this Regulation are adjusted on 1 January of each year on the basis of the rate corresponding to the annual variation in the All-items Consumer Price Index for Canada as published by Statistics Canada; the rate is calculated by determining the difference between the average of the monthly indexes for the 12-month period ending on 30 September of the preceding year and the average of the monthly indexes for the same period of the second preceding year.

The adjusted amounts are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister publishes the results of the adjustment in the *Gazette officielle du Québec* before 1 January of each year and, if the Minister considers it appropriate, by any other means.

#### CHAPTER VI TRANSITIONAL AND FINAL

**15.** Despite section 13, the fees payable under this Regulation in the 2 years after (*insert the date of coming into force of this Regulation*) may be paid by cheque or bank or money order made to the order of the Minister of Finance or by an electronic method of payment.

**16.** This Regulation replaces the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

Despite the foregoing, section 14.1 of that Ministerial Order continues to apply to the extent provided for in section 28 of the Act respecting the acceleration of certain infrastructure projects (chapter A-2.001).

**17.** This Regulation comes into force on 31 December 2021.

## SCHEDULE I

(ss. 2 and 3)

### CLASS ASSIGNED TO PROJECTS SUBJECT TO THE ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW PROCEDURE PROVIDED FOR IN SUBDIVISION IV OF DIVISION II OF CHAPTER IV OF TITLE I OF THE ENVIRONMENT QUALITY ACT

For the purposes of sections 12 and 13, the class assigned to a project subject to the environmental impact assessment and review procedure provided for in subdivision IV of Division II of Chapter IV of Title I of the Act is based on a scale of 1 to 4 depending on the complexity of the project, class 1 being assigned to the less complex projects and class 4 to the more complex projects.

Projects subject under Part II of Schedule 1 of the Regulation respecting the environmental impact assessment and review of certain projects	Project subclasses	Class assigned to the project
<b>1. Dam and dike</b>		1
<b>2. Work in wetlands and bodies of water</b>		1
(1) dredging, clearing, filling, or levelling off work, for any purpose whatsoever, for a same river or lake		1
(2) construction of a dike for the flooding of wetlands and bodies of water on any new area equal to or greater than 1,000,000 m <sup>2</sup> that will be operated by a cranberry farm		2
<b>3. Rerouting or diverting of a river or lake</b>	- within the same watershed	1
	- to another watershed	4
<b>4. Port, wharf and port terminal</b>	- <b>construction</b>	3
	- expansion	1
(1) construction or expansion of a port, wharf or port terminal		1

(2) in the case of a recreational harbour,  (a) construction of such a port for 150 boats or more		2
(b) any increase of the maximum capacity of such a port to reach 150 boats or more		1
(c) where the maximum capacity authorized by the Government under section 31.5 of the Act is 150 boats or more, addition of at least 50 boats, whether that threshold is reached following one or more separate projects		1
<b>5. Road infrastructures</b>		
(1) construction, over a minimum length of 5 km, of a road designed for 4 lanes or more or the widening, over that distance, of a road increasing the number of lanes to 4 or more		4
(2) construction or widening of a road whose planned right of way has a width equal to or greater than 40 m over a minimum length of 5 km		4
(3) construction of a road designed for 4 lanes or more whose planned right of way has a width equal to or greater than 35 m over a minimum length of 1 km situated within an urbanization perimeter indicated in the land use planning and development plan applicable to the territory concerned or to an Indian reserve;	- for a road over a length of less than 2 km	1
	- for a road over a length of 2 to 5 km	3
	- for a road over a length of more than 5 km	4
(4) widening of a road designed for 4 lanes or more or whose right of way has a width equal to or greater than 35 m over a minimum length of 2 km situated within an urbanization perimeter indicated in the land use planning and development plan applicable to the territory concerned or to an Indian reserve.		3

<b>6. Airport</b>	- establishment	2
	- expansion	1
<b>7. Rail yard, railroad and shared transportation</b>		4
<b>8. Installation for natural gas or biomethane regasification or liquefaction</b>		
(1) construction of a facility for the liquefaction of natural gas or biomethane whose maximum daily capacity of liquefaction equipment is equal to or greater than 100 m <sup>3</sup> of liquefied natural gas		4
(2) construction of a facility for the regasification of liquefied natural gas whose maximum daily capacity of regasification equipment is equal to or greater than 4,000 m <sup>3</sup> of liquefied natural gas		4
(3) any project to increase the maximum daily regasification capacity of a facility that would reach or exceed 4,000 m <sup>3</sup> of liquefied natural gas		3
(4) any project to increase the maximum daily liquefaction capacity of a facility that would reach or exceed 100 m <sup>3</sup> of liquefied natural gas		3
(5) any project to increase by 50% or more the maximum daily capacity of a facility referred to in subparagraphs 1 and 4 whose maximum daily liquefaction or regasification capacity, before the increase, is equal to or greater than 100 m <sup>3</sup> or 4,000 m <sup>3</sup> of liquefied natural gas, as the case may be		3
<b>9. Oil pipelines and gas pipelines</b>		
(1) construction of an oil or gas pipeline		4
(2) work, structures or works for converting a gas pipeline into an oil pipeline or for inverting the flow of an oil pipeline		2

<b>10. Power transmission lines and transformer station</b> (1) construction, over a distance greater than 2 km, of an electric power transmission and distribution line of a voltage equal to or greater than 315 kV	(a) over a length of less than 5 km	3
	(b) over a length of 5 km or more	4
(2) construction of a control or transformer station of a voltage equal to or greater than 315 kV, including all the electric power transmission lines of the same voltage		2
<b>11. Electric power generation</b> (1) construction for electric power generation	(a) of a hydro-electric power plant or an in-stream tidal turbine farm of a capacity equal to or greater than 5 MW	4
	(b) of a fossil fuel power generating plant or other type of facility with a capacity equal to or greater than 5 MW	4
	(c) of a wind farm or any other type of power generating plant or facility with a capacity equal to or greater than 10 MW	4
(2) reconstruction of a work referred to in subparagraph 1		4
(3) increase of the capacity of an electric power generating plant, farm or other type of facility, as the case may be, if their capacity, before the increase or following the increase, is equal to or greater than	(a) 5 MW in the case of a hydro-electric power plant or an in-stream tidal turbine farm	3
	(b) 5 MW in the case of a fossil fuel power generating plant or other type of facility	3
	(c) 10 MW in the case of a wind farm or any other type of power generating plant or facility	3
(4) addition of a turboalternator to a combustion system that had not been previously used to produce electric power if the capacity of the alternator is equal to or greater than	(a) 5 MW in the case of a combustion system burning fossil fuels	1
	(b) 10 MW in the other cases covered by subparagraphs 1 to 4	1

<b>12. Nuclear transformation and radioactive waste management</b>		4
<b>13. Petroleum exploration and production</b>		4
<b>14. Petroleum, gas and coal processing</b> (1) construction of an oil refinery, a petrochemical plant, a liquid petroleum gas fractionating plant, a plant that processes or synthesizes energy-producing gas or a plant that processes or synthesizes coal products		4
(2) increase of 25% or more of the maximum daily production or transformation capacity of such a refinery or plant		3
(3) increase of the maximum daily production or transformation capacity that results in an expansion of more than 25% of the operation area of such a refinery or plant		3
<b>15. Pulp and paper mills</b>	(a) de-inking plant	
(1) construction of a mill within the meaning of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27) whose maximum annual production capacity would be equal to or greater than 40,000 metric tons		3
	(b) other pulp and paper mills	4
(2) increase of the maximum annual production capacity of a mill to reach or exceed 40,000 metric tons		4
(3) in the case of a mill whose maximum annual production capacity is equal to or greater than 40,000 metric tons	(a) increase of 50% or more of that capacity	3
	(b) increase of that capacity that results in an expansion of 25% or more of the mill operation area	3

<p><b>16. Rendering plant</b></p> <p>(1) establishment of a dismembering plant, “rendering plant” category, within the meaning of section 1.3.4.2 of the Regulation respecting food (chapter P-29, r. 1), whose maximum hourly reception capacity would be equal to or greater than 1 metric ton</p>		4
<p>(2) increase of 25% or more of the maximum hourly reception capacity of such a plant</p>		3
<p>(3) increase of the maximum hourly capacity of a dismembering plant mentioned in subparagraph 1 to reach or exceed 1 metric ton</p>		3
<p><b>17. Extractive metallurgy</b></p> <p>(1) construction of an extractive metallurgy plant whose maximum annual production capacity would be equal to or greater than 40,000 metric tons</p>		4
<p>(2) increase of the maximum annual production capacity of such a plant to reach or exceed 40,000 metric tons</p>		4
<p>(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 40,000 metric tons</p>		3
<p>(4) construction of an extractive metallurgy plant for the production of rare earth or rare earth compound, any increase of the maximum annual production capacity or any expansion of the operation area of such a plant</p>	- construction	4
	- increase of capacity	3
<p>(5) construction of an extractive metallurgy plant for the production of radioactive elements or radioactive compounds, or uranium refining or enrichment and any increase of the maximum annual production capacity or expansion of the operation area of such a plant .</p>	- construction	4
	- increase of capacity	3

<b>18. Cement and quicklime manufacturing</b>	<i>(a)</i> construction of a cement plant	4
(1) construction of a cement or quicklime plant	<i>(b)</i> construction of a quicklime plant	3
(2) increase of 50% or more of the maximum daily capacity for the production of cement or quicklime of such a plant		3
(3) increase of the maximum daily capacity for the production of cement or quicklime that results in an expansion of 25% or more of the operation area of such a plant		3
<b>19. Explosives manufacturing</b>		
(1) construction of a plant for the manufacturing of explosives, explosive detonators or explosive devices		4
(2) increase of the maximum daily production capacity of 10% or more of such a plant		3
(3) increase of the maximum daily production capacity that results in an expansion of 25% or more of the operation area of such a plant		3
<b>20. Chemicals manufacturing</b>		
(1) construction of a chemical plant whose maximum annual production capacity would be equal to or greater than 50,000 metric tons		4
(2) increase of the maximum annual production capacity of a chemical plant to reach or exceed 50,000 metric tons		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50,000 metric tons	<i>(a)</i> increase of 50% or more of that capacity	3
	<i>(b)</i> increase of that capacity that results in an expansion of 25% or more of the plant operation area	3
<b>21. Heavy water production</b>		4
<b>22. Mining activity</b>		4

<p><b>23. Ore treatment</b></p> <p>(1) construction of a treatment plant referred to in any of subparagraphs <i>a</i> to <i>e</i> of subparagraph 1 of the second paragraph of section 23 of Part II of Schedule I of the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, Order in Council 287-2018)</p>		4
<p>(2) increase of the maximum daily treatment capacity of a plant referred to in subparagraph <i>c</i> or <i>d</i> of subparagraph 1 of the second paragraph of section 23 of Part II of Schedule I of the Regulation mentioned in paragraph 1 above to reach or exceed, as the case may be, any of the treatment thresholds provided for therein</p>		3
<p>(3) expansion of 50% or more of a treatment plant in the cases referred to in subparagraph 3 of the second paragraph of section 23 of Part II of Schedule I of the Regulation mentioned in paragraph 1 above</p>		3
<p><b>24. Physical metallurgy</b></p> <p>(1) construction of a physical metallurgy plant for the processing, forming or treatment of metal products whose maximum annual production capacity would be equal to or greater than 20,000 metric tons</p>		4
<p>(2) increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons</p>		4
<p>(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons</p>	<p>(a) increase of 50% or more of that capacity</p>	3
	<p>(b) increase of that capacity that results in an expansion of more than 25% of the plant operation area</p>	3

<p><b>25. Manufacturing of materials derived from wood</b></p> <p>(1) construction of a plant that produces chipboard from wood fibre or manufactures other composite materials derived from wood whose annual maximum production capacity would be equal to or greater than 50,000 m<sup>3</sup></p>		4
<p>(2) increase of the maximum annual production capacity of a plant that would reach or exceed 50 000 m<sup>3</sup></p>		4
<p>(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50 000 m<sup>3</sup></p>	<p>(a) increase of 50% or more of that capacity</p>	3
	<p>(b) increase of that capacity that results in an expansion of 25% or more of the plant operation area</p>	3
<p><b>26. Manufacturing of motor vehicles or others</b></p>		3
<p><b>27. Manufacturing of bricks</b></p> <p>(1) construction of a clay brick or fire brick plant whose maximum annual production capacity would be equal to or greater than 20,000 metric tons</p>		4
<p>(2) increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons</p>		4
	<p>(a) increase of 50% or more of that capacity</p>	3
<p>(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons</p>	<p>(b) increase of that capacity that results in an expansion of 25% or more of the plant operation area</p>	3
<p><b>28. Manufacturing of glass</b></p> <p>(1) construction of a glass plant whose maximum annual production capacity would be equal to or greater than 50,000 metric tons</p>		4

(2) increase of the maximum annual production capacity of a plant to reach or exceed 50,000 metric tons		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50,000 metric tons	(a) increase of 50% or more of that capacity	3
	(b) increase of that capacity that results in an expansion of 25% or more of the plant operation area	3
<b>29. Manufacturing of tires</b>		
(1) construction of a tire plant whose maximum annual production capacity would be equal to or greater than 20,000 metric tons		4
(2) increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons	(a) increase of 50% or more of that capacity	3
	(b) increase of that capacity that results in an expansion of 25% or more of the plant operation area	3
<b>30. Livestock production</b>		2
<b>31. Application of pesticides</b>		4
<b>32. Construction of storage tanks</b>		2
<b>33. Incineration of residual materials other than hazardous materials</b>		4
<b>34. Landfill site</b>		4
<b>35. Site for the final disposal of hazardous materials</b>		4
<b>36. Treatment and incineration of residual hazardous materials</b>		4
<b>37. Final disposal and thermal treatment of contaminated soils</b>		4
<b>38. Emissions of certain greenhouse gases</b>		4

**SCHEDULE II***(ss. 4 and 5)*

**CLASS ASSIGNED TO PROJECTS  
AUTOMATICALLY SUBJECT TO THE  
ENVIRONMENTAL AND SOCIAL IMPACT  
ASSESSMENT AND REVIEW PROCEDURE  
PROVIDED FOR IN CHAPTERS II AND III  
OF TITLE II OF THE ACT**

The class assigned to a project automatically subject to the environmental and social impact assessment and review procedure provided for in Chapters II and III of Title II of the Act is based on a scale of 1 to 4 depending on the complexity of the project, class 1 being assigned to the less complex projects and class 4, to the more complex projects.

<b>PROJECTS AUTOMATICALLY SUBJECT UNDER SCHEDULE A OF THE ACT</b>	<b>CLASS ASSIGNED TO THE PROJECT</b>
<i>Subparagraph a</i>	
All mining developments, including additions to, alterations or amendments of existing mining developments:	
— New project, alterations	4
— Additions	3
<i>Subparagraph b</i>	
All borrow, sand and gravel pits and quarries, with areas of or over 3 hectares	1
<i>Subparagraph c</i>	
All hydro-electric power plants and nuclear installations and their associated works	4
<i>Subparagraph d</i>	
All storage and water supply reservoirs related to works intended to produce electricity	1
<i>Subparagraph e</i>	
All electric power transmission lines of over 75 kV	4
<i>Subparagraph f</i>	
All operations or installations related to the extraction or processing of energy yielding materials	3
<i>Subparagraph g</i>	
All fossil-fuel fired power generating plants with a calorific capacity of or above 3,000 kW	3
<i>Subparagraph h</i>	
Any road or branch of such road of at least 25 km in length which is intended for forestry operations for a period of at least 15 years	4
<i>Subparagraph i</i>	
All wood, pulp and paper mills or other plants for the transformation or the treatment of forest products	3

<b>PROJECTS AUTOMATICALLY SUBJECT UNDER SCHEDULE A OF THE ACT</b>	<b>CLASS ASSIGNED TO THE PROJECT</b>
Subparagraph <i>j</i> All land use projects which affect more than 65 km <sup>2</sup>	3
Subparagraph <i>k</i> All sanitary sewage systems including more than 1 km of piping and all waste water treatment plants designed to treat more than 200 kl of waste water per day	2
Subparagraph <i>l</i> All systems for the collection and disposal of residual materials, except mine tailings and hazardous materials	2
Subparagraph <i>m</i> All projects for the creation of parks or ecological reserves	3
Subparagraph <i>n</i> All outfitting facilities designed to accommodate at one time 30 persons or more, including networks of outpost camps	1
Subparagraph <i>o</i> The delimitation of the territory of any new community or municipality and any expansion of 20% or more of their total territory or their urbanized areas	2
Subparagraph <i>p</i> All access roads to a locality or road network contemplated for a new development	4
Subparagraph <i>q</i> All port and harbour facilities, railroads, airports, pipelines, or dredging operations for the improvement of navigation:	
— work related to a harbour facility	2
— construction of a railroad	4
— siting of an airport	2
— construction of a pipeline	4
— dredging operations for the improvement of navigation	1

### **SCHEDULE III**

(ss. 4 and 5)

CLASS ASSIGNED TO PROJECTS SUBJECT TO THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT AND REVIEW PROCEDURE PROVIDED FOR IN CHAPTERS II AND III OF TITLE II OF THE ACT, BUT NOT LISTED IN ITS SCHEDULE A

The class assigned to a project subject to the environmental and social impact assessment and review procedure provided for in Chapters II and III of Title II of the Act, other than those listed in Schedule II, is based on a scale of 1 to 4 depending on the complexity of the project, class 1 being assigned to the less complex projects and class 4 to the more complex projects.

PROJECTS SUBJECT	CLASS ASSIGNED TO THE PROJECT
All borrow, sand and gravel pits and quarries with an area of less than 3 hectares, not in use solely for the purposes of road maintenance	1
All mining exploration activity not covered by subparagraph <i>g</i> of the first paragraph of Schedule B to the Act	2
All activity relating to improvement of the quality of life of local residents that is not covered by subparagraph <i>d</i> of the first paragraph of Schedule B to the Act	1
All facilities not covered by subparagraph <i>q</i> of the first paragraph of Schedule A to the Act that relate to nautical activities	1
All facilities that relate to a training activity	1
All activities of a military or ballistics nature	1
All energy generation projects not covered by subparagraph <i>c, d, e, f</i> or <i>g</i> of the first paragraph of Schedule A to the Act or by subparagraph <i>c</i> of the first paragraph of Schedule B to the Act	3
All energy conversion projects	1
All installations of wastewater treatment facilities and all drinking water supply systems not covered by subparagraph <i>k</i> of the first paragraph of Schedule A to the Act or by subparagraph <i>f</i> of the first paragraph of Schedule B to the Act	1
All road infrastructure not covered by subparagraphs <i>h</i> and <i>p</i> of the first paragraph of Schedule A to the Act	1
All decontamination, restoration and rehabilitation activities and associated activities	1
All solid waste management activities in a remote area	1
All temporary or permanent runways in a remote area	1
All bank stabilization or habitat protection projects	1
All plant and wildlife development projects	1
All petroleum depot management projects	1
All animal production projects	3
All meteorological, hydrological and hydrometeorological stations or wind measurement masts	1

#### SCHEDULE IV

(s. 6)

#### FEES PAYABLE ACCORDING TO THE ACTIVITIES REFERRED TO IN SECTION 22 OF THE ACT

The fees payable are determined on the basis of the analysis costs of an application for the issue of an authorization or the amendment or renewal of an authorization, and vary in particular according to the nature and importance of the activity and the complexity of the technical and environmental aspects of the file.

In accordance with section 6, where the application covers the issue, amendment or renewal of an activity for which no fees are listed in any of the tables below, the fee payable is \$600.

<b>Fees payable according to the activities subject to an authorization under subparagraphs 1 to 9 of the first paragraph of section 22 of the Act</b>			
<b>Activities subject to an authorization under subparagraphs 1 to 9 of the first paragraph of section 22 of the Act</b>	<b>Reference sections</b>	<b>Type of application</b>	<b>Fees payable</b>
<b>Operation of an industrial establishment</b>  - New establishment	22, 1st par., subpar. 1, and 31.10 of the Act	Issue	\$6,650
	30, 1st par., of the Act	Amendment	\$4,400
	31.18, 2nd par., of the Act	Renewal	\$9,150
- Existing establishment	22, 1st par., subpar. 1, and 31.10 of the Act	Issue	\$9,150
	30, 1st par., of the Act	Amendment	\$6,650
	31.18, 2nd par., of the Act	Renewal	\$9,150
<b>Withdrawal of water</b>  - < 75 m <sup>3</sup> - > 75 m <sup>3</sup>	22, 1st par., subpar. 2, and 31.75 of the Act	Issue	\$1,100
	22, 1st par., subpar. 2, and 31.75 of the Act	Issue	\$1,900
	30, 1st par., of the Act	Amendment	\$1,100
- > 379 m <sup>3</sup> , with agreement or transfer out of the Basin	31.81, 2nd par., of the Act	Renewal	\$1,100
	22, 1st par., subpar. 2, and 31.75 of the Act	Issue	\$4,400
	30, 1st par., of the Act	Amendment	\$2,950
	31.81, 2nd par., of the Act	Renewal	\$1,900

<b>Sewer system</b> - Treatment flow less than 250 m <sup>3</sup> per day	22, 1st par., subpar. 3, and 32, 1st par., of the Act	Issue	\$600
- Treatment flow between 250 and 500 m <sup>3</sup> per day	22, 1st par., subpar. 3, and 32, 1st par., subpar. 1, of the Act	Issue	\$1,900
	30, 1st par., of the Act	Amendment	\$1,100
- Treatment flow more than 500 m <sup>3</sup> per day	22, 1st par., subpar. 3, and 32, 1st par., subpar. 1, of the Act	Issue	\$2,950
	30, 1st par. of the Act	Amendment	\$1,900
<b>Water treatment</b>	22, 1st par., subpar. 3, of the Act	Issue	\$1,100
<b>Sewer system</b> - Establishment, alteration or extension of a sewer system (other than a treatment facility) that does not have an overflow downstream	22, 1st par., subpar. 3, and 32, 1st par., subpar. 2, of the Act	Issue	\$600
- Establishment, alteration or extension of a sewer system (other than a treatment facility) that has one or more overflows downstream	22, 1st par., subpar. 3, and 32, 1st par., subpar. 2 of the Act	Issue	\$1,900
	30, 1st par., of the Act	Amendment	\$1,100
- Establishment or alteration of a domestic wastewater treatment facility $\leq 20$ m <sup>3</sup> /j	22, 1st par., subpar. 3, and 32, 1st par., subpar. 2, of the Act	Issue	\$600
- Establishment or alteration of a domestic wastewater treatment facility between 20 m <sup>3</sup> /j and 100 m <sup>3</sup> /j	22, 1st par., subpar. 3, and 32, 1st par., subpar. 2, of the Act	Issue	\$1,100
- Establishment or alteration of a domestic wastewater treatment facility $\geq 100$ m <sup>3</sup> /j	22, 1st par., subpar. 3, and 32, 1st par., subpar. 2, of the Act	Issue	\$2,950
	30, 1st par.	Amendment	\$1,900

- Establishment or alteration of a domestic wastewater treatment facility for an unvalidated treatment technology	22, 1st par., subpar. 3, and 32, 1st par., subpar. 2, of the Act	Issue	\$6,650
	30, 1st par., of the Act	Amendment	\$4,400
<b>Wastewater treatment by a device or equipment that is not a sewer system</b>	22, 1st par., subpar. 3, of the Act	Issue	\$1,100
<b>Rainwater management system</b>  - Establishment, alteration or extension of a rainwater management system that does not depend on a combined sewer system	22, 1st par., subpar. 3, and 32, 1st par., subpar. 3, of the Act	Issue	\$600
- Establishment, alteration or extension of a rainwater management system that depends on a combined sewer system	22, 1st par., subpar. 3, and 32, 1st par., subpar. 3, of the Act	Issue	\$1,900
	30, 1st par. of the Act	Amendment	\$1,100
- High-risk site	22, 1st par., subpar. 3, and 32, 1st par., subpar. 3, of the Act	Issue	\$600
<b>Wetlands and bodies of water</b>  - Construction or substantial modification of roads	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Construction or substantial modification of a bridge or footbridge without encroachment in the watercourse  - Construction or substantial modification of a culvert	22, 1st par., subpar. 4, of the Act	Issue	\$1,100
- Construction or substantial modification of a bridge or footbridge with encroachment in the watercourse	22, 1st par., subpar. 4, of the Act	Issue	\$4,400

- Construction of a natural gas supply or distribution pipeline, power or telecommunications transmission or distribution line or water management or treatment facility referred to in section 32 of the Act	22, 1st par., subpar. 4, of the Act	Issue	\$1,100
- Construction of a dam, dike or flood protection works	22, 1st par., subpar. 4, of the Act	Issue	\$4,400
- Reconstruction, substantial modification, dismantlement and repair of a dam, dike or flood protection works	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Construction of a floating quay, open pile quay, or work to add 50 additional places to a quay	22, 1st par., subpar. 4, of the Act	Issue	\$1,100
- Construction or substantial modification of a cribwork wharf or rockfill	22, 1st par., subpar. 4, of the Act	Issue	\$2,950
- Dredging work	22, 1st par., subpar. 4, of the Act	Issue	\$2,950
- Straightening, widening, relocation or channelling of a watercourse or a section of a watercourse	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Laying out of permanent sediment pits	22, 1st par., subpar. 4, of the Act	Issue	\$1,100
- Laying out or substantial modification of a jetty or breakwater	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Sediment reloading	22, 1st par., subpar. 4, of the Act	Issue	\$1,100
- Slope stabilization work by means of phytotechnologies	22, 1st par., subpar. 4, of the Act	Issue	\$1,100
- Slope stabilization work by means of inert materials over a distance of 100 m or less			

- Slope stabilization work by means of inert materials over a distance of more than 100 m  - Reprofilng of slope	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Backfilling of wetlands	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Peat extraction	22, 1st par., subpar. 4, of the Act	Issue	\$2,950
- Maintenance work on a watercourse or work in a lake to regulate the water level or maintain the lake bed other than those referred to in section 31.0.5.1 of the Act	22, 1st par., subpar. 4, of the Act	Issue	\$1,900
- Work for the creation, restoration or conservation of wetlands and bodies of water and wildlife development	22, 1st par., subpar. 4, of the Act	Issue	\$0
<b>General authorization</b>  - Maintenance work on a watercourse or work in a lake to regulate the water level or maintain the lake bed	22, 1st par., subpar. 4, of the Act and 31.0.5.1 of the Act	Issue	\$1,900
- Work that a regional county municipality must carry out to restore the normal water flow of a watercourse under section 105 of the Municipal Powers Act (chapter C-47.1);	22, 1st par., subpar. 4, of the Act and 31.0.5.1 of the Act	Issue	\$0
	30, 1st par., of the Act	Amendment	\$0

<b>Hazardous materials</b> - Possession of a hazardous residual material for a period of more than 24 months	22, 1st par., subpar. 5, and 70.8 of the Act	Issue	\$600
- Operation of a hazardous materials elimination site or service	22, 1st par., subpar. 5, and 70.9, 1st par., subpar. 1, of the Act	Issue	\$4,400
	30, 1st par. of the Act	Amendment	\$2,950
- Operation, for commercial purposes, of a treatment process for hazardous residual materials	22, 1st par., subpar. 5, and 70.9, 1st par., subpar. 2, of the Act	Issue	\$4,400
	30, 1st par. of the Act	Amendment	\$2,950
- Storage of hazardous residual materials, after taking possession of the materials for that purpose	22, 1st par., subpar. 5, and 70.9, 1st par., subpar. 3, of the Act	Issue	\$600
- Use of hazardous residual materials for energy generation, after taking possession of the materials for that purpose	22, 1st par., subpar. 5, and 70.9, 1st par., subpar. 4, of the Act	Issue	\$2,950
	30, al.1 of the Act	Amendment	\$1,900
- Transportation of hazardous residual materials to a hazardous materials elimination site	22, 1st par., subpar. 5, and 70.9, 1st par., subpar. 5, of the Act	Issue	\$600
<b>Apparatus and equipment to prevent, abate or stop a release of contaminants into the atmosphere</b>	22, 1st par., subpar. 6, of the Act	Issue	\$600

<b>Establishment and operation of a hazardous residual materials facility</b>  - Engineered landfill;  - Construction or demolition waste landfill;  - Facility for the incineration of household garbage or sludge from municipal treatment works, sanitary wastewater treatment works or sewer cleaning.	22, 1st par., subpar. 7, of the Act	Issue	\$4,400
	30, 1st par., subpar. 4 of the Act	Amendment	\$2,950
- Trench landfill	22, 1st par., subpar. 7, of the Act	Issue	\$1,900
	30, 1st par., subpar. 4, of the Act	Amendment	\$1,100
- Northern landfill;  - Transfer station of residual materials to be eliminated	22, 1st par., subpar. 7, of the Act	Issue	\$1,100
- Pulp and paper mill residual materials landfill;  - Sawmill residual materials landfill;  - Landfill site for residual materials from a plant manufacturing oriented strand board	22, 1st par., subpar. 7, of the Act	Issue	\$2,950
	30, 1st par., subpar. 4, of the Act	Amendment	\$1,900
<b>Storage and treatment of residual materials for reclamation purposes</b>	22, 1st par., subpar. 8, of the Act	Issue	\$600
- Storage/transfer station			
- Any other residual material treatment activity for reclamation purposes	22, 1st par., subpar. 8, of the Act	Issue	\$1,900
	30, 1st par., of the Act	Amendment	\$1,100

<b>Construction on land that was formerly used as a site for the elimination of residual materials and that has been decommissioned or any work intended to change the use of such land</b>  - Project involving a residential, commercial, institutional or industrial building	22, 1st par., subpar. 9, of the Act	Issue	\$2,950
	30, 1st par., of the Act	Amendment	\$1,900

**Fees payable according to the activities subject to an authorization under subparagraph 10 of the first paragraph of section 22 of the Act**

<b>Activities subject to an authorization under subparagraph 10 of the first paragraph of section 22 of the Act</b>	<b>Reference sections</b>	<b>Type of application</b>	<b>Fees payable</b>
<b>Activity other than those referred to in section 22 and in the REAFIE arising from a project covered by the environmental impact assessment and review procedure for which the governmental authorization provides a condition, restriction or prohibition</b>	22, 1st par., subpar. 10, of the Act 45 of REAFIE	Issue	\$600
<b>Snow elimination site</b> - Capacity < 5000 m <sup>3</sup>	22, 1st par., subpar. 10, of the Act 76 of REAFIE	Issue	\$1,100
- Capacity ≥ 5000 m <sup>3</sup>	22, 1st par., subpar. 10, of the Act 76 of REAFIE	Issue	\$1,900
	30, 1st par. of the Act	Amendment	\$1,100

<b>Mining activities</b>	22, 1st par., subpar. 10, of the Act 78 of REAFIE	Issue	\$1,900
	30, 1st par. of the Act	Amendment	\$1,100
<b>Hydrocarbons</b>	22, 1st par., subpar. 10, of the Act 82 of REAFIE	Issue	\$2,950
	30, 1st par., of the Act	Amendment	\$1,900
<b>Sawmills and wood processing plants</b>	22, 1st par., subpar. 10, of the Act 86 of REAFIE	Issue	\$600
<b>Electricity production</b>	22, 1st par., subpar. 10, of the Act 94 of REAFIE	Issue	\$1,100
<b>Contaminated soil burial site</b>	22, 1st par., subpar. 10, of the Act 97 of REAFIE	Issue	\$2,950
	30, 1st par., of the Act	Amendment	\$1,900
<b>Storage, transfer and treatment of contaminated soils</b> - Treatment facility or transfer station	22, 1st par., subpar. 10, of the Act 99, pars. 1 and 2, of REAFIE	Issue	\$2,950
	30, 1st par., of the Act	Amendment	\$1,900
- Storage site	22, 1st par., subpar. 10, of the Act 99, par. 3, of REAFIE	Issue	\$600
<b>Treatment on site and reclamation of contaminated soils</b>	22, 1st par., subpar. 10, of the Act 102 of REAFIE	Issue	\$600
<b>Cemeteries, crematoriums and alkaline hydrolysis establishments</b>	22, 1st par., subpar. 10, of the Act 107 of REAFIE	Issue	\$600
<b>Sand pits and quarries</b>	22, 1st par., subpar. 10, of the Act 113 of REAFIE	Issue	\$1,100

<b>Hot mix asphalt plant</b>	22, 1st par., subpar. 10, of the Act 122 of REAFIE	Issue	\$1,100
<b>Concrete plant</b>	22, 1st par., subpar. 10, of the Act 125 of REAFIE	Issue	\$1,100
<b>Cultivation of non-aquatic plants or mushrooms</b>  - Cultivation of cannabis in a building or greenhouse	22, 1st par., subpar. 10, 133, par. 1, of REAFIE	Issue	\$0
	30, 1st par., of the Act	Amendment	\$0
- Cultivation of non-aquatic plants or mushrooms in a building or greenhouse where cultivation involves the discharge of wastewater into the environment	22, 1st par., subpar. 10, of the Act 133, par. 2, of REAFIE	Issue	\$0
	30, 1st par., of the Act	Amendment	\$0
<b>Siting and operation of a raising site</b>	22, 1st par., subpar. 10, of the Act 140 of REAFIE	Issue	\$0
<b>Increase in the annual production of phosphorous (P<sub>2</sub>O<sub>5</sub>) on a raising site, and the subsequent operation of the site</b>	22, 1st par., subpar. 10, of the Act 148 of REAFIE	Issue	\$0
	30, 1st par., of the Act	Amendment	\$0
<b>Establishment and operation of a facility, equipment or any other apparatus to collect or treat sap for maple syrup production</b>	22, 1st par., subpar. 10, of the Act 152 of REAFIE	Issue	\$0
	30, 1st par., of the Act	Amendment	\$0
<b>installation, modification or operation of a system to wash fruit or vegetables cultivated by one or more operators on a raising site or spreading site</b>	22, 1st par., subpar. 10, of the Act 155 of REAFIE	Issue	\$600

<b>Siting and operation of a commercial fishing pond or aquaculture site</b>	22, 1st par., subpar. 10, of the Act 159 of REAFIE	Issue	\$0
	30, 1st par., of the Act	Amendment	\$0
<b>Operation of any sewer system that includes a treatment device unless the system is a municipal wastewater treatment works referred to in Division III.1 of Chapter IV of Title I of the Act and is not covered by the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22)</b>	22, 1st par., subpar. 10, of the Act 202 of REAFIE	Issue	\$600
<b>Overflow of wastewater</b>	22, 1st par., subpar. 10, of the Act 215 of REAFIE	Issue	\$1,900
	30, 1st par., of the Act	Amendment	\$1,100
<b>Biomedical waste</b>	237 of the Act 237 of REAFIE	Issue	\$600
<b>Storage of road salt and abrasives and treated wood</b>	22, 1st par., subpar. 10, of the Act 292 of REAFIE	Issue	\$600
<b>Use of pesticides</b>	22, 1st par., subpar. 10, of the Act 298 of REAFIE	Issue	\$600
<b>Work in connection with works to collect runoff water or direct groundwater, if carried out less than 30 m from an open peat bog.</b>	22, 1st par., subpar. 10, of the Act 347 of REAFIE	Issue	\$4,400
	30, 1st par., of the Act	Amendment	\$2,950

<b>Construction, widening or straightening of a road less than 60 m from the littoral zone, a pond or an open peat bog, if it runs alongside for a distance of 300 m or more elsewhere than in a forest in the domain of the Statet</b>	22, 1st par., subpar. 10, of the Act 348 of REAFIE	Issue	\$1,900
	30, 1st par., of the Act	Amendment	\$1,100

\* “REAFIE” refers to the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1).

105236

## Draft Regulation

Act mainly to allow the establishment of target-benefit pension plans (2020, chapter 30)

### Measures related to life income funds and voluntary retirement savings plans to reduce the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic

Notice is hereby given, in accordance with section 10 of the Regulations Act (chapter R-18.1), that the draft Regulation respecting the measures related to life income funds and voluntary retirement savings plans to reduce the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic, appearing below, may be submitted to the Government for approval on the expiry of 10 days following this publication.

The temporary measures provided for in the draft Regulation are intended to allow the purchaser of a life income fund under 54 years of age or at least 65 years of age but under 70 years of age on 31 December 2019 or on 31 December 2020 to obtain additional income for 2020 and 2021. An application to that effect must be made according to the most flexible conditions provided for in sections 19.1, 20.3 and 20.4 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6). New factors related to a purchaser at least 65 years of age, but under 70 years of age, are also prescribed, for the purposes of Schedule 0.7 to the Regulation.

In addition, the six-month period provided for in the Voluntary Retirement Savings Plans Act (chapter R-17.0.1) to transmit to Retraite Québec the annual statement accompanied by the prescribed fees and cause to be prepared the financial report of the plan that becomes due after 12 March 2020, but before 1 January 2021, has been extended by three months.

The draft Regulation has no financial impact on enterprises, including small and medium-sized businesses. The easing measures provided for therein apply for a limited period. They do not require any changes to the systems of life income fund administrators and have no impact for administrators of voluntary retirement savings plans.

Under the second and third paragraphs of section 97 of the Act mainly to allow the establishment of target-benefit pension plans (2020, chapter 30), the draft Regulation may be published within a shorter period than the 45 day-period provided for in section 11 of the Regulations Act, but not shorter than 10 days. In addition, the measures provided for in the draft Regulation are not subject to the requirement of section 17 of the Regulations Act as regards its date of coming into force and could take effect as of 13 March 2020.

Further information on the draft Regulation may be obtained by contacting Julie Lavoie, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5<sup>e</sup> étage, Québec (Québec) G1V 4T3; telephone: 418 657-8714, extension 3921; fax: 418 643-7421; email: julie.lavoie@retraitequebec.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 10-day period to Michel Després, President and Chief Executive Officer, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5<sup>e</sup> étage, Québec (Québec) G1V 4T3. Those comments will be forwarded by Retraite Québec to the Minister of Finance.

ERIC GIRARD  
*Minister of Finance*

## **Regulation respecting the measures related to life income funds and voluntary retirement savings plans to reduce the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic**

Act mainly to allow the establishment of target-benefit pension plans (2020, chapter 30, s. 97)

### **DIVISION I** **LIFE INCOME FUND**

**1.** Despite subparagraph 2 of the first paragraph of section 19.1 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) and section 19.2, for the 2020 and 2021 fiscal years of the life income fund, sections 19.1, 20.3 and 20.4 apply in respect of an application for temporary income of a purchaser who, on 31 December of the year preceding the application, meets the following requirements:

- (1) was at least 54 years of age; or
- (2) was at least 65 years of age but under 70 years of age.

**2.** For the purposes of section 22.2 of the Regulation respecting supplemental pension plans, a purchaser who meets the requirements provided for in paragraph 1 or paragraph 2 of section 1 of this Regulation must send to the financial institution that manages the life income fund to which the sums are transferred a declaration in conformity with the one provided for in Schedule 0.9 to the Regulation respecting supplemental pension plans.

**3.** For the purposes of Schedule 0.7 to the Regulation respecting supplemental pension plans, the factor with respect to a purchaser who is at least 65 years of age but under 70 years of age at the end of the year preceding the one covered by the fiscal year is the following:

<b>Age</b>	
65	10.753
66	10.638
67	10.526
68	10.417
69	10.204

### **DIVISION II** **VOLUNTARY RETIREMENT SAVINGS PLAN**

**4.** The six-month period after the end of each fiscal year provided for in the first and second paragraphs of section 24 of the Voluntary Retirement Savings Plans Act (chapter R-17.0.1), in which the administrator must

— transmit to Retraite Québec an annual statement, drawn up on the form it provides, along with the certificates and documents required by the form, accompanied by the fees prescribed by regulation,

— cause to be prepared a financial report containing a statement of the financial situation and a statement of changes in the net assets available for the provision of benefits presenting the information determined by regulation for the fiscal year just ended and which must be audited by an accountant who is a member of the Ordre des comptables professionnels agréés du Québec,

that expires after 12 March 2020, but before 1 January 2021, has been extended by three months.

**5.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*. Despite the foregoing, it has effect from 13 March 2020.

105238

### **Notice**

Act respecting collective agreement decrees (chapter D-2)

### **Security Guards** **— Amendment**

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour, Employment and Social Solidarity has received an application from the contracting parties to amend the Decree respecting security guards (chapter D-2, r. 1) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the

Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree adds to the earnings statement the information on the contributions to the registered retirement savings plan for the pay period concerned and the total contribution during the calendar year, and specifies in which cases the mandatory contribution of the employer to the registered retirement savings plan does not apply.

The impact study has shown that the amendment has no impact on small and medium-sized businesses subject to the Decree.

Further information on the draft Decree may be obtained by contacting Jonathan Vaillancourt, policy development advisor, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 5<sup>e</sup> étage, Québec (Québec) G1R 4Z1; email: jonathan.vaillancourt@mtess.gouv.qc.ca.

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Minister of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET

*Minister of Labour, Employment and Social Solidarity*

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## Decree to amend the Decree respecting security guards

Act respecting collective agreement decrees (chapter D-2, ss. 2, 4, 6 and 6.1)

**1.** The Decree respecting security guards (chapter D-2, r. 1) is amended in section 4.06 by adding the following after paragraph *m*:

“(n) the amount of the employer’s contribution to the group registered retirement savings plan during the period and the total contribution during the calendar year;

(o) the amount of the employee’s voluntary contribution to the group registered retirement savings plan that was deducted by the employer during the period and the total contribution during the calendar year.”

**2.** Section 4.1.04 is amended by inserting “or those who do not meet the membership criteria of the Fonds de solidarité FTQ” after “71 years of age”.

**3.** This Decree comes into force on *(insert the date of its publication in the Gazette officielle du Québec)*.

105240

## Draft Regulation

Education Act  
(chapter I-13.3)

### Teaching licences — 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 teaching licences, appearing below, may be made by the Minister of Education on the expiry of 45 days following this publication.

The draft Regulation mainly adds certain training programs to the list of training programs in general education accredited after 2001, provided for in Schedule I to the Regulation respecting teaching licences. It also strikes out the concept of revocation of a licence in section 55 that is not present in any other provision of the Regulation.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Lissia C. Tremblay, Direction de la titularisation et de la formation du personnel scolaire, Ministère de l'Éducation, 1035, rue De La Chevrotière, 28<sup>e</sup> étage, Québec (Québec) G1R 5A5; email: lissia.tremblay@education.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Ève Chamberland, Secretary General, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15<sup>e</sup> étage, Québec (Québec) G1R 5A5; email: marie-eve.chamberland@education.gouv.qc.ca.

JEAN-FRANÇOIS ROBERGE  
*Minister of Education*

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## Regulation to amend the Regulation respecting teaching licences

Education Act  
(chapter I-13.3).

**1.** The Regulation respecting teaching licences (chapter I-13.3, r. 2.01) is amended in section 55

(1) by striking out “or revoking” in the first paragraph;

(2) by striking out “has had a licence revoked or” in the third paragraph.

**2.** Schedule I is amended in the section “TEACHER TRAINING PROGRAMS IN GENERAL EDUCATION ACCREDITED AFTER SEPTEMBER 2001”

(1) by inserting the following at the end of the programs of BISHOP’S UNIVERSITY:

“Bachelor of Education in Teaching English as a Second Language 120”;

(2) by inserting the following at the end of the programs of UNIVERSITÉ LAVAL:

“Maîtrise en enseignement secondaire (français, langue d’enseignement, mathématique, science et technologie, univers social, éthique et culture religieuse) 60”;

(3) by inserting the following at the end of the programs of UNIVERSITÉ DE MONTRÉAL:

“Maîtrise en éducation préscolaire et en enseignement primaire 60”.

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

105242

