



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 203

(Private)

**An Act respecting the Musée national des
beaux-arts du Québec and the Fabrique de
la paroisse de Saint-Dominique de Québec**

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Assented to 4 December 2009

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(Private)

AN ACT RESPECTING THE MUSÉE NATIONAL DES BEAUX-ARTS DU QUÉBEC AND THE FABRIQUE DE LA PAROISSE DE SAINT-DOMINIQUE DE QUÉBEC

AS, by a notice of entry of immovable cultural property dated 8 May 1975 and registered at the registry office of the registration division of Québec on 14 May 1975 under number 805931, the Minister of Cultural Affairs notified Les Dominicains ou Frères prêcheurs de la cité de Québec (“the Dominican Friars”) that the Maison Krieghoff, situated at 115 Grande Allée Ouest, Québec, was classified within the meaning of the Cultural Property Act (1972, chapter 19) and that its protected area extended partly onto lots 4443 of the cadastre of the city of Québec (Montcalm ward) and 153 of the cadastre of the parish of Notre-Dame-de-Québec (La Banlieue), registration division of Québec;

AS, on the date of the notice of entry, the convent of the Dominican Friars was situated on lots 4443 of the cadastre of the city of Québec (Montcalm ward) and 153 of the cadastre of the parish of Notre-Dame-de-Québec (La Banlieue), registration division of Québec;

AS, on the same date, the Dominican Friars also owned the Saint-Dominique parish church contiguous to the convent on lot 4443 of the cadastre of the city of Québec (Montcalm ward), registration division of Québec;

AS, subsequently, the Dominican Friars registered certain cadastral subdivisions in anticipation of the sale of the Saint-Dominique parish church to the Fabrique de la paroisse de Saint-Dominique de Québec;

AS, on 20 September 1985, a part of lot 4443 was joined by cadastral renewal to lot 4698 of the same cadastre (Grande Allée) and the remaining part of lot 4443 was subdivided and became subdivision 4443-1 of the cadastre of the city of Québec (Montcalm ward), registration division of Québec;

AS, on 30 September 1988, lot 153 of the cadastre of the parish of Notre-Dame-de-Québec (La Banlieue), registration division of Québec, was subdivided and became subdivisions 153-1 and 153-2 of the same cadastre, subdivision 153-2 being situated, however, outside the protected area of the Maison Krieghoff;

AS, on 19 October 1988, subdivision 4443-1 of the cadastre of the city of Québec (Montcalm ward), registration division of Québec, was replaced and became lot 4932 of the same cadastre, and as that lot 4932 was immediately subdivided and became subdivisions 4932-1 and 4932-2 of the same cadastre;

AS, by a deed registered on 20 September 1989 at the registry office of the registration division of Québec under number 1342555, the Dominican Friars sold subdivision 4932-2 of the cadastre of the city of Québec (Montcalm ward), registration division of Québec, along with the Saint-Dominique parish church erected on it, to the Fabrique de la paroisse de Saint-Dominique de Québec;

AS, on 1 September 1998, subdivisions 4932-1 and 153-1, owned by the Dominican Friars, underwent cadastral renewal and became lot 1314802 of the cadastre of Québec, registration division of Québec;

AS, on the same day, subdivision 4932-2, owned by the Fabrique de la paroisse de Saint-Dominique de Québec, underwent cadastral renewal and became lot 1314806 of the cadastre of Québec, registration division of Québec;

AS, on 18 December 2006, on the recommendation of the Minister of Culture and Communications, the Musée national des beaux-arts du Québec was authorized by Order in Council 1196-2006 to acquire lot 1314802 of the cadastre of Québec, registration division of Québec, along with the convent built on it, bearing the civic addresses 171-179 Grande Allée Ouest, Québec;

AS, by a deed registered on 26 February 2007 at the registry office of the registration division of Québec under number 14024714, the Musée national des beaux-arts du Québec acquired lot 1314802 and the convent built on it from the Dominican Friars;

AS, under sections 48 and 50 of the Cultural Property Act (R.S.Q., chapter B-4), no person may, as far as immovables or parts of immovables situated in a protected area are concerned, divide, subdivide, re-divide or parcel out land without the authorization of the Minister of Culture, Communications and the Status of Women;

AS, under section 57.1 of the Cultural Property Act, no division or subdivision plan or any other form of parcelling out of land situated in a protected area may be registered in the land register if the conditions of an authorization under that Act have not been met or if such an authorization has not been given;

AS the authorization of the Minister of Cultural Affairs or the Minister of Culture and Communications, as the case may be, required under sections 48 and 50 of the Cultural Property Act had not been obtained when subdivisions 4443-1, 4932-1 and 4932-2 of the cadastre of the city of Québec (Montcalm ward), registration division of Québec, and 153-1 of the cadastre of the

parish of Notre-Dame-de-Québec (La Banlieue), registration division of Québec, were registered, and the plans creating the subdivisions were registered in the land register despite the absence of authorization;

AS, under section 57 of the Cultural Property Act, the Minister of Culture, Communications and the Status of Women may obtain an order from the Superior Court for the cessation of any act or operation undertaken or continued without the authorization required under section 48 of that Act;

AS it is important for the Musée national des beaux-arts du Québec and the Fabrique de la paroisse de Saint-Dominique de Québec that the absence of authorization from the Minister of Cultural Affairs or the Minister of Culture and Communications, as the case may be, and the resulting defects of title affecting their respective property be remedied;

AS the Minister of Culture, Communications and the Status of Women has been informed of the introduction of this Act and has not objected to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite sections 57 and 57.1 of the Cultural Property Act (R.S.Q., chapter B-4), subdivisions 4443-1, 4932-1 and 4932-2 of the cadastre of the city of Québec (Montcalm ward) and 153-1 of the cadastre of the parish of Notre-Dame-de-Québec (La Banlieue), all of the registration division of Québec, and the plans creating them may not be cancelled on the ground that the authorization of the Minister of Cultural Affairs or the Minister of Culture and Communications, as the case may be, was not obtained as required under sections 48 and 50 of that Act.

2. Moreover, the deeds of sale registered under numbers 1342555 and 14024714 at the registry office of the registration division of Québec, lots 4932 of the cadastre of the city of Québec (Montcalm ward) and 1314802 and 1314806 of the cadastre of Québec, all of the registration division of Québec, and the plans creating them may not be cancelled on the ground that the authorization of the Minister of Cultural Affairs or the Minister of Culture and Communications, as the case may be, was not obtained for the subdivisions and plans mentioned in section 1.

3. This Act must be registered at the registry office of the registration division of Québec and the appropriate entries registered against lots 1314802 and 1314806 of the cadastre of Québec.

4. This Act comes into force on 4 December 2009.

