# Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 129 13 August 1997 No. 33

# **Summary**

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Legal deposit — 1<sup>st</sup> Quarter 1968 Bibliothèque nationale du Québec © Éditeur officiel du Québec, 1997

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# **Regulations and Other Acts**

Gouvernement du Québec

## **O.C. 944-97,** 30 July 1997

An Act respecting farm income stabilization insurance (R.S.Q, c. A-31)

### Cereal, Grain Corn and Soy Bean Producers

- Scheme
- Amendments

Regulation to amend the Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers

WHEREAS under sections 2, 5, 6 and 6.1 of the Act respecting farm income stabilization insurance (R.S.Q., c. A-31), the Government ordered the establishment of the Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers made by Order in Council 896-89 dated 14 June 1989;

WHEREAS under section 6 of the Act a scheme shall determine the assessment that a participant is required to pay and it may, in addition, provide for a reduced assessment for categories of producers, according to the conditions and terms determined in the scheme;

WHEREAS favourable prices observed on the grain market and the updates of the estimates for the payments of compensation and the state of the insurance fund show that the assessment rates currently in effect no longer reflect the actuarial risk related to these productions;

WHEREAS it is expedient to adjust the assessment rates for the 1996-1997 insurance year established in the Scheme;

WHEREAS it is expedient to grant reductions in assessment to producers insured under both the stabilization insurance Scheme and a crop insurance program for the same production;

WHEREAS these reductions in assessment will allow to compensate for the possible compensation adjustments generated by the double insurance coverage for the same portion of the risk and to stimulate the participation in various crop insurance protections; WHEREAS it is expedient to make the Regulation to amend the Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers;

WHEREAS a Regulation made by the Government under the Act comes into force on the day of its publication in the *Gazette officielle du Québec* or on any other later date fixed therein;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

## Regulation to amend the Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers

An Act respecting farm income stabilization insurance (R.S.Q., c. A-31, s. 6)

### Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers

- **1.** The Income Stabilization Insurance Scheme for Cereal, Grain Corn and Soy Bean Producers, made by Order in Council 896-89 dated June 14, 1989, amended by the Regulations made by Orders in Council 711-90 dated 23 May 1990, 1004-90 dated 11 July 1990, 1074-90 dated 1 August 1990, 1148-91 dated 21 August 1991, 417-92 dated 25 March 1992, 1054-92 dated 15 July 1992, 1166-92 dated 12 August 1992, 1723-92 dated 2 December 1992, 1002-93 dated 14 July 1993, 668-94 dated 11 May 1994, 867-94 dated 15 June 1994, 666-95 dated 17 May 1995, 792-95 dated 14 June 1995, 417-96 dated 3 April 1996 and 874-96 dated 10 July 1996, is further amended by substituting the following for the first paragraph of section 19:
- **"19.** From the 1996-1997 insurance year, the amount of the annual assessment for each insured hectare shall be:

- (1) \$90.63 for oats;
- (2) \$59.86 for wheat silage;
- (3) \$44.70 for wheat for human consumption;
- (4) \$40.60 for grain corn;
- (5) \$76.83 for barley;
- (6) \$6.78 for soy beans.".
- **2.** The following sections are substituted for section 19.1 of the Scheme:
- **"19.1** Notwithstanding section 19, the producer who subscribes equally to a crop insurance protection offered under the Act respecting crop insurance (R.S.Q., c. A-30) for a production he insures under this Scheme, is entitled to the following reductions in his assessment, according to the insured productions:
  - (1) \$4.64/ha for oats;
  - (2) \$10.04/ha for wheat silage;
  - (3) \$3.41/ha for wheat for human consumption;
  - (4) \$3.82/ha for grain corn;
  - (5) \$4.81/ha for barley;
  - (6) \$0.34/ha for soy beans.".
- 19.2 Notwithstanding section 19, a producer who has been recognized as eligible for the Program of assistance for establishment, development and training made by Order in Council 699-95 dated 24 May 1995 is entitled to a 25 % reduction in his assessment for 2 consecutive insurance years.

The producer who has been recognized as eligible for the program referred to in the first paragraph has a 2-year period to assert to the Régie his entitlement to the reduction of his assessment.

- 19.3 The reductions of assessment provided for in sections 19.1 and 19.2 may be accrued to the benefit of a same producer. Notwithstanding the foregoing, where applicable, the assessment fixed in section 19 is first of all lowered by the reduction of the assessment provided for in section 19.1, to which the reduction of the assessment provided for in section 19.2 is then applied.".
- **3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

## **O.C. 954-97,** 30 July 1997

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

### Hunting

### — Amendments

Regulation to amend the Regulation respecting hunting

WHEREAS under section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) the Government may, by regulation, allow the hunting of any animal or any animal of a class of animals it determines. The regulations may also determine,

- "(1) on the basis of sex, what animal or animal of a class of animals may be hunted;
- (2) the period of the year, day or night during which the animal may be hunted or trapped;
- (3) the territory or the area in which the animal may be hunted or trapped;
  - (4) the types of arms or traps which may be used; and
- (5) on the basis of age, what animal or animal of a class of animals may be hunted.";

WHEREAS under paragraphs 5, 6, 8, 9, 10, 14 and 18 of section 162 of the Act, the Government may, in addition to the other regulatory powers conferred on it by the Act, make regulations

- "(5) determining the means and their characteristics, the animals including domestic animals and dogs with which hunting, trapping or capturing an animal it indicates is permitted;
- (6) determining the maximum number of animals that may be killed or captured by a person or group of persons, during a period and in a place it indicates;";
- "(8) fixing types and classes of licences and certificates, in particular, for residents and non-residents, and limiting the number of licences of each class for a territory or area it indicates;
- (9) determining the conditions that must be fulfilled by the applicant or holder of a licence or certificate, and the obligations with which the holder of a licence or

certificate must comply; the conditions and obligations may vary, namely according to the age of the applicant or holder;

- (10) determining the form, tenor and term of a licence or certificate, the mode and cost of its issue, replacement and renewal according to the category and age of persons concerned or according to the species of wildlife sought or the age or sex of animals, and the obligations of holders respecting a change of address;";
- "(14) determining the provisions of a regulation the infringement of which constitutes an offence;";
- "(18) determining for an area or territory the safety conditions required for the practice of hunting, fishing or trapping activities;";

WHEREAS the Regulation respecting hunting was made by Order in Council 1383-89 dated 23 August 1989 under the Act, and it is expedient to amend it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting hunting was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting hunting, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting hunting, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Regulation respecting hunting

An Act respecting the conservation and development of wildlife

(R.S.Q., c. C-61.1, s. 56 and s. 162, pars. 5, 6, 8, 9, 10, 14 and 18)

**1.** The Regulation respecting hunting, made by Order in Council 1383-89 dated 23 August 1989 and amended by the Regulations made by Orders in Council 457-90

- dated 4 April 1990, 1094-90 dated 1 August 1990, 1149-90 dated 8 August 1990, 41-91 dated 16 January 1991, 294-91 dated 6 March 1991, 1290-91 dated 18 September 1991, 491-92 dated 1 April 1992, 1286-92 dated 1 September 1992, 18-93 dated 13 January 1993, 719-93 dated 19 May 1993, 1108-93 dated 11 August 1993, 1351-93 dated 22 September 1993, 199-94 dated 2 February 1994, 994-95 dated 19 July 1995, 912-96 dated 17 July 1996 and 961-96 dated 7 August 1996, is further amended by inserting the following after section 7:
- "7.1 Where the holder of a hunter's or trapper's certificate loses his resident's status, the certificate shall become inoperative until such time as the holder obtains his resident's status once again.".
- **2.** The following is inserted after the first paragraph of section 20:

"A hunting licence is not valid where obtained upon presentation of a hunter's or trapper's certificate that is inoperative within the meaning of section 7.1.".

### **3.** Section 22 is amended

- (1) by substituting the following for subparagraph 4 of the first paragraph:
- "(4) each of the licences provided for in paragraphs a and c of section 2 and in sections 3 to 8 of Schedule I;";
- (2) by adding the following at the end of the first paragraph:
- "(5) either of the licences provided for in paragraph b of section 2 of Schedule I;"; and
- (3) by inserting the words "subparagraph 5 of the first paragraph and" after the words "Subject to" in the second paragraph.

### **4.** Section 23 is amended

- (1) by substituting the words "in paragraph a" for the words "in paragraphs a and b" in subparagraph 2 of the first paragraph;
- (2) by adding the following at the end of the first paragraph:
- "(3) either of the licences provided for in paragraph b of section 2 of Schedule I;" and
- (3) by inserting the words "subparagraph 3 of the first paragraph and" after the words "Subject to".

- **5.** The following is inserted after section 23:
- "23.1 A person holding one of the licences referred to in subparagraph 5 of the first paragraph of sections 22 and in subparagraph 3 of section 23, respectively, may obtain a second licence referred to in those subparagraphs only when the first licence is no longer valid within the meaning of the third paragraph of section 20 and only from the fifth day following the date of issue of the first licence."
- **6.** Section 25 is amended by inserting the word and numeral "or 9" after the numeral "6" in the second paragraph.
- **7.** Section 25.1 is amended by deleting the numeral "17" in the second paragraph.
- **8.** The following is substituted for the first paragraph of section 27:
- "27. Subject to the second, third and fourth paragraphs, hunting is permitted for the animals and on the conditions provided for in Schedule III; hunting by shooting an animal found on a public road or shooting towards or across such a road in areas 5 and 6 and in the parts of area 22 described in Schedules VII and XVII during the caribou hunting season provided for in section 2 of Schedule III for those parts of territory is prohibited; shooting an animal from a public road is also prohibited, including the 10-metre strip on each side of the right-of-way, is also prohibited in areas 5 and 6; notwithstanding the foregoing, the hunting of moose and white-tailed deer with a type 1 or 2 implement in controlled zones shall be governed by Schedule IV, subject to the second, third and fourth paragraphs."
- **9.** Section 30 is amended by adding the following at the end of the first paragraph:

"or in the southern part of Area 19, east of rivière Saint-Augustin".

- **10.** Section 34 is amended by substituting the numeral "4" for the numeral "2" in paragraph 2.
- **11.** Section 35 is amended by deleting "section 1 of" in paragraph 1" and the words "Lavigne, Normandie, Owen," in paragraph 3.
- **12.** Section 40 is amended by adding the words ", except in Area 20" at the end of the second paragraph.
- **13.** Section 48 is amended by deleting the words "or in the case of a white-tailed deer killed in the wildlife sanctuary of Papineau-Labelle" in the second paragraph.

- **14.** The Regulation is amended, in the French version,
- (1) by substituting the name "tétras du Canada" for the name "tétras des savanes" wherever it appears;
- (2) by substituting the name "lagopède alpin" for the name "lagopède des rochers" wherever it appears;
- (3) by substituting the name "tétras à queue fine" for the name "gélinotte à queue fine" wherever it appears; and
- (4) by substituting the name "quiscale bronzé" for the name "mainate bronzé" wherever it appears.

### **15.** Schedule III is amended

- (1) in section 1, by substituting the following for subparagraph d of paragraph 1 under Column III:
- "(d) 14, 16, 18 except the parts of the territory described in Schedules XXIII and XXXI";
- (2) in section 1, by substituting the following for subparagraph e of paragraph 1 under Column III:
- "(e) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX, 22":
- (3) in section 1, by substituting the following for subparagraph c of paragraph 2 under Column III:
- "(c) 14, 16, 18 except the parts of the territory described in Schedules XXIII and XXXI";
- (4) in section 1, by substituting the following for subparagraph d of paragraph 2 under Column III:
- "(d) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX, 22";
- (5) in section 5, by substituting the following for paragraph *a* under Column III:
- "(a) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX";
- (6) in section 5, by substituting the following for paragraph d under Column IV:
- "(d) From the Saturday on or closest to 17 May to the Sunday on or closest to 8 June";

- (7) in section 5, by substituting the following for paragraph e under Column III:
- "(e) Other areas except the parts of the territory described in Schedules XIX to XXI, XXIII to XXVIII and XXXI, the northern part of Area 19 described in Schedule V, 20 and 22";
- (8) in section 6, by substituting the following for paragraphs a and b under Columns III and IV:

Column III	Column IV
Zone	Hunting season
(a) All areas except the parts of the territory described in Schedules XIX to XXI, XXIII to XVIII and XXXI, 10, 19, 20, 22, 23 and 24	(a) From 1 May to 15 May From the Saturday on or closest to 18 September to the Sunday on or closest to 21 November

- (9) in section 7, by substituting the following for paragraph *d* under Column III:
- "(d) 12, 13, 14, 16, 18 except the parts of the territory described in Schedules XXIII and XXXI, 21";
- (10) in section 7, by substituting the following for paragraph e under Column III:
- "(e) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX";
- (11) in section 8, by substituting the following for paragraph a under Columns III and IV, respectively:

Column III	Column IV
Zone	Hunting season
(a) All areas except the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI, 17, the northern part of Area 19 described in Schedule V, 20, 22, 23 and 24	(a) From 1 April to 31 March

- (12) in section 12, by substituting the following for subparagraph *a* of paragraph 1 under Column III:
- "(a) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX":
- (13) in section 12, by substituting the following for subparagraph d of paragraph 1 under Column III:
- "(d) Other areas except the parts of the territory described in Schedules XIX to XXVIII and XXXI, the northern part of Area 19 described in Schedule V and the Îles de la Madeleine";
- (14) in section 12, by substituting the following for subparagraph *a* of paragraph 2 under Column III:
- "(a) 1, 2 except the parts of the territory described in Schedules XIX, XXIV, XXV and XXVI, 10 except the part of the territory described in Schedule XXII, 11, 12, 13, 14, 15 except the part of the territory described in Schedule XXVIII and Île d'Orléans, 16, 17, 18 except the parts of the territory described in Schedules XXIII and XXXI, 20";
- (15) in section 12, by substituting the following for subparagraph c of paragraph 2 under Column III:
- "(c) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX";
- (16) in section 13, by deleting the name "Rock dove" under Column I:
- (17) in section 13, by substituting the following for paragraph a under Column III:
- "(a) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX";
- (18) in section 13, by substituting the following for paragraph d under Column III:
- "(d) Other areas except the parts of the territory described in Schedules XIX to XXVIII and XXXI, the northern part of Area 19 described in Schedule V and the following islands: Île d'Orléans and Île Verte in Area 2":
  - (19) by inserting the following after section 13:

Article	Column I	Column II	Column III	Column IV
	Animal	Type of implement	Area	Hunting season
13.1	Rock dove	3	(a) All areas except the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI, the northern part of Area 19 described in Schedule V and the following islands: Îte d'Orléans and Îte Verte in Area 2	(a) From 1 April to 31 March

- (20) in section 14, by substituting the following for paragraph *a* under Column III:
- "(a) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX":
- (21) in section 14, by substituting the following for paragraph d under Column III:
- "(d) Other areas except the parts of the territory described in Schedules XIX to XXVIII and XXXI, the northern part of Area 19 described in Schedule V, 20 and the following islands: Île d'Orléans and Île Verte in Area 2";
- (22) in section 15, by substituting the following for paragraph *a* under Column III:
- "(a) All areas except the parts of the territory described in Schedules XIX, XXI to XXVIII, XXX and XXXI, 4, 5, 6, 8 and the northern part of Area 19 described in Schedule V";
- (23) in section 16, by substituting the following for paragraph *a* under Column III:
- "(a) All areas except the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI, the northern part of Area 19 described in Schedule V";
- (24) in section 17, by substituting the following for paragraph *a* under Column III:
- "(a) The southern part of Area 19 described in Schedule V except the part of the territory described in Schedule XXX";

- (25) in section 17, by substituting the following for paragraph *d* under Column III:
- "(d) Other areas except the parts of the territory described in Schedules XIX to XXVIII and XXXI, the northern part of Area 19 described in Schedule V";
- (26) in section 18, by substituting the following for paragraph *a* under Column III:
- "(a) All areas except 8, the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI, Île d'Orléans, the northern part of Area 19 described in Schedule V";
- (27) in section 19, by substituting the following for paragraph *a* under Column III:
- "(a) All areas except 17, 22, 23 and 24, the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI, the northern part of Area 19 described in Schedule V":
- (28) in section 20, by substituting the following for paragraph *a* under Column III:
- "(a) All areas except the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI, the northern part of Area 19 described in Schedule V"; and
- (29) in section 21, by substituting the following for paragraph *a* under Column III:
- "(a) All areas except 20, the parts of the territory described in Schedules XIX to XXVIII, XXX and XXXI and the northern part of Area 19 described in Schedule V".
- **16.** Schedule IV is amended, in section 1,
- (1) by substituting the following for the hunting season "From the Saturday on or closest to 9 October to the Sunday on or closest to 24 October" under Column IV, opposite the Bessonne Zec:

"From the Saturday on or closest to 9 October to the Sunday on or closest to 17 October";

- (2) by deleting the controlled zone name "Flamand" under Column III and the corresponding hunting season under Column IV;
- (3) by substituting the following for the hunting season "From the Saturday on or closest to 25 September to the Sunday on or closest to 17 October" under Column IV, opposite the Forestville Zec:

"From the Saturday on or closest to 25 September to the Monday on or closest to 11 October"; and

(4) by substituting the following for the hunting season "From the Saturday on or closest to 9 October to the Sunday on or closest to 24 October" under Column IV, opposite the Mitchinamécus Zec:

"From the Saturday on or closest to 9 October to the Sunday on or closest to 17 October".

- **17.** The Regulation is amended by adding Schedules XXX and XXXI attached hereto.
- **18.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette* officielle du Ouébec.

### SCHEDULE XXX

PROVINCE DE QUÉBEC

SEPT-ÎLES REGISTRATION DIVISION

TECHNICAL DESCRIPTION

### TERRITORY OF MATAMEC SOUTH

A territory composed of two parts and situated in the territory of the Municipalité régionale de comté de Sept-Rivières, in the Côte-Nord administrative region.

The coordinates given in parenthesis in this technical description are expressed in metres (international system) and were graphically traced from the squaring used on the map to a scale of 1:50 000 drawn up by Energy, Mines and Resources Canada, Sheets 22I/05 and 22J/08, in reference to Zone 20 of the transverse Mercator projection system (U.T.M., central meridian 63°00'00" West, N.A.D. 1927).

The terms "shore" and "bank" mean the natural high water mark on lakes and watercourses. The right bank and left bank correspond to the right border and left border of a watercourse, looking downstream.

Given the above, the territory may be explicitly described as follows:

### Part "A"

The part of the territory identified by the letter "A" is an irregular shape situated, in reference to the original survey, in an undivided part of the Canton de Blanche, the Canton de Moisie and the Bassin-de-la-Rivière-au-Bouleau (bed of Rivière Matamec).

The perimeter of that part of the territory may be described as follows:

Starting from Point "A" situated at the intersection of the left bank of Rivière Matamec and the extension of the northwest line of Block E of the Canton de Moisie;

Thence, southwesterly, following that extension then the northwest line of that Block E to its intersection with the northeast line of Block F of the Canton de Moisie, that is, Point "B";

Thence, northwesterly, following the northeast line of that Block F and its extension to the southeast limit of the right of way of Highway 138, that is, Point "C";

Thence, northeasterly, following the southeast limit of the right of way of Highway 138 to its intersection with the right bank of Rivière Matamec, that is, Point "D";

Thence, in a general northeasterly direction, following the right bank of Rivière Matamec to its intersection with the right bank of Rivière aux Rats Musqués, that is, Point "E";

Thence, in a general westerly direction, following the right bank of Rivière aux Rats Musqués to Ruisseau Thom, that is, Point "F";

Thence, in a general northwesterly direction, crossing Rivière aux Rats Musqués then following the right bank of Ruisseau Thom to its intersection with the southern limit of the right of way of the power transmission line 57.76 metres wide, that is, Point "G";

Thence, westerly, following the southern limit of the right of way of that power transmission line for a distance of 1 000 metres, that is, Point "H";

Thence, following a straight line whose astronomic azimuth is 180°00'00" in relation to the meridian passing through Point "H" to the right bank of Rivière aux Rats Musqués, that is, Point "I";

Thence, in a general northwesterly direction, following the right bank of Rivière aux Rats Musqués to its intersection with the right bank of Rivière Bill, that is, Point "J":

Thence, in a general westerly direction, following the right bank of that Rivière Bill to the limit of the area described in subparagraph B of paragraph II of Schedule I of the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), that is, Point "K";

Thence, northeasterly, southerly, northeasterly then easterly, following the limit of that area to the right bank of Rivière aux Loups Marins, that is, Point "L";

Thence, in a general southerly direction, following the right bank of Rivière aux Loups Marins to its intersection with a straight line whose astronomic azimuth is 90°00'00" issuing from Point "N", that is, Point "M" (5 587 450 North, 304 575 East);

From Point "M", westerly, following that straight line for a distance of approximately 1 275 metres to the northern extremity of a lake, that is, Point "N" (5 587 500 North, 303 300 East);

Thence, in a general southwesterly direction, successively following the shore of that lake, skirting it to the southeast, and the left bank of its effluent, then the shores of several lakes, skirting them to the east and the southeast and passing along the left banks of the watercourses linking them, to the south shore of Lac à la Croix, that is, Point "O" (5 579 600 North, 298 900 East);

Thence, in a general southwesterly direction, successively following the south shore of Lac à la Croix, the right bank of a watercourse situated at the southern extremity of that lake, then the bank of another lake, skirting it to the south, to its western extremity, that is, Point "P" (5 579 225 North, 297 825 East);

Thence, following a straight line whose astronomic azimuth is 225°00'00" in relation to the meridian passing through Point "P" for a distance of approximately 225 metres to the shore of a lake, that is, Point "Q" (5 579 075 North, 297 650 East);

Thence, following the shore of that lake, skirting it to the south, to its western extremity, that is, Point "R" (5 579 050 North, 297 350 East);

Thence, following a straight line whose astronomic azimuth is 315°00'00" in relation to the meridian passing through Point "R" for a distance of approximately 325 metres, to the south shore of a lake, that is, Point "S" (5 579 300 North, 297 125 East);

Thence, in a general westerly direction, successively following the south shore of that lake, the left bank of its effluent, then the shore of another lake, skirting it to the south, to the extremity of its southern point, that is, Point "T" (5 579 125 North, 295 100 East);

Thence, following a straight line whose astronomic azimuth is 245°00'00" in relation to the meridian pass-

ing through Point "T" for a distance of approximately 1 175 metres, to the shore of a small lake, that is, Point "U" (5 578 675 North, 294 025 East);

Thence, following the shore of that small lake, skirting it to the south, to the left bank of its effluent, that is, Point "V" (5 578 700 North, 293 975 East);

Thence, following a straight line whose astronomic azimuth is 260°00'00" in relation to the meridian passing through Point "V" for a distance of approximately 1 725 metres, to the east shore of a lake, that is, Point "W" (5 578 450 North, 292 275 East);

Thence, following the shore of that lake, skirting it to the north, to the right bank of its effluent, that is, Point "X" (5 578 250 North, 292 200 East);

Thence, following a straight line whose astronomic azimuth is 315°00'00" in relation to the meridian passing through Point "X" for a distance of 1 000 metres, that is, Point "Y" (5 578 975 North, 291 500 East);

Thence, following a straight line whose astronomic azimuth is 225°00'00" in relation to the meridian passing through Point "X" for a distance of 1 000 metres, that is, Point "Z" (5 578 275 North, 290 775 East);

Thence, following a straight line whose astronomic azimuth is 135°00'00" in relation to the meridian passing through Point "X" for a distance of approximately 1 150 metres, to the right bank of a watercourse, that is, Point "AA" (5 577 450 North, 291 575 East);

Thence, in general southerly direction, following the right bank of that watercourse to its intersection with the western limit of the right of way of a forest road deemed to be 35 metres wide, that is, Point "BB" (5 577 025 North, 291 550 East);

Thence, in a general southerly direction, following the western limit of the right of way of that road to its intersection with the northern limit of the right of way of the power transmission line 57.76 metres wide, that is, Point "CC" (5 575 725 North, 291 125 East);

Thence, westerly, following the northern limit of the right of way of that power transmission line to its intersection with the left bank of Rivière Matamec, that is, Point "DD";

Thence, in a general southwesterly direction, following the left bank of Rivière Matamec to its intersection with the extension of the northwest line of Block E of the Canton de Moisie, that is, the starting point, "A".

In reference to subparagraph B of paragraph II of Schedule I of the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), the limit of the area referred to above between points "K" and "L" is described as follows:

"...thence...southeasterly, then northeasterly, a broken line whose apex coordinates are:...5 578 600 m N and 710 000 m E (Zone 19), 5 588 200 m N and 713 200 m E (Zone 19); thence, southerly, then northeasterly, a broken line whose apex coordinates are: 5 581 800 m N and 713 400 m E (Zone 19), 5 588 500 m N and 288 800 m E (Zone 20), 5 588 200 m N and 296 500 m E (Zone 20), 5 588 200 m N and 304 600 m E (Zone 20), the latter point being situated on Rivière aux Loups Marins...

The coordinates of the limit of the area mentioned above are expressed in metres and were graphically traced from the squaring used on the map to a scale of 1:50 000 drawn up by Energy, Mines and Resources Canada, in reference to Zone 19 and Zone 20 of the transverse Mercator projection system, in accordance with what is added in parenthesis to the text of the Regulation above (U.T.M., central meridian 69°00'00" West for Sheet 22J/08 and central meridian 63°00'00" West for Sheet 22I/05, N.A.D. 1927)."

Part "A" of that territory has an area of approximately 17 300 hectares (173 km<sub>2</sub>).

### Part "B"

The part of the territory identified by the letter "B" is an irregular shape situated, in reference to the original survey, in an undivided part of the Canton de Moisie.

The perimeter of that part of the territory may be described as follows:

Starting from Point "EE" situated at the intersection of the right bank of Rivière Bill and the shore of Lac Bill;

Thence, in a general westerly direction, successively following the shore of Lac Bill, skirting it to the south, the right bank of the watercourse situated at the western extremity of that lake, the shore of another lake, skirting it to the west, the right bank of a watercourse, the shore of another lake, skirting it to the east, the right bank of a watercourse then the shore of another lake, skirting it to the east, to its southern extremity, that is, Point "FF" (5 582 200 North, 276 100 East);

Thence, following a straight line whose astronomic azimuth is 270°00'00" in relation to the meridian passing through Point "FF", to the southeastern limit of the right of way of the power transmission line 225.55 metres wide, that is, Point "GG" (5 582 225 North, 275 325 East);

Thence, northeasterly then northerly, successively following the southeastern and eastern limits of the right of way of that power transmission line for a total distance of 5 050 metres, that is, Point "HH" (5 586 850 North, 277 150 East);

Thence, following a straight line whose astronomic azimuth is 90°00'00" in relation to the meridian passing through Point "HH", to the western shore of Lac Trellis, that is, Point "II" (5 586 800 North, 278 250 East);

Thence, in a general southerly direction, following the shore of Lac Trellis to the limit of the area described in subparagraph B of paragraph II of Schedule I to the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), that is, Point "JJ";

Thence, southerly then southeasterly, following the limit of that area to the right bank of Rivière Bill, that is, Point "KK";

Thence, in a general northwesterly direction, following the right bank of Rivière Bill, skirting the two lakes encountered to the south, to the starting point, "EE".

In reference to subparagraph B of paragraph II of Schedule I of the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), the limit of the area referred to above between points "JJ" and "KK" is described as follows:

"...thence...northeasterly, a broken line whose apex coordinates are:...5 597 200 m N and 706 000 m E; thence, southerly, then southeasterly, then...a broken line whose apex coordinates are: 5 582 600 m N and 704 300 m E, 5 578 600 m N and 710 000 m E...

The coordinates of the limit of the area mentioned above are expressed in metres and were graphically traced from the squaring used on the map to a scale of 1:50 000 drawn up by Energy, Mines and Resources Canada, in reference to Zone 19 of the transverse Mercator projection system (U.T.M., central meridian 69°00'00" West, Sheet 22J/08, N.A.D. 1927)."

Part "B" of that territory has an area of approximately 1 300 hectares (13 km<sub>2</sub>).

The territory described above, composed of parts "A" and "B", has a total area of approximately 18 600 hectares (186 km²). That territory is shown on the map of the Matamec Wildlife Sanctuary (Order in Council 1312-94 dated 31 August 1994) to a scale of 1:50 000, drawn up by Denis Fiset, Land Surveyor, on 23 June 1994 as Number 430 of his minutes and kept in the land survey records of the Service de l'arpentage of the Ministère des Ressources naturelles under file number CANTON \* 4783.

NOTE: The territory of Matamec South described above includes the Matamec Wildlife Sanctuary (Order in Council 1312-94 dated 31 August 1994), as well as the section of Highway 138 and the section of the power transmission line and Block 1 of the Bassin-de-la-Rivière-au-Bouleau (Block 2 of the official cadaster of the Canton de Moisie) crossing that wildlife sanctuary.

Prepared at Québec City, on 23 October 1996, as Number 445 of my minutes.

By DENIS FISET, Land Surveyor

Ministère de l'Environnement et de la Faune du Québec Direction des ressources matérielles et des immobilisations Division des données foncières et de la cartographie

File number at the Direction de la conservation et du patrimoine écologique: 5141-03-09 [9.6]

### SCHEDULE XXXI

PROVINCE DE QUÉBEC MINISTÈRE DU LOISIR, DE LA CHASSE ET DE LA PÊCHE

SAGUENAY REGISTRATION DIVISION

TECHNICAL DESCRIPTION

# CENTRE D'ÉTUDES ET DE RECHERCHES MANICOUAGAN

A territory situated in the Municipalité régionale de comté de Manicouagan, in the Canton de Morency, having an area of 21.22 km² and whose perimeter is delimited by the coordinates of the following points:

### **Point Coordinates**

- A 5 477 960 m N and 539 600 m E, the starting point, being the point of intersection of the 111.25-metre mark on the west bank of the Réservoir Manic Deux, with coordinate 5 477 960 m N;
- B 5 477 960 m N and 538 680 m E, that point being the point of intersection of the straight AB line going west, with the normal high water mark (N.H.W.M.) of the south shore of Lac Caouette;
- C 5 477 975 m N and 538 055 m E, that point being the point of intersection of the N.H.W.M. of the south shore of Lac Caouette with the N.H.W.M. of the east bank of an unnamed tributary of that lake. The BC line being the N.H.W.M. along the south shore of Lac Caouette in a westerly direction;
- D 5 475 880 m N and 538 300 m E, that point being the point of intersection of the straight CD line going south, with the N.H.W.M. of the east point of Lac du Lynx;
- E 5 475 000 m N and 538 725 m E, that point being the point of intersection of the straight DE line going southeast, with the N.H.W.M. of the east point of Lac du Garot;
- F 5 470 800 m N and 539 700 m E, that point being the point of intersection of the straight EF line going south, with the N.H.W.M. of the northeast point of Lac de la Gauche;
- G 5 470 675 m N and 541 000 m E, the straight FG line going east. The Shackleton lakes lying within the perimeter here described;
- H 5 470 750 m N and 543 000 m E, that point being the point of intersection of the 111.25-metre mark on the west bank of the Réservoir Manic Deux, with the coordinate 5 470 750 m N. The straight GH line going east.

Lac Ombilic is excluded from that territory.

The HA Line is a line following the 111.25-metre mark northwesterly along the west bank of the Réservoir Manic Deux, from Point H to the starting point.

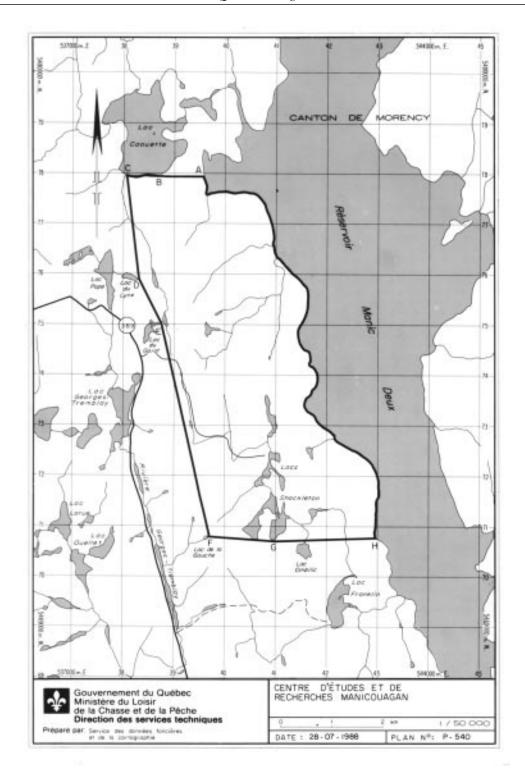
The above coordinates are expressed in metres and were graphically traced from the U.T.M. squaring used on the maps to a scale of 1:50 000 published by Energy, Mines and Resources Canada.

The whole as shown on the plan attached hereto and numbered P-540.

The original of this document is kept at the Service des données foncières et de la cartographie of the Ministère du Loisir, de la Chasse et de la Pêche.

Prepared by JACQUES PELCHAT, Land Surveyor

Québec City, 28 July 1988 Minute 540



Gouvernement du Québec

## **O.C. 955-97,** 30 July 1997

An Act respecting the conservation and developpement of wildlife

(R.S.Q., c. C-61.1)

### **Hunting in Wildlife Sancturaries**

### — Amendments

Regulation to amend the Hunting in Wildlife Sanctuaries Regulation

WHEREAS under paragraphs 1 and 2 of section 121 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, in respect of a wildlife sanctuary,

- "(1) determine the conditions on which hunting, fishing or trapping activities are permitted and fix the amount of the fees exigible for the carrying on of such activities or prohibit them according to the category of persons concerned, the age of the persons, the activity carried on, the species of wildlife sought, the length of the stay, the place where the hunting, fishing or trapping activity is carried on or the date on which the activity is carried on;
- (2) determine the conditions governing the carrying, possession or transportation of hunting, fishing or trapping implements, or prohibit them;";

WHEREAS the Hunting in Wildlife Sanctuaries Regulation was made under the Act, by Order in Council 838-84 dated 4 April 1984, and it is expedient to amend it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft of the Regulation to amend the Hunting in Wildlife Sanctuaries Regulation was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Hunting in Wildlife Sanctuaries Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Hunting in Wildlife Sanctuaries Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Hunting in Wildlife Sanctuaries Regulation

An Act respecting the conservation and development of wildlife

(R.S.Q., c. C-61.1, s. 121, pars. 1 and 2)

- **1.** The Hunting in Wildlife Sanctuaries Regulation, made by Order in Council 838-84 dated 4 April 1984 and amended by the Regulations made by Orders in Council 1273-84 dated 6 June 1984, 209-85 dated 30 January 1985, 1317-85 dated 26 June 1985, 1916-85 dated 18 September 1985, 1030-86 dated 9 July 1986, 1786-87 dated 24 November 1987, 631-88 dated 27 April 1988, 1366-88 dated 7 September 1988, 485-89 dated 29 March 1989, 1385-89 dated 23 August 1989, 461-90 dated 4 April 1990, 1095-90 dated 1 August 1990, 45-91 dated 16 January 1991, 295-91 dated 6 March 1991, 1292-91 dated 18 September 1991, 492-92 dated 1 April 1992, 287-92 dated 1 September 1992, 1109-93 dated 11 August 1993, 200-94 dated 2 February 1994 and 912-96 dated 17 July 1996, is further amended, in the first paragraph of section 1, by substituting "sections 25 and 25.1" for "section 25.1".
- **2.** Section 3 is amended by deleting the word "daily" in the first paragraph.
- **3.** Section 5 is amended, in the French version, by substituting the words "tétras du Canada" for the words "tétras des savanes".
- **4.** The following is substituted for section 7:
- "7. During the hunting period listed in Schedule I, no person shall be in possession of a firearm or a crossbow in a hunting sector reserved exclusively for bows.".
- **5.** Section 13.1 is amended by inserting the words "Subject to section 25 of the Regulation respecting hunting," before the word "hunting".
- **6.** Schedules I and II attached to this Regulation are substituted for Schedules I and II.
- **7.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

# SCHEDULE I (ss. 1, 2 and 3)

## RESTRICTED HUNTING IN WILDLIFE SANCTUARIES

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period
Ashuapmushuan	Moose	1	1 per party	From the Saturday on or closest to 11 September to the Friday on or closest to 8 October
	Black bear	2	2 per party	From the Saturday on or closest to 11 September to the Friday on or closest to 8 October
	Northern hare	7	None	From the Saturday on or closest to 11 September to the Friday on or closest to 8 October
Chic-Chocs	Moose	1	1 per party	From the Tuesday on or closest to 16 September to the Friday on or closest to 10 October
	Black bear	1	2 per party	From the Friday on or closest to 3 June to the Monday on or closest to 27 June
Dunière	Moose	1	1 per party	From the Tuesday on or closest to 9 September to the Sunday on or closest to 19 October
	Black bear	2	2 per party	From the Friday on or closest to 30 May to the Monday on or closest to 30 June
Laurentides	Moose	1	1 per party	From the Monday on or closest to 11 September to the Friday on or closest to 13 October
	Black bear	2	2 per party	From the Friday on or closest to 22 May to 4 July
La Vérendrye	Moose	1	1 per party	From the Monday on or closest to 12 September to the Wednesday on or closest to 12 October
	Ruffed grouse	3	See s. 5	From the Monday on or closest to 12 September to the Wednesday on or closest to 12 October
	Spruce grouse	3	See s. 5	From the Monday on or closest to 12 September to the Wednesday on or closest to 12 October
	Northern hare	3	None	From the Monday on or closest to 12 September to the Wednesday on or closest to 12 October
	Wildfowl	See Migrator	y Birds Regula	ntions
	Black bear	2	2 per party	From 1 May to 4 July

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period
Mastigouche	Moose	1	1 per party	From the Saturday on or closest to 12 September to the Tuesday on or closest to 30 September
Matane	Moose	1	1 per party	From the Tuesday on or closest to 9 September to the Sunday on or closest to 19 October
	Black bear	2	2 per party	From the Friday on or closest to 30 May to the Monday on or closest to 30 June
Papineau- Labelle	Moose	1	1 per party	From the Monday on or closest to 29 September to the Friday on or closest to 17 October
	White-tailed deer	2	2 per party of 4 or 5 hunters or 3 per party of 6 hunters	From the Saturday on or closest to 18 October to the Monday on or closest to 3 November
		6	2 per party of 4 or 5 hunters or 3 per party of 6 hunters	From the Friday on or closest to 19 September to the Sunday on or closest to 28 September
	Black bear	2	2 per party	From the Saturday on or closest to 17 May to the Sunday on or closest to 8 June
Portneuf	Moose	1	1 per party	From the Tuesday on or closest to 11 September to the Friday on or closest to 5 October
	Black bear	2	2 per party	From 1 June to 15 June
Rimouski	Moose	1	1 per party	From the Saturday on or closest to 4 October to the Sunday on or closest to 19 October
	Black bear	2	2 per party	From the Friday on or closest to 3 June to the Sunday on or closest to 19 June
Rouge-Matawin	Moose	1	1 per party	From 7 September to 30 September
	Black bear	2	2 per party	From the Monday on or closest to 19 May to the Sunday on or closest to 15 June
Saint-Maurice	Moose	1	1 per party	From the Saturday on or closest to 10 September to the Thursday on or closest to 29 September

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period
Sept-Îles – Port-Cartier	Moose	1	1 per party	From the Sunday on or closest to 11 September to the Friday on or closest to 7 October
	Black bear	2	2 per party	From the Sunday on or closest to 11 September to the Friday on or closest to 7 October

# **SCHEDULE II**

(ss. 2, 13.1 and 13.2)

# UNRESTRICTED HUNTING IN WILDLIFE SANCTUARIES

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period
Aiguebelle	Northern hare	7	None	From 1 October to 1 March
Ashuapmushuan	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 2 October to the Sunday on or closest to 14 November
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 2 October to the Sunday on or closest to 14 November
	Northern hare	3	None	From the Saturday on or closest to 2 October to the Sunday on or closest to 14 November
	Black bear	2	1 per person	From 1 June to 21 June
	Wildfowl	See Migrator	y Birds Regulat	tions
	Northern hare	7	None	From the Saturday on or closest to 9 October to 1 March
Chic-Chocs	Wolf	4	Bag limit for area 1	From the Saturday on or closest to 31 October to the Sunday on or closest to 8 November
	Coyote	4	Bag limit for area 1	From the Saturday on or closest to 31 October to the Sunday on or closest to 8 November
	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 11 October to the Sunday on or closest to 30 October
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 11 October to the Sunday on or closest to 30 October
	Northern hare	3	None	From the Saturday on or closest to 11 October to the Sunday on or closest to 30 October

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period		
	Wildfowl	See Migrator	y Birds Regul	ations		
	Northern hare	7	None	From the Saturday on or closest to 11 October to 1 March		
Dunière	Wolf	4	Bag limit for Area 1	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Coyote	4	Bag limit for Area 1	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Ruffed grouse	3	See s. 5	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Spruce grouse	3	See s. 5	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Northern hare	3	See s. 5	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Wildfowl	See Migratory Birds Regulation				
	Northern hare	7	None	From the Monday on or closest to 20 October to the Sunday on or closest to 1 March		
Île d'Anticosti with respect only to the first perimeter	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 18 September to 31 December		
as described in Schedule I to the Regulation	Northern hare	3	See s. 5	From the Saturday on or closest to 18 September to 1 March		
respecting the Île d'Anticosti	Wildfowl	See Migratory Birds Regulations				
Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 61)	Northern hare	7	None	From the Saturday on or closest to 18 September to 1 March		
Laurentides	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 14 October to the Sunday on or closest to 5 November		
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 14 October to the Sunday on or closest to 5 November		
	Northern hare	3	None	From the Saturday on or closest to 14 October to the Sunday on or closest to 5 November		
	Wildfowl	See Migrator	y Birds Regul	ations		
	Northern hare	7	None	From the Saturday on or closest to 21 October to 1 March		

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period		
La Vérendrye	Ruffed grouse	3	See s. 5	From the Thursday on or closest to 13 October to 30 November		
	Spruce grouse	3	See s. 5	From the Thursday on or closest to 13 October to 30 November		
	Northern hare	3	None	From the Thursday on or closest to 13 October to 30 November		
	Wildfowl	See Migrator	y Birds Regulat	tions		
	Northern hare	7	None	From the Thursday on or closest to 13 October to 1 March		
Mastigouche	Ruffed grouse	3	See s. 5	From the Wednesday on or closest to 1 October to the Sunday on or closest to 25 October		
	Spruce grouse	3	See s. 5	From the Wednesday on or closest to 1 October to the Sunday on or closest to 25 October		
	Northern hare	3	None	From the Wednesday on or closest to 1 October to the Sunday on or closest to 25 October		
	Wildfowl	See Migratory Birds Regulations				
	Northern hare	7	None	From the Wednesday on or closest to 1 October to 1 March		
	Black bear	2	1 per person	From 1 June to 30 June		
Matane	Wolf	4	Bag limit for Area 1	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Coyote	4	Bag limit for Area 1	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Ruffed grouse	3	See s. 5	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Spruce grouse	3	See s. 5	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Northern hare	3	None	From the Monday on or closest to 20 October to the Sunday on or closest to 26 October		
	Wildfowl	See Migrator	y Birds Regulat	tions		
	Northern hare	7	None	From the Monday on or closest to 20 October to 1 March		

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period		
Papineau-Labelle	Ruffed grouse	3	See s. 5	From the Friday on or closest to 19 September to the Sunday on or closest to 28 September		
				From the Tuesday on or closest to 4 November to the Sunday on or closest to 30 November		
	Spruce grouse	3	See s. 5	From the Friday on or closest to 19 September to the Sunday on or closest to 28 September		
				From the Tuesday on or closest to 4 November to the Sunday on or closest to 30 November		
	Northern hare  Eastern cottontail	3	None	From the Friday on or closest to 19 September to the Sunday on or closest to 28 September		
	contonian			From the Tuesday on or closest to 4 November to the Sunday on or closest to 30 November		
	Wildfowl	See Migratory Birds Regulations				
	Northern hare Eastern	7	None	From the Tuesday on or closest to 4 November to 1 March		
	cottontail					
Plaisance	Northern hare	7	None	From the Saturday on or closest to 18 September to 1 March		
	Wildfowl	10	See Migrator	ry Birds Regulations		
Port-Daniel	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 18 September to the Sunday on or closest to 26 September		
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 18 September to the Sunday on or closest to 26 September		
	Northern hare	3	None	From the Saturday on or closest to 18 September to the Sunday on or closest to 26 September		
	Wildfowl	See Migratory Birds Regulations				
	Northern hare	7	None	From 1 October to 1 March		
	Wolf	4	Bag limit for Area 1	From the Saturday on or closest to 31 October to the Sunday on or closest to 8 November		
	Coyote	4	Bag limit for Area 1	From the Saturday on or closest to 31 October to the Sunday on or closest to 8 November		

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period		
Portneuf	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 6 October to the Sunday on or closest to 28 October		
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 6 October to the Sunday on or closest to 28 October		
	Northern hare	3	None	From the Saturday on or closest to 6 October to the Sunday on or closest to 28 October		
	Wildfowl	See Migratory Birds Regulations				
	Northern hare	7	None	From the Saturday on or closest to 6 October to 1 March		
Rimouski	Wolf	4	Bag limit for Area 2	From the Saturday on or closest to 25 October to the Sunday on or closest 9 November		
	Coyote	4	Bag limit for Area 2	From the Saturday on or closest to 25 October to the Sunday on or closes 9 November		
	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 20 September to the Friday on or closest to 3 October		
				From the Monday on or closest to 20 October to the Sunday on or closest to 9 November		
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 20 September to the Friday on or closest to 3 October		
				From the Monday on or closest to 20 October to the Sunday on or closest to 9 November		
	Northern hare	3	None	From the Saturday on or closest to 20 September to the Friday on or closest to 3 October		
				From the Monday on or closest to 20 October to the Sunday on or closest to 9 November		
	White-tailed deer	6	Bag limit for Area 2	From the Friday on or closest to 12 September to the Friday on or closest to 19 September		
		2	Bag limit for Area 2	From the Saturday on or closest to 25 October to the Sunday on or closest to 9 November		

Wildlife sanctuary	Species	Type of implement	Bag limit	Hunting period			
	Wildfowl	See Migratory	e Migratory Birds Regulations				
	Northern hare	7	None	From the Monday on or closest to 20 October to 1 March			
	Black bear	2	1 per person	From the Saturday on or closest to 4 June to the Sunday on or closest to 19 June			
Rouge-Matawin	Ruffed grouse	3	See s. 5	From 1 October to 1 November			
	Spruce grouse	3	See s. 5	From 1 October to 1 November			
	Northern hare	3	None	From 1 October to 1 November			
	Wildfowl	See Migratory Birds Regulations					
	Northern hare	7	None	From 1 October to 1 March			
Saint-Maurice	Ruffed grouse	3	See s. 5	From the Friday on or closest to 30 September to the Sunday on or closest to 23 October			
	Spruce grouse	3	See s. 5	From the Friday on or closest to 30 September to the Sunday on or clos to 23 October			
	Northern hare	3	None	From the Friday on or closest to 30 September to the Sunday on or closest to 23 October			
	Wildfowl	See Migratory Birds Regulations					
	Northern hare	7	None	From the Friday on or closest to 30 September to 1 March			
	Black bear	2	1 per person	From 1 June to 30 June			
Sept-Îles – Port-Cartier	Ruffed grouse	3	See s. 5	From the Saturday on or closest to 8 October to the Sunday on or closest to 30 October			
	Spruce grouse	3	See s. 5	From the Saturday on or closest to 8 October to the Sunday on or closest to 30 October			
	Northern hare	3	None	From the Saturday on or closest to 8 October to the Sunday on or closest to 30 October			
	Wildfowl	See Migratory Birds Regulations					
	Northern hare	7	None	From the Saturday on or closest to 8 October to 1 March			
	Black bear	2	1 per person	From the Saturday on or closest to 20 May to 15 June			

Gouvernement du Québec

## **O.C. 956-97,** 30 July 1997

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

# Prohibition of hunting and trapping in certain territories

### - Amendments

Regulation to amend the Regulation respecting the prohibition of hunting and trapping in certain territories

WHEREAS under paragraph 19 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, fix, for a territory it delimits and in respect of animals or classes of animals according to sex and age, the period during which hunting or trapping is prohibited and the means with which the hunting, trapping or capture of an animal is permitted where necessary for scientific, educational or wildlife management purposes;

WHEREAS the Regulation respecting the prohibition of hunting and trapping in certain territories was made by Order in Council 347-87 dated 11 March 1987 under the Act and that it is expedient to amend it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation respecting the prohibition of hunting and trapping in certain territories was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS it is expedient to make the Regulation respecting the prohibition of hunting and trapping in certain territories;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting the prohibition of hunting and trapping in certain territories, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Regulation respecting the prohibition of hunting and trapping in certain territories

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, s. 162, par. 19)

- **1.** The Regulation respecting the prohibition of hunting and trapping in certain territories, made by Order in Council 347-87 dated 11 March 1987 and amended by the Regulations made by Orders in Council 290-90 dated 7 March 1990 and 1437-90 dated 3 October 1990, is further amended by substituting the following for section 1:
- "1. Hunting and fishing are prohibited all year long in the territory of the Massif de la Petite-Rivière-Saint-François described in Schedule I.".
- **2.** Schedules I and III are revoked.
- **3.** Schedule II shall become Schedule I to this Regulation.
- **4.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette* officielle du Québec.

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Gouvernement du Québec

# O.C. 957-97, 30 July 1997

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

# Trapping and fur trade

### — Amendments

Regulation to amend the Regulation respecting trapping and the fur trade

WHEREAS under section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) the Government may, by regulation, allow the hunting and trapping of any animal or any animal of a class of animals it determines.

- (1) on the basis of sex, what animal or animal of a class of animals may be hunted;
- (2) the period of the year, day or night during which the animal may be hunted or trapped;

- (3) the territory or the area in which the animal may be hunted or trapped;
  - (4) the types of arms or traps which may be used; and
- (5) on the basis of age, what animal or animal of a class of animals may be hunted;

Whereas under paragraph 6 of section 162 of the Act respecting the conservation and development of wild-life, the Government may make regulations determining the maximum number of animals that may be killed or captured by a person or group of persons, during a period and in a place it indicates;

WHEREAS the Regulation respecting trapping and the fur trade was made by Order in Council 1289-91 dated 18 September 1991 and it is expedient to amend it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting trapping and the fur trade was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting trapping and the fur trade with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting trapping and the fur trade, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Regulation respecting trapping and the fur trade

An Act respecting the conservation and development of wildlife

(R.S.Q., c. C-61.1, s. 56 and s. 162, par. 6)

**1.** The Regulation respecting trapping and the fur trade, made by Order in Council 1289-91 dated 18 September 1991 and amended by the Regulations made by Orders in Council 1240-92 dated 26 August 1992, 201-94 dated 2 February 1994, 1035-95 dated 2 August 1995 and 912-96 dated 17 July 1996, is further amended by substituting the following for section 4:

**"4.** A trapping licence is valid from 1 April to 4 July of the following year."

Notwithstanding the first paragraph, a trapping licence is not valid if it was obtained upon presentation of an inoperative hunter's or trapper's certificate, within the meaning of section 7.1 of the Regulation respecting hunting.".

- **2.** The following is substituted for section 17.1:
- **"17.1** In Area 10 and for the wildlife sanctuaries located within that area, it is permitted to capture:
- (1) 2 black bears, during the spring trapping period, for the holder of a professional trapping licence or for the holder of a general trapping licence;
- (2) 1 black bear, during the fall trapping period, for the holder of a professional trapping licence or for the holder of a general trapping licence.

For the purposes of the first paragraph, bears captured by the assistant trappers of the holder of a professional licence are counted as bears captured by the holder of a professional trapping licence.".

- **3.** Section 39 is amended
- (1) by striking out the words "white-tailed deer and" in the first paragraph; and
  - (2) by adding the following:

"Notwithstanding the foregoing, where a trapping period begins during a restricted hunting period for moose in a wildlife sanctuary, a holder of a professional trapping licence and his assistant trappers may use those buildings from the day preceding the date of the opening of that trapping period."

- **4.** Schedules III and IV attached hereto are substituted for Schedules III and IV to the Regulation.
- **5.** The Regulation is amended by adding Schedules XIII and XIV attached hereto.
- **6.** The trapping licences issued on 1 August 1996 shall remain valid until 4 July 1997.
- **7.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## **SCHEDULE III**

(ss. 17 and 19)

## TRAPPING PERIODS IN FISHING, HUNTING AND TRAPPING AREAS

Areas/species	Black bear	Muskrat	Long-tailed weasel Least weasel Coyote Grey squirrel American red squirrel Ermine Wolf Striped skunk Raccoon Arctic fox (blue or white) Red fox (silver, cross or red)	Beaver Mink River otter	American marten Fisher	Lynx
1	01-05/04-07 01-10/15-11	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	
2 except the part described in Schedule VI	01-05/04-07 01-10/15-11	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	_
4	01-05/04-07 01-10/15-11	25-10/25-11 01-03/15-04	25-10/01-03	15-11/01-03	15-11/01-03	_
5, 6, 7 except the part described in Schedule XII	01-05/04-07 01-10/30-11	25-10/25-11 01-03/15-04	25-10/01-03	15-11/01-03	25-10/01-03	_
8 except the part described in Schedule VII	01-05/04-07 01-10/30-11	25-10/25-11 01-03/15-04	08-11/01-03	15-11/01-03	08-11/01-03	
3, 9 except the part described in Schedule VIII, 11, 15	01-05/04-07 01-10/15-11	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	_
10 except the parts described in Schedules IX and XI	02-06/16-06 01-10/01-11	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	_
The part of area 10 described in Schedule XI	02-06/16-06 01-10/01-11	25-10/25-11 01-03/15-04	25-10/01-03	25-10/01-03	25-10/01-03	_
12, 14, 21	01-05/04-07 01-10/15-11	18-10/30-04	18-10/01-03 (Note 2)	18-10/15-03	18-10/01-03	<u> </u>
13, 16	01-05/04-07 01-10/15-11	18-10/30-04	18-10/01-03	18-10/15-03	18-10/01-03	15-11/15-12
18 except the part described in Schedules X and XIII	01-05/04-07 01-10/15-11	18-10/30-04	18-10/01-03	18-10/15-03	18-10/01-03	
The southern part of Area 19 except the part described in Schedule XIV	01-05/04-07 15-09/15-11	11-10/15-05	11-10/01-03	11-10/15-03	11-10/01-03	
20		01-11/30-04	01-11/01-03 (Note 1)	01-11/15-03 (Note 1)		

Note 1: In area 20, only river otter, beaver and red fox (silver, cross or red) may be trapped.

Note 2: The trapping period for red for (silver, cross or red) on all the territory that is part of the Îles-de-la-Madeleine (Area 21) is from 1 December to 31 December.

### **SCHEDULE IV**

(ss. 17 and 19)

### TRAPPING PERIODS IN WILDLIFE SANCTUARIES

Wildlife sanctuaries	Black bear	Muskrat	Long-tailed weasel Least weasel Coyote Grey squirrel American red squirrel Ermine Wolf Striped skunk Raccoon Arctic fox (blue or white) Red fox (silver, cross or red)	Beaver Mink River otter	American marten Fisher	Lynx
Aiguebelle	01-05/04-07 01-10/15-11	18-10/30-04	18-10/01-03	18-10/15-03	18-10/01-03	15-11/15-12
Chic-Chocs	18-10/15-11	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	
Dunière	18-10/15-11	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	
The part of Île d'Anticosti described in Note 3	_	01-11/30-04	01-11/01-03 (Note 1)	01-11/15-03 (Note 1)	_	_
Laurentides	18-10/15-11	18-10/30-04	18-10/01-03	18-10/15-03	18-10/15-12	
La Vérendrye	18-10/15-11	18-10/30-04	18-10/01-03	18-10/15-03	18-10/01-03	
Mastigouche	25-10/15-11	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	
Matane	18-10/15-11	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	
Papineau-Labelle	25-10/15-11	25-10/30-04	25-10/01-03	25-10/01-03	15-11/01-12	
Plaisance	_	25-10/25-11 01-03/15-04	_	25-10/25-11 (Note 2)	_	_
Port-Daniel	01-05/04-07 01-10/15-11	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	
Portneuf	25-10/15-11	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	<u> </u>
Rimouski	18-10/15-11-	01-11/30-04	18-10/01-03	01-11/01-03	01-11/31-12	
Rouge-Matawin	01-05/04-07 01-10/15-11	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	
Saint-Maurice	25-10/15-11	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	
Sept-Îles – Port-Cartier	11-10/15-11 01-05/15-06	11-10/15-05	11-10/01-03	11-10/15-03	11-10/01-03	_

Note 1: In the part of the Île d'Anticosti Wildlife Sanctuary, only river otter, red fox (silver, cross or red) and beaver may be trapped.

Note 2: In the Plaisance Wildlife Sanctuary, only mink and beaver may be trapped.

Note 3: First perimeter described in Schedule I to the Regulation respecting the Île d'Anticosti Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 61).

### SCHEDULE XIII

PROVINCE DE QUÉBEC MINISTÈRE DU LOISIR, DE LA CHASSE ET DE LA PÊCHE

SAGUENAY REGISTRATION DIVISION

TECHNICAL DESCRIPTION

# CENTRE D'ÉTUDES ET DE RECHERCHES MANICOUAGAN

A territory situated in the Municipalité régionale de comté de Manicouagan, in the Canton de Morency, having an area of 21.22 km² and whose perimeter is delimited by the coordinates of the following points:

### **Point Coordinates**

- A 5 477 960 m N and 539 600 m E, the starting point, being the point of intersection of the 111.25-metre mark on the west bank of the Réservoir Manic Deux, with coordinate 5 477 960 m N;
- B 5 477 960 m N and 538 680 m E, that point being the point of intersection of the straight AB line going west, with the normal high water mark (N.H.W.M.) of the south shore of Lac Caouette;
- C 5 477 975 m N and 538 055 m E, that point being the point of intersection of the N.H.W.M. of the south shore of Lac Caouette with the N.H.W.M. of the east bank of an unnamed tributary of that lake. The BC line being the N.H.W.M. along the south shore of Lac Caouette in a westerly direction;
- D 5 475 880 m N and 538 300 m E, that point being the point of intersection of the straight CD line going south, with the N.H.W.M. of the east point of Lac du Lynx;
- E 5 475 000 m N and 538 725 m E, that point being the point of intersection of the straight DE line going southeast, with the N.H.W.M. of the east point of Lac du Garot;
- F 5 470 800 m N and 539 700 m E, that point being the point of intersection of the straight EF line going south, with the N.H.W.M. of the northeast point of Lac de la Gauche;

### **Point Coordinates**

- G 5 470 675 m N and 541 000 m E, the straight FG line going east. The Shackleton lakes lying within the perimeter here described;
- H 5 470 750 m N and 543 000 m E, that point being the point of intersection of the 111.25-metre mark on the west bank of the Réservoir Manic Deux, with the coordinate 5 470 750 m N. The straight GH line going east.

Lac Ombilic is excluded from that territory.

The HA Line is a line following the 111.25-metre mark northwesterly along the west bank of the Réservoir Manic Deux, from Point H to the starting point.

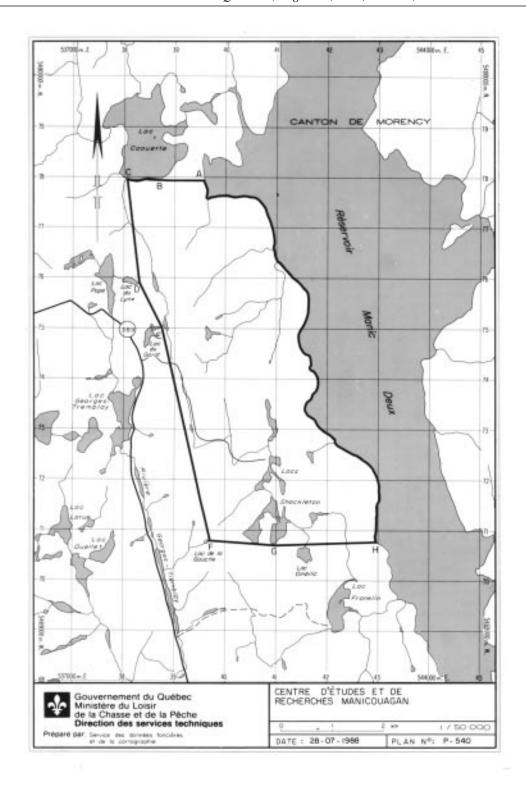
The above coordinates are expressed in metres and were graphically traced from the U.T.M. squaring used on the maps to a scale of 1:50 000 published by Energy, Mines and Resources Canada.

The whole as shown on the plan attached hereto and numbered P-540.

The original of this document is kept at the Service des données foncières et de la cartographie of the Ministère du Loisir, de la Chasse et de la Pêche.

Prepared by JACQUES PELCHAT, Land Surveyor

Québec City, 28 July 1988 Minute 540



### SCHEDULE XIV

PROVINCE DE QUÉBEC

SEPT-ÎLES REGISTRATION DIVISION

TECHNICAL DESCRIPTION

### TERRITORY OF MATAMEC SOUTH

A territory composed of two parts and situated in the territory of the Municipalité régionale de comté de Sept-Rivières, in the Côte-Nord administrative region.

The coordinates given in parentheses in this technical description are expressed in metres (international system) and were graphically traced from the squaring used on the map to a scale of 1:50 000 drawn up by Energy, Mines and Resources Canada, Sheets 22I/05 and 22J/08, in reference to Zone 20 of the transverse Mercator projection system (U.T.M., central meridian 63°00'00" West, N.A.D. 1927).

The terms "shore" and "bank" mean the natural high water mark on lakes and watercourses. The right bank and left bank correspond to the right border and left border of a watercourse, looking downstream.

Given the above, the territory may be explicitly described as follows:

### Part "A"

The part of the territory identified by the letter "A" is an irregular shape situated, in reference to the original survey, in an undivided part of the Canton de Blanche, the Canton de Moisie and the Bassin-de-la-Rivière-au-Bouleau (bed of Rivière Matamec).

The perimeter of that part of the territory may be described as follows:

Starting from Point "A" situated at the intersection of the left bank of Rivière Matamec and the extension of the northwest line of Block E of the Canton de Moisie;

Thence, southwesterly, following that extension then the northwest line of that Block E to its intersection with the northeast line of Block F of the Canton de Moisie, that is, Point "B";

Thence, northwesterly, following the northeast line of that Block F and its extension to the southeast limit of the right of way of Highway 138, that is, Point "C"; Thence, northeasterly, following the southeast limit of the right of way of Highway 138 to its intersection with the right bank of Rivière Matamec, that is, Point "D":

Thence, in a general northeasterly direction, following the right bank of Rivière Matamec to its intersection with the right bank of Rivière aux Rats Musqués, that is, Point "E";

Thence, in a general westerly direction, following the right bank of Rivière aux Rats Musqués to Ruisseau Thom, that is, Point "F";

Thence, in a general northwesterly direction, crossing Rivière aux Rats Musqués then following the right bank of Ruisseau Thom to its intersection with the southern limit of the right of way of the power transmission line 57.76 metres wide, that is, Point "G";

Thence, westerly, following the southern limit of the right of way of that power transmission line for a distance of 1 000 metres, that is, Point "H";

Thence, following a straight line whose astronomic azimuth is 180°00'00" in relation to the meridian passing through Point "H" to the right bank of Rivière aux Rats Musqués, that is, Point "I";

Thence, in a general northwesterly direction, following the right bank of Rivière aux Rats Musqués to its intersection with the right bank of Rivière Bill, that is, Point "J";

Thence, in a general westerly direction, following the right bank of that Rivière Bill to the limit of the area described in subparagraph B of paragraph II of Schedule I of the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), that is, Point "K";

Thence, northeasterly, southerly, northeasterly then easterly, following the limit of that area to the right bank of Rivière aux Loups Marins, that is, Point "L";

Thence, in a general southerly direction, following the right bank of Rivière aux Loups Marins to its intersection with a straight line whose astronomic azimuth is 90°00'00" issuing from Point "N", that is, Point "M" (5 587 450 North, 304 575 East);

From Point "M", westerly, following that straight line for a distance of approximately 1 275 metres to the northern extremity of a lake, that is, Point "N" (5 587 500 North, 303 300 East);

Thence, in a general southwesterly direction, successively following the shore of that lake, skirting it to the southeast, and the left bank of its effluent, then the shores of several lakes, skirting them to the east and the southeast and passing along the left bank of the watercourses linking them, to the south shore of Lac à la Croix, that is, Point "O" (5 579 600 North, 298 900 East);

Thence, in a general southwesterly direction, successively following the south shore of Lac à la Croix, the right bank of a watercourse situated at the southern extremity of that lake, then the bank of another lake, skirting it to the south, to its western extremity, that is, Point "P" (5 579 225 North, 297 825 East);

Thence, following a straight line whose astronomic azimuth is 225°00'00" in relation to the meridian passing through Point "P" for a distance of approximately 225 metres to the shore of a lake, that is, Point "Q" (5 579 075 North, 297 650 East);

Thence, following the shore of that lake, skirting it to the south, to its western extremity, that is, Point "R" (5 579 050 North, 297 350 East);

Thence, following a straight line whose astronomic azimuth is 315°00'00" in relation to the meridian passing through Point "R" for a distance of approximately 325 metres, to the south shore of a lake, that is, Point "S" (5 579 300 North, 297 125 East);

Thence, in a general westerly direction, successively following the south shore of that lake, the left bank of its effluent, then the shore of another lake, skirting it to the south, to the extremity of its southern point, that is, Point "T" (5 579 125 North, 295 100 East);

Thence, following a straight line whose astronomic azimuth is 245°00'00" in relation to the meridian passing through Point "T" for a distance of approximately 1 175 metres, to the shore of a small lake, that is, Point "U" (5 578 675 North, 294 025 East);

Thence, following the shore of that small lake, skirting it to the south, to the left bank of its effluent, that is, Point "V" (5 578 700 North, 293 975 East);

Thence, following a straight line whose astronomic azimuth is 260°00'00" in relation to the meridian passing through Point "V" for a distance of approximately 1725 metres, to the east shore of a lake, that is, Point "W" (5 578 450 North, 292 275 East);

Thence, following the shore of that lake, skirting it to the north, to the right bank of its effluent, that is, Point "X" (5 578 250 North, 292 200 East);

Thence, following a straight line whose astronomic azimuth is 315°00'00" in relation to the meridian passing through Point "X" for a distance of 1 000 metres, that is, Point "Y" (5 578 975 North, 291 500 East);

Thence, following a straight line whose astronomic azimuth is 225°00'00" in relation to the meridian passing through Point "X" for a distance of 1 000 metres, that is, Point "Z" (5 578 275 North, 290 775 East);

Thence, following a straight line whose astronomic azimuth is 135°00'00" in relation to the meridian passing through Point "X" for a distance of approximately 1 150 metres, to the right bank of a watercourse, that is, Point "AA" (5 577 450 North, 291 575 East);

Thence, in general southerly direction, following the right bank of that watercourse to its intersection with the western limit of the right of way of a forest road deemed to be 35 metres wide, that is, Point "BB" (5 577 025 North, 291 550 East);

Thence, in a general southerly direction, following the western limit of the right of way of that road to its intersection with the northern limit of the right of way of the power transmission line 57.76 metres wide, that is, Point "CC" (5 575 725 North, 291 125 East);

Thence, westerly, following the northern limit of the right of way of that power transmission line to its intersection with the left bank of Rivière Matamec, that is, Point "DD";

Thence, in a general southwesterly direction, following the left bank of Rivière Matamec to its intersection with the extension of the northwest line of Block E of the Canton de Moisie, that is, the starting point, "A".

In reference to subparagraph B of paragraph II of Schedule I of the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), the limit of the area referred to above between points "K" and "L" is described as follows:

"...thence...southeasterly, then northeasterly, a broken line whose apex coordinates are:...5 578 600 m N and 710 000 m E (Zone 19), 5 588 200 m N and 713 200 m E (Zone 19); thence, southerly, then northeasterly, a broken line whose apex coordinates are: 5 581 800 m N and 713 400 m E (Zone 19), 5 588 500 m N and 288 800 m E (Zone 20), 5 588 200 m N and 296 500 m E (Zone 20), 5 588 200 m N and 304 600 m E (Zone 20), the latter point being situated on Rivière aux Loups Marins...

The coordinates of the limit of the area mentioned above are expressed in metres and were graphically traced from the squaring used on the map to a scale of 1:50 000 drawn up by Energy, Mines and Resources Canada, in reference to Zone 19 and Zone 20 of the transverse Mercator projection system, in accordance with what is added in parentheses to the text of the Regulation above (U.T.M., central meridian 69°00'00" West for Sheet 22J/08 and central meridian 63°00'00" West for Sheet 22I/05, N.A.D. 1927)."

Part "A" of that territory has an area of approximately 17 300 hectares (173 km²).

### Part "B"

The part of the territory identified by the letter "B" is an irregular shape situated, in reference to the original survey, in an undivided part of the Canton de Moisie.

The perimeter of that part of the territory may be described as follows:

Starting from Point "EE" situated at the intersection of the right bank of Rivière Bill and the shore of Lac Bill:

Thence, in a general westerly direction, successively following the shore of Lac Bill, skirting it to the south, the right bank of the watercourse situated at the western extremity of that lake, the shore of another lake, skirting it to the west, the right bank of a watercourse, the shore of another lake, skirting it to the east, the right bank of a watercourse then the shore of another lake, skirting it to the east, to its southern extremity, that is, Point "FF" (5 582 200 North, 276 100 East);

Thence, following a straight line whose astronomic azimuth is 270°00'00" in relation to the meridian passing through Point "FF", to the southeastern limit of the right of way of the power transmission line 225.55 metres wide, that is, Point "GG" (5 582 225 North, 275 325 East);

Thence, northeasterly then northerly, successively following the southeastern and eastern limits of the right of way of that power transmission line for a total distance of 5 050 metres, that is, Point "HH" (5 586 850 North, 277 150 East);

Thence, following a straight line whose astronomic azimuth is 90°00'00" in relation to the meridian passing through Point "HH", to the western shore of Lac Trellis, that is, Point "II" (5 586 800 North, 278 250 East);

Thence, in a general southerly direction, following the shore of Lac Trellis to the limit of the area described in subparagraph B of paragraph II of Schedule I to the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), that is, Point "JJ";

Thence, southerly then southeasterly, following the limit of that area to the right bank of Rivière Bill, that is, Point "KK";

Thence, in a general northwesterly direction, following the right bank of Rivière Bill, skirting the two lakes encountered to the south, to the starting point, "EE".

In reference to subparagraph B of paragraph II of Schedule I of the Règlement désignant et délimitant des parties des terres du domaine public aux fins de développer l'utilisation des ressources fauniques (Décret 1281-93 dated 8 September 1993), the limit of the area referred to above between points "JJ" and "KK" is described as follows:

"...thence...northeasterly, a broken line whose apex coordinates are:...5 597 200 m N and 706 000 m E; thence, southerly, then southeasterly, then...a broken line whose apex coordinates are: 5 582 600 m N and 704 300 m E, 5 578 600 m N and 710 000 m E...

The coordinates of the limit of the area mentioned above are expressed in metres and were graphically traced from the squaring used on the map to a scale of 1:50 000 drawn up by Energy, Mines and Resources Canada, in reference to Zone 19 of the transverse Mercator projection system (U.T.M., central meridian 69°00'00" West, Sheet 22J/08, N.A.D. 1927)."

Part "B" of that territory has an area of approximately 1 300 hectares (13 km<sup>2</sup>).

The territory described above, composed of parts "A" and "B", has a total area of approximately 18 600 hectares (186 km²). That territory is shown on the map of the Matamec Wildlife Sanctuary (Order in Council 1312-94 dated 31 August 1994) to a scale of 1:50 000, drawn up by Denis Fiset, Land Surveyor, on 23 June 1994 as Number 430 of his minutes and kept in the land survey records of the Service de l'arpentage of the Ministère des Ressources naturelles under file number CANTON \* 4783.

NOTE: The territory of Matamec South described above includes the Matamec Wildlife Sanctuary (Order in Council 1312-94 dated 31 August 1994), as well as the section of Highway 138 and the section of the power

transmission line and Block 1 of the Bassin-de-la-Rivièreau-Bouleau (Block 2 of the official cadaster of the Canton de Moisie) crossing that wildlife sanctuary.

Prepared at Québec City, on 23 October 1996, as Number 445 of my minutes.

By DENIS FISET, Land Surveyor

Ministère de l'Environnement et de la Faune du Québec Direction des ressources matérielles et des immobilisations Division des données foncières et de la cartographie

File number at the Direction de la conservation et du

patrimoine écologique: 5141-03-09 [9.6]

1624

Gouvernement du Québec

## O.C. 958-97, 30 July 1997

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

# Wearing of a fluorescent orange-coloured garment when hunting

### — Amendments

Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting

WHEREAS under paragraph 18 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, determine for an area or territory the safety conditions required for the practice of hunting, fishing or trapping activities;

WHEREAS the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting (R.R.Q., c. C-61, r.26) was made under the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) which has been substituted for the Wild-life Conservation Act (R.S.Q., c. C-61);

WHEREAS it is expedient to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, s. 162, par. 18)

- **1.** The Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting (R.R.Q., 1981, c. C-61, r. 26), amended by the Regulations made by Orders in Council 1290-84 dated 6 June 1984, 493-92 dated 1 April 1992 and 202-94 dated 2 February 1994, is further amended, in section 3, by adding the following paragraphs:
- "(c) for hunting with a bow in a hunting sector reserved for the exclusive use of a bow in a wildlife sanctuary;
- (d) for hunting in a hunting sector in a territory on which exclusive hunting rights have been given by lease and on the condition that all hunters use a bow for hunting therein.".
- **2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

## **O.C. 959-97,** 30 July 1997

An Act recpecting the conservation an development of wildlife (R.S.Q., c. C-61.1)

# Fishing Licences

### — Amendment

Regulation to amend the Fishing Licences Regulation

WHEREAS under paragraph 9 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, determine namely the conditions that must be fulfilled by the applicant or holder of a licence, and the obligations with which the holder of a licence must comply;

WHEREAS the Fishing Licences Regulation was made by Order in Council 845-84 dated 4 April 1984 under the Act and that it is expedient to amend it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Fishing Licences Regulation was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS it is expedient to make the Regulation to amend the Fishing Licences Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Fishing Licences Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Fishing Licences Regulation

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, s. 162, par. 9)

**1.** The Fishing Licences Regulation, made by Order in Council 845-84 dated 4 April 1984 and amended by the Regulations made by Orders in Council 1255-84 dated 30 May 1984, 1319-85 dated 26 June 1985, 484-86 dated 16 April 1986, 630-88 dated 27 April 1988, 704-89

dated 10 May 1989, 462-90 dated 4 April 1990, 46-91 dated 16 January 1991, 280-92 dated 26 February 1992, 310-93 dated 10 March 1993, 197-94 dated 2 February 1994 and 307-97 dated 12 March 1997, is further amended, in section 1.1, by adding the following after the word "parallel":

"or in the southern part of Area 19, described in Schedule XIX to the Fishing, Hunting and Trapping Areas Regulation, made by Order in Council 27-90 dated 10 January 1990, east of rivière Saint-Augustin.".

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

1626

Gouvernement du Québec

**O.C. 962-97,** 30 July 1997

Professional Code (R.S.Q., c. C-26)

### **Dental hygienists**

### — Terms and conditions for permits to be issued

Regulation respecting certain terms and conditions for permits to be issued by the Ordre des hygiénistes dentaires du Ouébec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre des hygiénistes dentaires du Québec may, by regulation, determine the terms and conditions for issuing permits, in particular the obligation to pass the professional examinations it determines;

WHEREAS under section 94 of the Code, that Bureau had made the Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des hygiénistes dentaires du Québec;

WHEREAS it is expedient to replace that Regulation;

WHEREAS under that section of the Code, the Bureau made the Regulation respecting certain terms and conditions for permits to be issued by the Ordre des hygiénistes dentaires du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of that Regulation was published in Part 2 of the *Gazette officielle du Québec* of 2 August 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec has made its recommendations:

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting certain terms and conditions for permits to be issued by the Ordre des hygiénistes dentaires du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

## Regulation respecting certain terms and conditions for permits to be issued by the Ordre des hygiénistes dentaires du Québec

Professional Code (R.S.Q., c. C-26, s. 94, par. *i*)

- **1.** In order to obtain a permit, a person shall submit the following documents to the secretary of the Ordre des hygiénistes dentaires du Québec or to the person designated for that purpose:
  - (1) an application for the obtention of a permit;
- (2) an authenticated copy of his diploma, recognized as valid by regulation of the Government made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), as well as an official transcript in respect of the studies which led to the issue of the diploma or proof that the Bureau has recognized the equivalence of his diploma or training in accordance with the regulation made by the Bureau pursuant to paragraph c of section 93 of the Code;
- (3) where applicable, proof that he was legally admitted into Canada to reside there permanently;
- (4) where applicable, a declaration referred to in sections 45 and 45.1 of the Code, to the effect that a judicial or disciplinary decision concerning the person was or has been made in Québec or outside Québec; and
- (5) proof that his knowledge of the official language is appropriate to practise as a dental hygienist, in accordance with the provisions of the Charter of the French language (R.S.Q., c. C-11).

- 2. This Regulation replaces the Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des hygiénistes dentaires du Québec (R.R.Q., 1981, c. C-26, r. 101).
- **3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1631

Gouvernement du Québec

### **O.C. 963-97,** 30 July 1997

An Act respecting the Société Innovatech du Grand Montréal (R.S.Q., c. S-17.2)

# Eligibility criteria for initiatives and financial participation of the Société

— Amendments

By-law to amend the By-law respecting eligibility criteria for initiatives and the financial participation of the Société Innovatech du Grand Montréal

WHEREAS under section 25 of the Act respecting the Société Innovatech du Grand Montréal (R.S.Q., c. S-17.2), the Société shall determine, by by-law, the eligibility criteria for initiatives which are presented to it, and the form, modalities and, where applicable, the limits of its financial participation;

WHEREAS the Société made, at a meeting of its board of directors held on 24 October 1996, the By-law to amend the By-law respecting eligibility criteria for initiatives and the financial participation of the Société Innovatech du Grand Montréal:

WHEREAS under section 25 of the Act, the By-law shall be submitted to the Government for approval;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18), a draft of the Bylaw to amend the By-law respecting eligibility criteria for initiatives and the financial participation of the Société Innovatech du Grand Montréal was published in the *Gazette officielle du Québec*, Part 2, on 2 April 1997 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication:

WHEREAS it is expedient to approve the By-law without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Greater Montréal:

THAT the By-law to amend the By-law respecting eligibility criteria for initiatives and the financial participation of the Société Innovatech du Grand Montréal, attached hereto, be approved.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

### By-law to amend the By-law respecting eligibility criteria for initiatives and the financial participation of the Société Innovatech du Grand Montréal

An Act respecting the Société Innovatech du Grand Montréal (R.S.Q., c. S-17.2, s. 25; 1996, c. 13)

**1.** The By-law respecting eligibility criteria for initiatives and the financial participation of the Société Innovatech du Grand Montréal, approved by Order in Council 1811-92 dated 9 December 1992, is amended by adding the following paragraph at the end of section 2:

"Any group of persons, associations or partnerships may also present an initiative to the Société.".

- **2.** The following is substituted for section 3:
- "3. An initiative shall fit in with the mission of the Société.".
- **3.** Sections 4 and 8 are revoked.
- **4.** The following is substituted for section 10:
- **"10.** When evaluating its financial participation in the realization of an initiative, the Société shall consider all the other planned funding sources.".
- **5.** The following is substituted for the first paragraph of section 11:
- **"11.** Financial participation by the Société shall take the form of risk capital, i.e., speculative investments offering high probabilities of growth.

Notwithstanding the foregoing, financial participation by the Société in the financing of any non-profit association or agency for the purpose of contributing to the realization of initiatives may take the form of

- (1) a non-reimbursable contribution;
- (2) an interest-free loan or a loan bearing interest;
- (3) a taking over of all or a portion of the interest charges on a loan; or
  - (4) a loan repayment guarantee.".
- **6.** This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

### **O.C. 973-97,** 30 July 1997

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32)

# Basic prescription drug insurance plan — Amendments

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS under section 6 of the of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32), the classes of persons determined by government regulation who are otherwise entitled to coverage under another Act of Québec, an Act of the Parliament of Canada or the laws of another province of Canada or another country or under a program administered by a government or by a government department or agency that is determined by government regulation to be at least equivalent to the coverage of the basic plan, are not covered by the basic plan;

WHEREAS under subparagraph 1 of the first paragraph of section 78 of that Act, in addition to the regulatory powers otherwise conferred on it by the Act, the Government may, after consulting the Board, make regulations to determine, for the purposes of section 6, the classes of persons who are otherwise entitled to coverage equivalent to basic plan coverage;

WHEREAS under the first paragraph of section 116 of that Act, the Government may, by regulation, before 1 August 1997, make any other transitional provision to remedy any omission and ensure the implementation of the basic prescription drug insurance plan as soon as possible after the plan is established by that Act;

WHEREAS under the second paragraph of section 116 of that Act, a regulation made under that section is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1); that regulation shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed in the regulation, notwithstanding section 17 of that Act and it may, once published and where it so provides, apply from any date not prior to 1 August 1996;

WHEREAS by Order in Council 1519-96 dated 4 December 1996, the Government made the Regulation respecting the basic prescription drug insurance plan;

WHEREAS it is expedient to amend that Regulation;

WHEREAS in accordance with section 78 of the Act respecting prescription drug insurance and amending various legislative provisions, the Régie de l'assurance-maladie du Québec has been consulted about those amendments:

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

MICHEL CARPENTIER, Clerk of the Conseil exécutif

# Regulation to amend the Regulation respecting the basic prescription drug insurance plan

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32, ss. 6, 78, 1<sup>st</sup> par., subpar. 1, and 116)

- **1.** The Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996 and amended by the Regulations made by Orders in Council 1532-96 dated 6 December 1996, 364-97 dated 19 March 1997, 431-97 dated 26 March 1997, 582-97 dated 30 April 1997 and 776-97 dated 11 June 1997, is further amended in section 1
- (1) by substituting the words "by a government or by a government department or body" for the words "by the government or by a government department or agency" in the part preceding paragraph 1; and
  - (2) by adding the following after paragraph 2:

- "(3) Indians registered with the Department of Indian Affairs and Northern Development of the Government of Canada in accordance with the Indian Act (R.S.C., 1985, c. T-5) and Inuit recognized by that department."
- **2.** Sections 12 and 13 are revoked.
- **3.** This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*; notwithstanding the foregoing, section 1 applies from 1 April 1997 and section 2 applies from 1 July 1997.

1630

#### **M.O.,** 1997

# Order of the Minister of Municipal Affairs dated 4 August 1997

An Act respecting municipal taxation (R.S.Q., c. F-2.1)

# Form or minimum content of various documents — Amendments

Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation

The Minister of Municipal Affairs,

CONSIDERING paragraph 2 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), which enables the Minister to prescribe, by regulation, the form or minimum content of certain documents, including notices of assessment, municipal tax accounts, notices of alterations to the roll and forms for applications for review and complaints;

CONSIDERING that the Minister of Municipal Affairs made the Regulation respecting the form or minimum content of various documents relative to municipal taxation;

CONSIDERING that it is expedient to amend that Regulation;

Considering that the Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions (1996, c. 67), assented to on 23 December 1996, makes amendments that apply to the assessment rolls and rolls of rental values that may be deposited by municipalities as of 15 August 1997;

CONSIDERING that, from the time a roll is deposited, application for review forms must be available on the premises of the municipal bodies responsible for assessment;

CONSIDERING that the urgency of the situation requires that the Draft Regulation, by which, *inter alia*, the application for review forms are prescribed, be made without prior publication and that it come into force on the day of its publication in the *Gazette officielle du Ouébec*;

#### ORDERS THAT:

The Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation, attached hereto, be made.

Québec City, on 4 August 1997

RÉMY TRUDEL, Minister of Municipal Affairs

# Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation

An Act respecting municipal taxation (R.S.Q., c. F-2.1, s. 263, par. 2; 1996, c. 67, s. 59; 1997, c. 43, s. 293)

- **1.** The Regulation respecting the form or minimum content of various documents relative to municipal taxation, made by a Minister's Order dated 30 June 1992 and amended by the Regulations made by Minister's Orders dated 3 September 1993, 7 July 1994, 18 August 1995 and 6 June 1996, is further amended in section 1 by substituting the words "APPLICATION FOR REVIEW" for the word "COMPLAINT" in the heading.
- **2.** The following is substituted for section 1:
- "1. The forms that must be used to file an application for review in respect of the real estate assessment roll or the roll of rental values are those provided for in Schedule I or Schedule II, as the case may be.".
- **3.** The following is substituted for the heading of Division 2:

"NOTICE OF ASSESSMENT AND MUNICIPAL TAX ACCOUNT".

**4.** The following is added after paragraph 11 of section 2:

- "(12) the full municipal address of the place where an application for review form may be handed in, in respect of an entry or omission on the roll, and the full mailing address, if different, where such form may be sent:
- (13) the deadline for handing in or sending such form and, where applicable, the amount of money to be included with the form along with a reference to the bylaw of the municipal body responsible for assessment under which the amount is determined.".
- **5.** The words ", frontage, depth" are struck out in paragraph 1 of section 5.
- **6.** The following is inserted after section 12:
- "§3. General
- **12.1** Where the notice of assessment and the tax account are contained in a single document, they shall:
  - (1) occupy their own specific space;
  - (2) be readily distinguishable from one another;
- (3) be designated by the titles "NOTICE OF AS-SESSMENT" and "MUNICIPAL TAX ACCOUNT", respectively.

# **DIVISION 2.1**NOTICE OF ALTERATION

- **12.2** In addition to what is prescribed by section 180 of the Act, the notice of alteration provided for in that section shall specify the following particulars:
  - (1) the roll altered;
  - (2) the entries on the roll that are altered;
- (3) the legislative provision under which the alteration was made;
  - (4) the date on which the alteration takes effect.".
- **7.** Schedules I to IV to this Regulation are substituted for Schedules I to IV.
- **8.** The forms that must be used to file a complaint in respect of a real estate assessment roll and a roll of rental values, except for a roll coming into force on 1 January 1998, are those that were provided for in Schedule I or Schedule II, as the case may be, as they existed before the coming into force of this Regulation.

- **9.** The forms that must be used, until 1 December 1997, to file a complaint following an application for review made in respect of a real estate assessment roll and a roll of rental values coming into force on 1 January 1998 are the application for review forms provided for in Schedule I or Schedule II, as the case may be.
- **10.** This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

## SCHEDULE I

	ement du Québec GEOGRAPHIC CODE APPLICATION NUIVEER municipales
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#### APPLICATION FOR REVIEW OF THE ASSESSMENT ROLL: EXPLANATORY NOTES

The Municipal Taxation Act (sections 124 to 138.4) makes provision for an administrative review of the entries contained on the assessment roll. Any true application for review will receive a written reply from the assessor. The applicant and the assessor may enter into an agreement with respect to the alterations to be made to the assessment roll. Falling an agreement, the Act shall grant an appeal, before the Administrative Tribunal of Guébec, to any person who has first filed an application for review.

#### DEFINITIONS

. Unit of assessment : immovable or group of immovables entered on the roll under a sincle file number.

+ Assessment roll : public document containing certain entries prescribed by regulation, for each of the units of escessment situated on the

territory of a municipality

the date on which market conditions are considered in order to establish the actual value of all the immovables antered

on the assessment roll of a municipality.

#### RIGHT TO APPLY FOR A REVIEW

- A person who has an interest in contesting the accuracy, existence or absence of an entry on the roll reliable to a property of which he or another person is the owner may file an application for review with the municipal body responsible for the assessment in question
- A person bound to pay tax or compensation to the municipality or school board which uses the assessment roll is deemed to have the interest required. to file an application for review

#### ORIGIN OF THE APPLICATION FOR REVIEW (and time limits applicable)

The Act makes provision for 4 situations which give the right to apply for a review and sets time limits for each situation :

Situation which may lead to the filling of an application for review

1. Deposit of the assessment roll, followed by the sending of a notice of ment to the owner

Time Init set for Mag the application

- . Whichever date is later :
- prior to 1 May following the coming into force of the eccessment roll;

  60 days following the sending of the notice of accessment

  (120 days if the notice relates to a unit whose value is equal to or greater than
- 2. Alteration to the roll made by certificate, followed by the sending of a notice
- Whichever date is later:
   paid to 1 May following the doming into force of the assessment roll;
   93 days following the sending of the notice of aftersion.
- 3. Notice of correction or official addressed by the assessor to the owner, to inform him of a plunned correct
- Whichever date is later:
   prior to 1 May following the coming into force of the assessment roll:
   90 days following the sending of the notice of correctiones officio.
- Pallum by the assessor to make an alteration to the roll, despite an event according that should have lead to such an alteration.
- In the course of the financial year in which the event justifying an attention occurs or prior to the end of the following financial year.
- GROUNDS INVOKED
- The Act stipulates that the application for review must state briefly the grounds invoked. These are the arguments that the applicant wishes the assessor to consider at the time of review.
- For example, the defects of an immovable (breakage, construction defects, etc.), ruisances (noise, pollution, flooding, etc.), as well as its financial situation (loss of rent, high expenses, sale of comparable properties), are valid grounds to invoke in support of the
- The amount of taxes to be paid does not constitute grounds justifying an alteration to the assessment roll.
- · If the space provided on the form is insufficient, additional documents may be attached to explain the grounds invoked.

For an application to be admissible to the municipal body responsible for the assessment, it must satisfy, in addition to the time limits given above, the following conditions

- . Be made on the form prescribed for this purpose. This document is the prescribed form. Additional explanatory documents may be attached to the completed form if necessary.
- · Be accompanied by the sum of money determined and applicable to the unit of assessment in question, if prescribed by a regulation of the municipal body responsible for assessment.
- . Be filled at the location determined by the municipal body responsible for assessment for the purposes of the administrative review of the assessment, or be sent by registered mail.

#### FILING OF THE APPLICATION BY REGISTERED MAIL

The Act permits the filing of an application for review by registered mail. The same time limits and conditions apply as for filing an application in person. The following directions are, however, important :

- Copies 1 and 2 of the form must be mailed. The first copy will be forwarded to the assessor; the second will be returned to the applicant after certification by the official responsible for receipt of applications for review. The applicant keeps copy 3.
- The day of sending of the application is deemed to be the date of filing. It is therefore important that the applicant retain proof of dispatch in case of dispute.

Any person who has filed an application for review and who has not entered into an agreement with the assessor may lodge an appeal with the Real Estate Section of the Administrative Tribunal of Québox, based on the same subject as the application for review. To be valid, such an appeal must be

- filing a petition at the Secretaries of the Tributel or at any registry office of the Court of Québoc (a copy of the application for review which was previously filed may be requested):
- willfrin 3D days of the date of sending of the assessor's reply or, if the assessor has not sent a reply, within 3D days of the final date set by the Act.

## **SCHEDULE II**

Gouvernement du Guébec Ministère des Affaires municipales	GEOGRAPHIC CODE APPLICATION NUMBER
APPLICATION FOR REVIEW O	F THE ROLL OF RENTAL VALUES
MUNIC PALITY:	ROLL IN 3 percent for binness of OUESTION :
(City, village, parish, etc., to whese roll of rantal values the	
IMPORTANT: Unless otherwise indicated, fill in all the white boxes necessary, see the additional instructions on the rev	is in Sections 1 to 4 logibity, following the directions given in brackets. If Notice.
DENTIFICATION OF THE PLACE OF BUSINESS	Probacole
ADDRESS:     Our ben't, name of the street, evener, road, etc., where the perchase the common of the street, evener, road, etc., where the perchase the common of the street, evener, etc., and the street, evener for the street, evener, etc.,	
DENTIFICATION OF THE APPLICANT  SURNAME AND STREET	
SAME ADDRESS AS THE Yes No F	Provisionile
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B. ORIGIN, SUBJECT OF AND GROUNDS FOR THE	REVIEW REQUESTED
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#### APPLICATION FOR REVIEW OF THE ROLL OF RENTAL VALUES: EXPLANATORY NOTES

The Municipal Taxation Act (sections 124 to 138.4) makes provision for an administrative review of the entries contained on the roll of rental values. Any true application for review will receive a written reply from the assessor. The applicant and the assessor may enter into an agreement with respect to the alterations to be made to the roll. Failing an agreement, the Act shall grant an appeal, before the Administrative Tribunal of Québec, to any person who has first filed an application for review.

 Place of business: immovable or part of an immovable where a person carries out a business or administrative activity, for profit-making or non-profit-making purposes, and which is entered on the roll of rental values under a single file number

+ Roll of rental values: public document containing certain entries prescribed by regulation, for each of the places of business situated on the tentlory

· Market date : the date on which market conditions are considered in order to establish the rental value of all the places of business entered on the roll of rental values of a municipality.

#### RIGHT TO APPLY FOR A REVIEW

- A person who has an interest in contesting the accuracy, existence or absence of an entry on the roll of rental values relative to a place of business where he or another person carries out an activity may file an application for review with the municipal body responsible for assessment in question.
- A person bound to pay tax or compensation to the municipality or school board which uses the roll of rental values is deemed to have the interest required to file an application for review.

#### ORIGIN OF THE APPLICATION FOR REVIEW (and time limits applicable)

The Act makes provision for 4 situations which give the right to apply for a review and sets time limits for each situation :

#### Situation which may lead to the filing of an application for review

1. Déposit of the roll of rental values, followed by the sending of a notice of sessment to the person carrying out an activity

of a municipality.

#### Time limit set for filing the application

- Whichever date is later:
   prior to 1 May following the coming into force of the roll of rental values;
- 60 days following the sanding of the notice of assessment (126 days if the notice relates to a place of business whose value is equal to or greater than \$100,000).
- 2. Attention to the roll made by certificate, followed by the sending of a notice
- Whichever date is later:
   prior to 1 May following the coming into force of the rail of neetal values;
   60 days following the centing of the natice of attention.
- Notice of correction ex officie addressed by the assessor to the person carrying out an activity, to inform him of a planned correction
- Whichever date is later:
   prior to 1 May following the coming leto force of the roll of rental values; - 60 days following the sending of the notice of correctionex official
- 4. Failure by the assessor to make an attention to the roll, despite an event occuring that should have lead to such an alteration occurs or given to the end of the following than observed year:

- . The Act stipulates that the application for review must state briefly the grounds invoked. These are the arguments that the applicant wishes the assessor to consider at the time of review.
- For example, the defects of a place of business (breekage, construction defects, etc.), nuisences (noise, pollution, flooding, etc.), as well as its financial situation (loss of rent, high expenses, lesses of companible place of business), are valid grounds to invoke in support of the application for review
- . The amount of taxes to be paid does not constitute grounds justifying an alteration to the roll of rental values.
- · If the space provided on the form is insufficient, additional documents may be attached to explain the grounds invoked.

For an application to be admissible to the municipal body responsible for the assessment, it must existly, in addition to the time limits given above, the following conditions:

- . Be made on the form prescribed for this purpose. This document is the prescribed form. Additional explanatory documents may be attached to the completed form if necessary
- . Be accompanied by the sum of money determined and applicable to the place of business in question, if prescribed by a regulation of the municipal body responsible for assessment
- . Be filed at the location determined by the municipal body seponsible for assessment for the purposes of the administrative review of the rental value. or be sent by registered mail.

#### FILING OF THE APPLICATION BY REGISTERED MAIL

The Act permits the filing of an application for review by registered mail. The same time limits and conditions apply as for filing an application in person. The following directions are, however, important

- Copies 1 and 2 of the form must be mailed. The first copy will be forwarded to the assessor; the second will be returned to the applicant after certification by the official responsible for receipt of applications for review. The applicant keeps copy 3.
- The day of sending of the application is deemed to be the date of filling. It is therefore important that the applicant retain proof of dispatch in case of dispute.

#### APPEAL

Any person who has filed an application for review and who has not entered into an agreement with the assessor may lodge an appeal with the Real Estate Section of the Administrative Tribunal of Quibec, based on the same subject as the application for review

- To be valid, such an appeal must be lodged by
- fling a petition at the Secretariat of the Tribunal or at any registry office of the Court of Quibboo (a copy of the application for review which was
- within 30 days of the date of sending of the assessor's reply or, if the assessor has not sent a reply, within 30 days of the final date set by the Act.

#### SCHEDULE III

INFORMATION CONCERNING YOUR RIGHT TO APPLY FOR AN ADMINISTRATIVE REVIEW IN RESPECT OF THE REAL ESTATE ASSESSMENT ROLL

The Act respecting municipal taxation (s. 124 to 138.4) provides for an administrative review of the content of the assessment roll. When a conforming application is made by any person having an interest to that effect, the assessor is obliged to reply to the applicant in writing. The applicant and the assessor may then agree on alterations to the roll. Failing that, the Act provides for a recourse before the Administrative Tribunal of Québec for any person who has first filed an application for review.

#### 1. Definitions

- "unit of assessment" means an immovable or a group of immovables entered on the assessment roll under the same file number.
- "assessment roll" means a public document containing certain entries prescribed by the Act for each unit of assessment on the territory of a municipality.
- "market date" means the date on which the conditions of the market are considered to establish the actual value of all the immovables entered on the assessment roll of a municipality.
- "comparative factor" means the factor which, when multiplied by the value entered on the roll, is used to establish a standardized value (100 % value) on the market date.

#### 2. Right to apply for a review

- During the first year of application of the assessment roll, you may contest the correctness, existence or absence of an entry on that roll concerning the unit of assessment covered by this notice, by filing an application for review. The application is valid for the three years to which the roll applies.
- Any other person who has an interest in doing so may also file an application for review in respect of the same unit of assessment. You may also file an application for review in respect of any other unit of assessment, if you have an interest in doing so.
- You may, as well as any person who has an interest in doing so, file an application for review where the assessor did not alter the roll although an event has made an alteration compulsory under the Act.

— A person bound to pay tax or compensation to the municipality or the school board that uses a roll is deemed to have the interest required to file an application for review.

#### 3. Deadline

- In order to be admissible, an application for review shall be filed BEFORE 1 MAY OF THE FIRST YEAR to which the roll applies. However, if this notice was sent to you after the last day of February of that first year, you may file your application within 60 days of that sending (except for immovables valued at \$1 000 000 or more, for which the deadline is 120 days if the notice was sent after the 31 December preceding the first year to which the roll applies).
- However, if the application for review is made because of failure by an assessor to make a compulsory alteration, it shall be filed before the end of the calendar year following the year during which the event justifying the alteration occurred.

#### 4. Procedure

To apply for a review, you must comply with the following requirements:

- 1. Fill out the form entitled "APPLICATION FOR REVIEW OF THE REAL ESTATE ASSESSMENT ROLL", available where the application must be filed.
- 2. Hand in the form, duly filled out, at the determined place or send it by registered mail.
- 3. Include the amount of money determined by a bylaw of the municipal body responsible for assessment for the purposes of administrative review and applicable to the unit of assessment (if a by-law exists, it is specified in this notice).

#### 5. Additional information

- Upon request, the personnel on duty at the location determined for filing an application for review must assist you in filling out the form or in calculating the amount of money that must be included.
- The assessor of the municipal body responsible for assessment is bound to verify that any application for review submitted is well-founded and to reply to the applicant in writing.
- Any person who has made an application for review and who has not reached an agreement with the assessor may exercise a recourse, on the same subject as

the application, before the immovable property division of the Administrative Tribunal of Québec (A.T.Q.).

— Furthermore, in the cases provided for by the Act, an alteration resulting from an agreement between the assessor and the applicant may be contested before the Tribunal by other persons directly concerned by its effect

#### SCHEDULE IV

INFORMATION CONCERNING YOUR RIGHT TO APPLY FOR AN ADMINISTRATIVE REVIEW IN RESPECT OF THE ROLL OF RENTAL VALUES

The Act respecting municipal taxation (s. 124 to 138.4) provides for an administrative review of the content of the roll of rental values. When a conforming application is made by any person having an interest to that effect, the assessor is obliged to reply to the applicant in writing. The applicant and the assessor may agree on alterations to the roll. Failing that, the Act provides for a recourse before the Administrative Tribunal of Québec for any person who has first filed an application for review.

#### 1. Definitions

- "place of business" means an immovable or part of an immovable entered on the roll of rental values under the same file number, where a profit or non-profit economic or administrative activity is carried out.
- "roll of rental values" means a public document containing certain entries prescribed by the Act for each place of business on the territory of a municipality.
- "market date" means the date on which the conditions of the market are considered to establish the rental value of all the places of business entered on the roll of rental values of a municipality.
- "comparative factor" means the factor which, when multiplied by the value entered on the roll, is used to establish a standardized value (100 % value) on the market date.

#### 2. Right to apply for a review

— During the first year of application of the roll of rental values, you may contest the correctness, existence or absence of an entry on that roll concerning the place of business covered by this notice, by filing an application for review. The application is valid for the three years to which the roll applies.

- Any other person who has an interest in doing so may also file an application for review in respect of the same place of business. You may also file an application for review in respect of any other place of business, if you have an interest in doing so.
- You may, as well as any person who has an interest in doing so, file an application for review where the assessor did not alter the roll although an event has made alteration compulsory under the Act.
- A person bound to pay tax or compensation to the municipality or the school board that uses a roll is deemed to have the interest required to file an application for review.

#### 3. Deadline

- In order to be admissible, an application for review shall be filed BEFORE 1 MAY OF THE FIRST YEAR to which the roll applies. However, if this notice was sent to you after the last day of February of that first year, you may file your application within 60 days of that sending (except for places of business valued at \$100 000 or more, for which the deadline is 120 days if the notice was sent after the 31 December preceding the first year to which the roll applies).
- However, if the application for review is made because of failure by an assessor to make a compulsory alteration, it shall be filed before the end of the calendar year following the year during which the event justifying the alteration occurred.

#### 4. Procedure

To apply for a review, you must comply with the following requirements:

- 1. Fill out the form entitled "APPLICATION FOR REVIEW OF THE ROLL OF RENTAL VALUES", available where the application must be filed.
- 2. Hand in the form, duly filled out, at the determined place or send it by registered mail.
- 3. Include the amount of money determined by a bylaw of the municipal body responsible for assessment for the purposes of administrative review and applicable to the unit of assessment (if a by-law exists, it is specified in this notice).

#### 5. Additional information

— Upon request, the personnel on duty at the location determined for filing an application for review must

assist you in filling out the form or in calculating the amount of money that must be included.

- The assessor of the municipal body responsible for assessment is bound to verify that any application for review submitted is well-founded and to reply to the applicant in writing.
- Any person who has made an application for review and who has not reached an agreement with the assessor may exercise a recourse, on the same subject as the application, before the immovable property division of the Administrative Tribunal of Québec (A.T.Q.).
- Furthermore, in the cases provided for by the Act, an alteration resulting from an agreement between the assessor and the applicant may be contested before the Tribunal by other persons directly concerned by its effect.

1636

## **Draft Regulations**

### **Draft Regulation**

An Act respecting the Régie du logement (R.S.Q., c. R-8.1; 1995, c. 61)

Civil Code (1991, c. 64)

# Criteria for determination of rent — Amendments

Notice is hereby given, pursuant to articles 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the "Regulation modifying the Regulation respecting the criteria for the fixing of rent", the text of which appears below, may be enacted by the government on expiry of a 45 day delay after the present publication.

The goals of this draft are as follows:

- modify the reference period for the purposes of rent determination, which is curently April 1 until March 31, to correspond to the calender year;
- define the parameters of the method used to determine the percentages applicable to certain rent determination criteria and indicate the manner in which the public is informed of the result of the annual calculations:
- take into consideration, when determining rent, expenses and net revenue on a pro rata basis, having regard to total revenues of the immoveable rather than residential revenues only;
- ensure the lessee may invoke the lessor's failure to maintain the quality of services or provide enjoyment of the dwelling where this failure occurs during the 12 month period preceding the period for which the rent is to be determined rather than what is currently called the "period considered";
- change the method of adjusting rent for land intended for the installation of a mobile home with respect to the cost of snow removal so as to take into account the annual variation of these costs rather than a percentage of maintenance costs in effect for all of Quebec and categories of dwellings.

This draft will have the following effect:

- avoid duplicate accounting procedures for lessors by making the period of reference the same as that usually used by businesses, namely the calender year;
- simplify and accelerate the annual determination of rent procedure as well as the diffusion of percentages applicable to certain rent determination criteria by avoiding the necessity of systematically amending the Regulation:
- reduce in some cases the adjustment of rent where revenues other than rental revenues are significant; this may entail work done specifically for non-residential tenants;
- permit a lessee to invoke as a defence to an application to increase rent the failure of a lessor to fulfill his obligations during the 12 month period immediately prior to the new lease rather than a 12 month period more remote in time;
- more accurately take into account significant variations the lessor must assume for snow removal of land intended for the installation of a mobile home.

The other changes are minor or technical. They involve primarily terminology or changes of text designed to facilitate comprehension; a transitory disposition has been foreseen for the first year of institution of certain measures.

Additional information may be obtained from Mr. Daniel Maisonneuve, Régie du logement, 5199, rue Sherbrooke Est, rez-de-chaussée, bureau 2360, Montréal (Québec), H1T 3X1, telephone: (514) 873-6575, fax: (514) 873-6805.

Any interested person wishing to make comments with respect to the draft may do so in writing, within a delay of 45 days, to the ministre des Affaires municipales, édifice Cook-Chauveau, secteur B, 20, rue Chauveau, Québec (Québec), G1R 4J3.

Le ministre des Affaires municipales, RÉMY TRUDEL

# Regulation modifying the Regulation respecting the criteria for the fixing of rent

An Act respecting the Régie du logement (R.S.Q., c. R-8.1, a. 108, par. 3° et 6°; 1995, c. 61, a. 1)

Civil Code (1991, c. 64, a. 1953)

**1.** The Regulation respecting the criteria for the fixing of rent enacted by order in council 738-85 of April 17, 1985, amended by the Regulations enacted by order in council 1430-85 of July 10, 1985, 562-86 of April 30, 1986, 1047-87 of June 30, 1987, 688-88 of May 11, 1988, 528-89 of April 12, 1989, 344-90 of March 21, 1990, 519-91 of April 17, 1991, 637-92 of April 29, 1992, 580-93 of April 28, 1993, 454-94 of March 30, 1994, 825-94 of June 8, 1994, 505-95 of April 12, 1995, 692-96 of June 12, 1996 et 337-97 of March 19, 1997 is further amended at Article 1 as follows:

1° the definition of "operating expenses" is replaced by the following:

""operating expenses": expenses incurred with respect to a building including the value of work done by the lessor if such be the case, comprised of the following:

- 1° property and service taxes;
- 2° fire and liability insurance;
- 3° energy;
- 4° maintenance;
- 5° services;
- 6° management;";
- $2^{\circ}$  the term "period considered" is replaced by the following:
  - ""reference period"
- 1° for leases expiring between April 1<sup>st</sup> and December 31<sup>st</sup>: the calender year preceding the end of the lease;
- 2° for leases expiring between January 1<sup>st</sup> and March 31<sup>st</sup>: the second to last calender year preceding the end of the lease:":
- 3° the term "considered" in the definition of "preceding period" is replaced by the term "reference";

- 4° The term "considered" in the definition of "net income" is replaced by the term "reference";
- 5° The term "considered" in the definition of "income" is replaced by the term "reference"
- 6° The definition of "end of a lease" is amended as follows:

""end of a lease": the date preceding the beginning of the period for which the rent is to be determined.".

- **2.** Article 3 of the Regulation is replaced by the following:
- "3. The tribunal hearing an application to determine or adjust rent modifies the rent at the end of the lease by aplying the following factors in the proportion attributable to the dwelling:
- 1° the variation in municipal property taxes due in the reference period and those due in the following year as well as the variation in school taxes due in the year preceding the reference period and those due in the reference period;
- 2° the variation in insurance premiums included in operating expenses, for a maximum period of 12 months, due in the year preceding the reference period and those due during the reference period;
- 3° the percentage applicable for the reference period with respect to electricity and fuel; nevertheless, if this percentage is not representative for the imoveable in question, the tribunal, if it has the required information at its disposal, shall take into account the variation, on a percentage basis, of the unit cost in the period of reference and that in the preceding period.
- 4° the percentage applicable to maintenance costs for the reference period;
- 5° the percentage applicable to service costs for the reference period;
- 6° The percentage applicable to management costs for the reference period which are established at 5 % of income without supporting documents and up to 10 % with supporting documents.
- 7° operating expenses relating to a new service or accessory or dependancy during the reference period, estimated for the entire reference period;
- 8° the percentage applicable to net revenue for the reference period;

9° the percentage applicable to capital expenditures for the reference period; nevertheless, if a capital expenditure is subsidized by way of a loan at reduced interest, the annual increase of rent corresponding to the portion of the expenditure financed by this loan may not excede the amount of annual reimbursement of capital and interest.

In spite of the first paragraph, where the rent has been increased during the 12 month period preceding the end of the lease, the tribunal takes into account the lowest rent or that determined during this period rather than that at the end of the lease.".

- **3.** This Regulation is amended by the insertion of the following after Article 3:
- **"3.1** The percentages applicable to the criteria are established annually pursuant to the present article.

For operating expenses, the indicator used is that which is most representative of each category of expense among those established by Statistics Canada for Ouebec.

The difference between the indicator for the reference period and that of the preceding year is divided by the indicator of the reference period; nevertheless, the percentage applicable to maintenance costs shall not be less than that applicable to net revenue.

For net revenue, the percentage of variation between the cost index of rent for the year preceding the reference period and that for the reference period established by Statistics Canada for Quebec, is applied; this percentage is reduced by 2 % when it is 4 % or more and reduced by one-half when it is less than 4 %.

For capital expenditures, the average interest rates administered by Canadian trust companies during the period of reference on 5 year guarenteed investment certificates is increased by 1 %. These interest rates are published in the Bank of Canada Review.

The minister responsible for the application of title I of the Act respecting the Régie du logement (R.S.Q., c. R-8.1) notifies the public of the calculations in the *Gazette officielle du Québec* and any other means deemed appropriate.".

- **4.** Articles 4 et 4.1 are repealed.
- **5.** Article 5 is amended by the replacement of the first paragraph by the following:

- "The portion attributable to the dwelling equals the proportion of rent at the end of the lease with respect to revenues.".
- **6.** Article 8 is amended by the replacement of the term "period considered" by the term "the 12 month period preceding the period for which the rent is to be determined".
- **7.** Article 9 paragraph 1 is amended by replacement of the term "period considered" by the term "the 12 month period preceding the period for which the rent is to be determined".
- **8.** This Regulation is amended by insertion of the following after article 12:
- "12.1 Where the rent to be determined or adjusted is that of land intended for installation of a mobile home, the tribunal takes into account the variation in the cost of snow removal during the year preceding the reference period and that during the reference period.".
- **9.** Article 14 is repealed.
- **10.** This Regulation is amended by addition of the following after Article 18:
- "19. In spite of article 1, the reference period for insurance and capital expenditures for leases whose rents are to be determined or adjusted for the period beginning between April 2, 1998 and April 1, 1999, is from April 1, 1997 until December 31, 1997.
- **20.** Applications to determine or adjust rent for a period beginning before April 2, 1998 are subject to the rules in effect prior to (*insert date on which the present disposition comes into effect*)."
- **11.** The present Regulation comes into effect on the 15th day after its publication in the *Gazette officielle du Québec*.

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### **Draft Regulation**

Legal Aid Act (R.S.Q., c. A-14; 1996, c. 23)

#### Regulation

#### — Amendments

Regulation to amend the Regulation respecting the application of the Legal Aid Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the application of the Legal Aid Act, made by the Commission des services juridiques at its sitting of 20 June 1997 and the text of which appears below, may be submitted for approval by the Government upon the expiry of 45 days from this publication.

The Draft Regulation contains amendments concerning the administration of the Commission des services juridiques and the legal aid centres, particularly in respect of

- (1) their internal management (holding of meetings, composition of the administrative committee of the Commission);
- (2) the form in which the documents held by legal aid centres are drafted and transmitted to the Commission and the deadline for transmitting the budget estimates that legal aid centres are required to forward to the Commission;
  - (3) the keeping of trust accounts by legal aid centres.

The Draft Regulation also contains amendments concerning the functioning of legal aid, particularly in respect of

- (1) the reports that advocates in private practice are required to make to legal aid centres;
- (2) the availability of legal aid eligibility services at the Court of Québec, Youth Division;
- (3) uniform application of the rules of eligibility for legal aid and for issue of certificates in order to ensure that free choice is effectively exercised in the selection of an advocate or notary; and
- (4) the rules applicable in the case of substitution of an advocate or notary within the scope of the same legal aid mandate.

The amendments concerning the administration of the Commission des services juridiques and the legal aid centres pertain to the organization and operation of the bodies charged with administering the legal aid system and consequently have no impact on businesses or the public, otherwise than the fact that they ought to promote more efficient administration of legal aid services.

The amendments concerning the functioning of legal aid will have a favourable impact on both the legal aid clientele and the advocates in private practice who agree to offer their professional services under the legal aid system.

Further information may be obtained by contacting Mr. Jacques Lemaître-Auger, Secretary, Commission des services juridiques, 2, complexe Desjardins, tour de l'Est, suite 1404, Montréal (Québec), H5B 1B3; tel.: (514) 873-3562; fax: (514) 873-8762.

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period following this publication, to Mr. Jacques Lemaître-Auger, Secretary, Commission des services juridiques, 2, complexe Desjardins, tour de l'Est, suite 1404, Montréal (Québec), H5B 1B3.

PIERRE LORRAIN, Chairman of the Commission des services juridiques

# Regulation to amend the Regulation respecting the application of the Legal Aid Act

Legal Aid Act (R.S.Q., c. A-14, s. 80,  $1^{st}$  par., subpars. c, e, g, j, k, m, n,  $4^{th}$  and  $5^{th}$  pars.; 1996, c. 23, s. 42)

- **1.** The Regulation respecting the application of the Legal Aid Act (R.R.Q., 1981, c. A-14, r. 1), amended by the Regulations approved by Orders in Council 2416-82 dated 20 October 1982, 2873-82 dated 8 December 1982, 941-83 and 942-83 dated 11 May 1983, 1721-86 dated 19 November 1986, 41-94 dated 10 January 1994 and 1211-96 dated 25 September 1996, is further amended by substituting "PRELIMINARY" for the title of Division I.
- **2.** The following section is inserted in Division I after section 1:
- **"1.1** Form of documents: The documents necessary for performing the functions and duties of the Commis-

sion des services juridiques and the legal aid centres, including the books, registers, reports, financial reports, budget estimates, accounts and statistics which, under the Act and this Regulation, must be transmitted to the Commission by the regional centres and to the regional centres by the local centres, may be drafted in electronic form. They shall then be transmitted in that form.".

- **3.** The following section is substituted for section 5:
- "5. Convocation: Notice of convocation to a general meeting shall be sent to each member by the secretary of the Commission at least 5 days before the date fixed for the meeting.".
- **4.** The following is substituted for the second sentence of section 6: "In such case, notice of convocation shall be sent to each member by the secretary of the Commission at least 24 hours before the date fixed for the meeting.".
- **5.** The following section is inserted after section 6:
- **"6.1** Notice of convocation: Notice of convocation to a meeting of the members may be sent by regular mail, by fax, by electronic mail or by any other communications medium, to the last known address of the member or, if the member so chooses, to his place of work."
- **6.** The words "employed by any" are substituted for the words "who are full-time employees of the" in section 9.
- **7.** Section 10 is amended
- (1) by adding the words "or vice-chairman" at the end of paragraph 2; and
  - (2) by adding the following after paragraph 2:
- "(3) Sections 5 to 7 apply, *mutatis mutandis*, to the meetings of the administrative committee.".
- **8.** Section 18 is deleted.
- **9.** The following section is inserted after section 26:
- **"26.1** Applicable provisions: Sections 5 to 7 apply, *mutatis mutandis*, to the meetings of the board of directors and of the administrative committee of the regional centre."
- **10.** The word "Management" is substituted for the words "Appointment of the director" in the title of section 32.

- **11.** The words ", within 15 days of a request by the Commission to that effect," are substituted for the words "before 15 September" in section 33.
- **12.** Section 37 is deleted.
- **13.** The following section is inserted after section 47:
- **"47.1** Applicable provisions: Sections 5 to 7 apply, *mutatis mutandis*, to the meetings of the board of directors and of the administrative committee of the local centre."
- **14.** The words ", within 10 days of a request by the regional centre to that effect," are substituted for the words "before 1 September," in section 48.
- **15.** The following section is substituted for section 53:
- **"53.** Accounts: Every legal aid centre and office shall maintain, through its director general or the person to whom the powers of the director general have been delegated in accordance with the second paragraph of section 50 of the Act, as the case may be, a trust account for all the sums of money received from a recipient for a third party or from a third party for a recipient. Administration and remittal of those sums shall be subject to the provisions of the By-law respecting accounting and trust accounts of advocates (R.R.Q., 1981, c. B-1, r. 3) or the Regulation respecting trust accounting by notaries approved by Order in Council 823-95 dated 14 June 1995 as it reads at the time it applies.

Every centre shall also maintain, through the director general, an account at a financial institution into which it shall deposit the contributions received from recipients eligible for contributory legal aid, excluding the administrative expenses referred to in section 26 of the Regulation respecting legal aid made by Order in Council 1073-96 dated 28 August 1996 as it reads at the time it applies. The sums deposited into that account may be withdrawn only progressively as legal services are dispensed to the recipient."

- **16.** The following is inserted in Division III before Subdivision 1 of that Division:
  - **"§0.1** Exercise of free choice
- **56.1** Free choice: The rules of eligibility for legal aid and for the issue of certificates of eligibility for such aid provided for in the Act and the regulations thereunder shall be applied without distinction to every applicant, regardless of whether he chooses an advocate or notary in private practice or an advocate or notary employed by a legal aid centre."

- **17.** Sections 58 and 59 are deleted.
- **18.** The words "or to the number of proceedings he is prepared to accept" are struck out at the end of section 60.
- **19.** The number "57" is substituted for the number "59" in section 61.
- **20.** The number "57" is substituted for the number "59" in section 62.
- **21.** The following sections are substituted for sections 63 and 64:
- **"63.** Register of applications: The director general shall keep a register indicating, in particular, the name of the persons who apply for legal aid, the date on which the application is received and, where applicable, the date fixed for a meeting to fill out the application, the nature of the application and the disposition of the application.
- **64.** Register of mandates: The director general shall keep a register indicating, in particular, the nature of the mandates delegated to advocates and notaries not employed by a legal aid centre, the date on which the mandate was delegated, the disposition of the mandate and the date on which the mandate was terminated.".
- **22.** The words "not employed by a centre on files" are substituted for the words "not engaged full time, on the progress of legal and proceedings" in section 65.
- **23.** The following section is inserted after section 69:
- "69.1 Applications concerning youth: In the judicial districts of Montréal and Québec, the legal aid centres in question must, in the matters lying within the jurisdiction of the Court of Québec, Youth Division, be able to analyze applications for legal aid pertaining thereto and make rulings in such matters on the eligibility of applicants at the actual premises where that Division sits, during the office hours of the office of the Court in the district of Montréal and from 9:00 a.m. to 3:00 p.m. in the district of Québec."

#### **24.** Section 72 is amended

- (1) by substituting the word "recipient's" for the word "applicant's" in paragraph *b*;
- (2) by striking out the words "made by Order in Council 1073-96 dated 28 August 1996" in paragraph *b*.1; and
  - (3) by adding the following paragraph at the end:

"Where contributory legal aid is granted, the certificate of eligibility shall also indicate that in case of failure by the recipient to make the contribution payable, the aid may be suspended or withdrawn and reimbursement of the costs of legal aid may be required of the recipient.".

**25.** The following is substituted for the first sentence of section 76:

"The recipient may choose an advocate or notary who is not employed by a centre among those who have agreed to be entered on the list mentioned in section 57.".

- **26.** The following section is substituted for sections 77 and 78:
- "77. Notice and report: An advocate or notary who is not employed by a centre shall notify the director general in writing when he refuses a mandate. He shall give such notice within 15 days of the date on which the mandate is received. The director general shall then notify the recipient that he may choose another advocate or notary.

If he accepts the mandate, the advocate or notary shall, as soon as the mandate is executed and even where no amount is payable to him, transmit, at his option, either a statement of fees including a summary description of his manner of proceeding and the outcome as well as a detailed statement of his fees and expenses, or a report on the legal services that he has rendered within the scope of the mandate in which he indicates the fees and expenses that he intends to claim.

The statement of fees or the report shall indicate, in particular, the services rendered according to the nomenclature of the tariff established under section 81 of the Act and the numbers of the sections of the tariff corresponding to the services rendered and the fees entailed thereby.

The statement of fees or the report shall be transmitted to the centre or to the Commission, as the case may be.".

#### **27.** Section 81 is amended

- (1) by inserting the following at the beginning: "Replacement of advocate or notary: Subject to section 81.1,"; and
- (2) by adding the following at the end: "The advocate or notary, if he is not employed by a centre, shall then transmit his statement of fees or report, in accordance with section 77, as soon as he is informed that the

recipient's file has been delegated to another advocate or notary.".

- **28.** The following section is inserted after section 81.
- **"81.1** Substitution of advocate or notary: An advocate or notary in private practice may at any time be substituted, within the scope of the same mandate, for another advocate or notary in the same practice to whom the mandate has been delegated. Such substitution shall be effected by means of a notice transmitted by the recipient by mail or by telecommunications to the director general who delegated the mandate. The notice shall indicate the legal services for which the substitution is made and the period during which it applies. The director general is bound by such notice."
- **29.** The following section is substituted for section 88:
- **"88.** Minutes: The committee charged with conducting the reviews provided for in sections 74 and 75 of the Act shall keep minutes of its meetings.".
- **30.** Schedule A is deleted.
- **31.** In the English text of the Regulation,
- (1) the words "director general" are substituted for the words "general manager" everywhere they occur in section 1, 22, 26, 29, 31, 32, 54, 57, 61, 62, 65, 69, 72, 74, 76, 81 and 92;
- (2) the words "directors general" are substituted for the words "general managers" in section 9;
- (3) the words "legal aid" are substituted for the words "legal and" everywhere they occur in sections 46 and 50:
- (4) the word "eligibility" is substituted for the word "qualification" everywhere it occurs in sections 72 and 92; and
- (5) the words "is eligible" are substituted for the word "qualifies" in section 72.
- **32.** This Regulation comes into force on (*indicate here the date of the fifteenth day following the date of its publication in the Gazette officielle du Québec*).

## **Index Statutory Instruments**

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