

Draft Regulations

Draft Regulation

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

Outfitters — Amendments

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 outfitters, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to reduce and simplify all the standards applicable to outfitters and to adapt them to today's context.

To that end, it defines the types of lodging units, deletes the provisions already existing in other acts and regulations and outdated provisions. From now on, the holder of an outfitter's licence will be required by regulation to hold civil liability insurance. The draft Regulation also prescribes a control of recreational activities for any outfitter who is a lessee of exclusive rights.

To date, study of the matter has shown a positive impact on users and businesses.

Further information may be obtained by contacting

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Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,
*Minister responsible for
Wildlife and Parks*

Regulation to amend the Regulation respecting outfitters*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 97, pars. 6 and 7, 102 and 162, par. 14)

1. The following is substituted for section 1 of the Regulation respecting outfitters:

“1. In this Regulation, “lodging” means an inn, a camp, a cottage, a framed tent square, a tent, a dormitory, a hotel, a motel or a floating lodging, as defined below:

“Inn” means a building in which food services are offered. That building comprises at least two bedrooms;

“Camp” means a building comprising one room that can accommodate no more than six persons;

“Cottage” means a building comprising one or more bedrooms separated from the kitchen;

“Framed tent square” means a structure with a floor and fixed half-walls;

“Tent” means a structure made of non-rigid material stretched on supports;

“Dormitory” means a building with one single room that can accommodate more than six persons;

“Hotel” means a building comprising several bedrooms of which at least 90 % are not directly accessible from outside;

“Motel” means a building comprising several adjacent bedrooms directly accessible from outside; and

* The Regulation respecting outfitters (R.R.Q., 1981, c. C-61, r. 30) was last amended by the Regulation made by Order in Council 1064-95 dated 9 August 1995 (1995, G.O. 2, 2670). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

“Floating lodging” means a floating structure with a floor, a roof and fixed, rigid walls, especially designed for lodging; that lodging may have one or more bedrooms, separated from the kitchen or the living room, and also an open area.”

2. The following is substituted for section 3:

“3. In order to obtain an outfitter’s licence, a person must, when applying to the Minister, on the form provided for that purpose,

(1) indicate his name, the address of his domicile and the telephone numbers of his domicile and undertaking; in the case of a legal person, the name and address of its main place of business; in the case of a partnership, its name and the address of its main place of business; in the case of a natural person doing business under another name, that name, his name and the address of his main place of business;

(2) indicate his registration number in the register of sole proprietorships, partnerships and legal persons established under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(3) indicate his status as owner or lessee of the undertaking he is operating and, in the latter case, the owner’s name and address;

(4) indicate the name and address of the undertaking; where the applicant applies on behalf of a partnership or a legal person, he must also provide a written authorization to make the application and the names and addresses of the partners or shareholders;

(5) indicate the name of the insurance company that insures his civil liability to cover the risks related to the operation of the outfitting operation, except if it is operated by the Government, the number and the amount of that insurance policy.

That person must also

(1) provide an evaluation attestation for the class and category of the lodging units of the outfitting operation issued by the Minister under section 100 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) during the year preceding the application for a licence in the case of an outfitting operation located outside the territories covered by the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);

(2) pay the fees determined by the Regulation respecting the scale of fees and duties related to the devel-

opment of wildlife made by Order in Council 1291-91 dated 18 September 1991.”

3. Section 4.1 is amended

(1) by substituting the following for paragraph *a*:

“(a) sends the Minister his duly filled in application for renewal on the form provided for that purpose;”;

(2) by substituting the following for paragraph *b*:

“(b) meets the requirements provided for in subparagraph 4 of the first paragraph and in subparagraph 1 of the second paragraph of section 3;”;

(3) by substituting the following for paragraph *d*:

“(d) has filed the report referred to in section 42.”.

4. Section 5 is revoked.

5. The following is substituted for section 6:

“6. The holder of an outfitter’s licence must display that licence where it may be seen by the public in the place designated for receiving or registering customers. He must also identify each lodging he is using by a distinctive name, letter or number at the entrance of each one.”.

6. The following is inserted after section 6:

“6.1. A holder of an outfitter’s licence shall also hold a civil liability insurance covering the risks related to the operation of the outfitting operation and comprising a coverage of at least \$2 000 000; he must also notify the Minister without delay, in case of cancellation of such insurance.

6.2. Where the holder of an outfitter’s licence is a legal person, he must notify the Minister responsible for Wildlife and Parks of any event intended to change the control of the legal person.”.

7. Section 8 is amended by substituting the words “Minister on the form provided for that purpose” for the word “Department”:

8. Section 9 is amended by striking out the words “; those fees are payable by certified cheque or money order payable to the Minister of Finance”.

9. Section 10 and Division III are revoked.

10. Section 28 is amended

(1) by inserting “, a lodging unit” after the word “building” in the first paragraph;

(2) by striking out the words “a sketch or plans for this work, where applicable,” in the first paragraph; and

(3) by substituting the following for the second paragraph:

“Upon renewal of the outfitter’s licence, it shall be amended according to the changes referred to in the first paragraph.”.

11. Sections 29 to 31, 33 to 36, 40 and 41 are revoked.

12. The following is substituted for section 32:

“32. Every outfitter operating an outfitting operation on the territories covered by the Act respecting hunting and fishing rights in the James Bay and New Québec territories must ensure, at all times, that a staff member is available for his customers.”.

13. Section 41.1 is amended by striking out the words “with respect to a territory described in Schedule I or II or described in the Schedules referred to in Schedule III with respect to the Orders in Council referred to therein”.

14. Section 41.2 is amended

(1) by inserting the word “, cycling” after the words “horseback riding” in the first paragraph;

(2) by inserting the words “except, in the latter case, for the territory of Île d’Anticosti for which the period ends on 30 November” after “1 November” in the first paragraph.

15. The following is substituted for sections 42, 43, 44 and 45:

“42. The holder of an outfitter’s licence must send to the Minister, not later than 31 January of each year, an annual report on his activities.

The report must contain the following information:

- (1) the operation period;
- (2) a statement of receipts;
- (3) the number of persons received;
- (4) the fish and game taken;

(5) a list of the wildlife development projects carried out and the amount of the investments made for that purpose; and

(6) the number of employees.

A holder of an outfitter’s licence, lessee of exclusive fishing rights in a salmon river, must also indicate the number of salmon taken, the weight, length and tag number of each salmon.”.

16. The following is substituted for section 46:

“46. The report referred to in section 42 must be presented on the form provided for that purpose and must be signed by the licence holder or his authorized representative.”.

17. The following is substituted for section 47:

“47. Anyone who contravenes any provision of sections 3.2, 6, 28, 38, 41.1, 41.2, 42 and 46 commits an offence.”.

18. Schedules I, II and III are revoked.

19. 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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Draft Regulation

Public Buildings Safety Act
(R.S.Q., c. S-3)

Elevators and lifts for persons with physical disabilities

— Safety code
— Amendment

Notice is hereby give, 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 a safety code for elevators and a standard for lifts for persons with physical disabilities, the text of which appears below, may be made by the Government, with or without amendments, upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to identify each of the 16 500 elevators operated in Québec by an exclusive number. Such identification is essential to ensure the efficient management of the tariffing on