

person on whose behalf the application for registration was transmitted shall appear on the hard copy.”.

6. The following is substituted for CHAPTER VI of the Regulation:

**“CHAPTER VII
CONSERVATION, REPRODUCTION
AND TRANSFER**

49. An application for registration and any supporting document may, where they are in paper form, be reproduced on microfilm or on a non-rewritable optical medium.

A backup copy of the microfilm or optical disks shall be stored elsewhere than at the registry office.

49.1 The data constituting the applications for registration and documents transmitted in electronic form to the registry office shall be conserved as received.

They may however be transferred to a non-rewritable optical medium in order to protect the data received, in particular against accidental alterations.

50. Cancelled entries or entries cancelling other entries may be transferred to a magnetic or non-rewritable optical medium.”.

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

2768

Draft Regulation

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

Salmon fishing controlled zones

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 respecting salmon fishing controlled zones, the text of which appears below, may be made by the Government upon the expiry of 45 days following the date of this publication.

The purpose of the draft Regulation is to give more latitude to ZEC managing agencies, in particular for the setting of fees and for certain management procedures.

To that end, the Regulation proposes:

- a regulation specific to salmon fishing ZECs;
- more flexibility in the setting of fees;
- the assignment of 20 % of limited places according to procedures decided in a general meeting, as is the case now, but with more flexibility;
- the possibility that 2 % of the days of access be assigned for promotional purposes;
- the replacement of the prohibition against automobile races and rallies by a delegation of the power to decide to the managing agencies;
- the showing of licences upon registration.

To date, study of the matter has shown no negative impact on businesses, particularly on small and medium-sized businesses. On the contrary, the changes should allow for a better financing of ZEC managing agencies through greater flexibility in the setting of fees, while favouring the various customers concerned. They also facilitate the marketing of available places in the low season.

Further information may be obtained by contacting:

Mr. Gaéтан Hamel
Faune et Parcs
Service de la réglementation
675, boulevard René-Lévesque Est, 10^e étage, boîte 91
Québec (Québec)
G1R 5V7

Tel: (418) 521-3880, ext. 4094
Fax: (418) 528-0834
E-mail: gaetan.hamel@mef.gouv.qc.ca

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 respecting salmon fishing controlled zones

An Act respecting the conservation and development of wildlife

(R.S.Q., c. C-61.1, ss. 110 and 162, par. 14; 1997, c. 95, s. 5; 1998, c. 29, s. 22)

DIVISION I

INTERPRETATION AND SCOPE

1. In this Regulation,

“agency” means an agency that is a party to a memorandum of agreement in respect of the management of a controlled zone in accordance with section 106 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1); (*organisme*)

“limited access sector” means a sector in a controlled zone for which an agency sets a limit on the maximum number of persons that may enter to fish; (*secteur à accès contingenté*)

“salmon fishing ZEC” means a controlled zone established for the purposes of salmon fishing in accordance with section 104 of the Act respecting the conservation and development of wildlife. (*ZEC de pêche au saumon*)

2. This Regulation applies to salmon fishing controlled zones.

DIVISION II

REGISTRATION AND ASSIGNMENT

3. An agency may, by by-law, determine the cases where a person who, for recreational purposes, enters or stays in a ZEC under its management or engages in any other activity therein shall be required to register.

A person who is required to register shall comply with the following registration procedure:

- (1) report to the designated reception centre;
- (2) show identification and, where applicable, his fishing licence to the registration officer;
- (3) state his full name and address;
- (4) specify a single location for each fishing day or, where applicable, a single sector in which he will be fishing, and the date of the activity;
- (5) obtain proof of registration and place it on the dashboard of his vehicle so that it may be read from the outside or keep it with him and produce it upon request

from a wildlife conservation officer, a wildlife conservation assistant or an area warden; and

(6) return the duly completed registration to the registration officer on leaving the controlled zone.

A person may change fishing sectors upon payment of the fees for fishing in the newly chosen sector; however, the sum of those fees may not exceed the maximum amount prescribed in paragraph 1 of section 15.

The third paragraph does not apply to a person who fishes in a limited access sector.

4. Where registration is required in accordance with section 3 and no registration officer is on duty, the person shall fill out the registration form available at the reception centre and deposit it at the designated place.

5. An agency may, by by-law, divide a ZEC territory into sectors for fishing salmon and other species of fish.

6. A person may not fish in a ZEC except on the date and in the location or, where applicable, sector specified on the proof of registration.

At the end of his stay, a person shall declare to the registration officer the number of fish of each species taken, the date, location or, where applicable, the sector where they were taken, and shall produce the fish on request and allow any required handling or testing.

Where no officer is available, a person shall make that declaration on the form provided at the reception centre and deposit it at the designated place.

DIVISION III

LIMITED ACCESS SECTORS

7. An agency may, by by-law, limit the number of fishermen that may be admitted each day in each of the sectors that it has established during the salmon fishing season.

The number of fishermen that may be admitted each day shall not be less than two fishermen per sector.

8. In order to fish in a limited access sector, a person shall have been selected in accordance with section 9 or section 13.

9. An agency shall select fishermen according to the following terms and conditions:

- (1) on an optional basis, daily selection may be made according to the method of assignment determined by by-law of the agency, of not more than 20 % of the

number of fishermen that may be admitted each day into all of the limited access sectors of the ZEC, from 20 June to 15 July; for the remainder of the year, that selection may exceed 20 % of the number of fishermen that may be admitted each day into all those sectors without exceeding 20 % of the number of fishermen that may be admitted each year into all the limited access sectors of the ZEC;

(2) for not less than half the number of fishermen that may be admitted each day into all the limited access sectors of the ZEC, selection shall be made by a random draw held each year or by telephone reservation, not less than two months before the beginning of the salmon fishing season;

(3) for fishermen not selected pursuant to paragraph 1, if applicable, and paragraph 2, selection shall be made by a random draw or by telephone reservation two days before the scheduled activity;

(4) if there are vacancies following the selections made in accordance with paragraph 1 or paragraphs 2 and 3, selection shall be made by telephone reservation the day before the scheduled activity; and

(5) if there are vacancies after the selections made in accordance with paragraph 1, if applicable, and paragraphs 2 to 4, selection shall be made by a draw of lots on the day of the activity among the persons present at the reception centre.

10. At least one month prior to selecting fishermen, the agency shall publish the terms and conditions for participating in the random draw or for making reservations by telephone in two Québec newspapers, one of which shall have a province-wide circulation and the other shall be circulated in the region of the ZEC or in the nearest region, if there is no newspaper in the region.

11. At the random draw, each person selected shall be assigned a rank for the choice of a date and fishing sector.

12. A person who, pursuant to paragraph 2 of section 9 is selected by a random draw or makes a reservation by telephone shall be allotted one reservation by the agency for a maximum of two persons for a maximum stay of four days, consecutive or not.

An agency must allow a selected person who so requests to reserve for two persons and for a stay of two consecutive or non-consecutive days in the same sector or in another sector offered by random draw or telephone reservation.

DIVISION IV **ASSIGNMENT FOR PROMOTIONAL PURPOSES**

13. Notwithstanding Division III, an agency may assign a number of fishermen in any sector of the ZEC for promotional purposes according to the procedure it determines by by-law; the number of fishermen so assigned shall not exceed 2 % of the total number of fishing days in the ZEC during the preceding year and provided that the yearly maximum referred to in paragraph 1 of section 9 is complied with.

DIVISION V **FEES PAYABLE**

14. The fees payable by a person applying for membership that may be set by by-law of the agency shall not be less than \$10 nor more than \$20.

15. A person may not fish in a ZEC unless he has paid the fees set by by-law of the agency; those fees shall not exceed the following amounts or, in the case of a non-resident, those set under section 17:

(1) \$38.50 per day in an open access sector;

(2) \$82.50 per day in a limited access sector;

(3) \$125 per day in a limited access sector for which the selection of fishermen is made in accordance with paragraph 1 of section 9; or

(4) \$1 000 per day in any sector for which the selection of fishermen is made in accordance with section 13.

The fees referred to in subparagraph 4 of the first paragraph may be charged only where it is part of a fund-raising activity of a nonprofit organization.

16. To use a vehicle in a ZEC, a person shall pay the fees set by by-law of an agency, which shall not exceed:

(1) \$5.50 per vehicle;

(2) \$3.00 more per vehicle where a person enters or leaves a ZEC between 10:00 p.m. and 7:00 a.m.

The first paragraph does not apply to

(1) a person travelling in a ZEC in the performance of his duties;

(2) a person who travels in a ZEC solely to reach a principal residence or private property and come back from there;

(3) a person whose travel fees have been paid, in accordance with section 106.2 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), by an outfitter, an agency or a recreational association;

(4) a person who just travels through a ZEC, and for whom the corresponding travel fees are paid to the agency by another person, an association or a group;

(5) a person who travels in a ZEC to reach lands in the public domain on which exclusive trapping rights only are granted or to reach a beaver reserve for the purpose of carrying out activities related to trapping, and to come back from there; or

(6) a lessee of exclusive trapping rights or his helper who travels in a ZEC for the purpose of carrying out trapping activities.

17. An agency may, by by-law, increase the amount of the fees payable by non-residents to a maximum of twice the amount set by the agency for a resident pursuant to this Division.

This section does not apply to travel fees prescribed in section 16.

18. As provided for in the second paragraph of section 110 of the Act respecting the conservation and development of wildlife, the amount of the fees which may be set by an agency under this Division may vary according to the criteria referred to in that paragraph.

DIVISION VI VEHICLES

19. An agency may, by by-law, prohibit the use of any type of vehicle for competitions, races or rallies.

DIVISION VII PENAL

20. Any person who contravenes section 3, 4, 6, 8, 15 or 16 or a by-law made by an agency pursuant to section 19 is guilty of an offence.

DIVISION VIII TRANSITIONAL AND FINAL

21. Where the territory of a ZEC that has been divided into sectors for fishing by a by-law made by an agency under section 5 and where such territory is enlarged by the Minister, that enlargement shall constitute an additional fishing sector until such time as a by-law respecting that enlargement, made by the agency pursuant to section 5 of this Regulation, comes into force.

For the purposes of this section, where the enlargement is made up of separate areas, each area shall be deemed to constitute a separate sector.

22. This Regulation replaces the Regulation respecting controlled zones made by Order in Council 122-89 dated 8 February 1989.

23. The by-laws made by an agency managing a salmon fishing ZEC pursuant to the provisions of the Regulation respecting controlled zones, made by Order in Council 122-89 dated 8 February 1989, shall remain in force until they are amended, replaced or revoked by a by-law of that agency made under the provisions of this Regulation.

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

2766

Draft Regulation

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

Wildfowl hunting controlled zones

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 respecting wildfowl hunting controlled zones, the text of which appears below, may be made by the Government upon the expiry of 45 days following the date of this publication.

The purpose of the draft Regulation is to give more latitude to ZEC managing agencies, in particular for the setting of fees and for certain management procedures.

To that end, the Regulation proposes:

- a regulation specific to wildfowl hunting ZECs;
- more flexibility in the setting of fees;
- the possibility that 20 % of the limited places be assigned according to procedures decided in a general meeting;
- the possibility that 2 % of the days of access be assigned for promotional purposes;
- the showing of licences upon registration.

To date, study of the matter has shown no negative impact on businesses and in particular on small and medium-sized businesses. On the contrary, the changes should allow for a better financing of ZEC managing