

(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*.

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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

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:

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Faune et Parcs
Service de la réglementation
675, boulevard René-Lévesque Est, 10^e étage, boîte 91
Québec (Québec)
G1R 5V7
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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 respecting wildfowl hunting 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 wildfowl hunting controlled zone for which an agency sets a limit on the number of groups of hunters that may enter to hunt wildfowl; (*secteur à accès contingenté*)

“wildfowl” means migratory game birds within the meaning of section 3 of the Migratory Birds Convention Act (R.S.C., 1985, c. M-17) whose hunting is governed by the Migratory Birds Regulations (C.R.C., c. 1035); (*sauvagine*)

“wildfowl hunting ZEC” means a controlled zone established for the purposes of wildfowl hunting in accordance with section 104 of the Act respecting the conservation and development of wildlife. (*ZEC de chasse à la sauvagine*)

2. This Regulation applies to wildfowl hunting 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 hunting licence to the registration officer;

(3) state his full name and address;

(4) 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

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

4. An agency may, by by-law, divide a ZEC territory into wildfowl hunting sectors.

5. A person shall not hunt in a ZEC except on the date and in the blind, 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 birds of each species taken, the date, blind, location or, where applicable, sector where they were taken, and shall produce the birds on request and allow any required handling or testing.

DIVISION III LIMITED ACCESS SECTORS

6. An agency may, by by-law, limit the number of groups of hunters to be admitted at the same time in each of the sectors that it has established, determine the num-

ber of hunters permitted per blind, and impose a requirement to hunt from a blind assigned by the agency.

The number of groups of hunters that may be admitted at the same time shall be equal to or greater than the number arrived at by using the following formula:

$$\text{Number of groups of hunters} = \frac{\text{length of the bank or shore of the ZEC in metres}}{600}$$

7. In order to hunt in a limited access sector, a person shall be part of a group selected in accordance with section 8 or shall have been selected in accordance with section 13.

8. An agency shall select groups of hunters according to the following terms and conditions:

(1) on an optional basis, for the daily selection of not more than 20 % of the number of groups of hunters that may be admitted each day into all the limited access sectors of the ZEC, according to the method of assignment determined by by-law of the agency;

(2) for the selection of not less than two thirds of the number of groups that may be admitted each day into all the limited access sectors of the ZEC, by a random draw held each year or by telephone reservation not less than two months before the beginning of the wildfowl hunting season;

(3) for groups not selected pursuant to paragraph 1, if applicable, and paragraph 2, by telephone reservation or by a random draw two days before the hunt;

(4) if there are vacancies following the selections made in accordance with paragraph 1, if applicable, and paragraphs 2 and 3, by telephone reservation the day before the hunt;

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

9. At least one month prior to selecting groups of hunters, 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 has a province-wide circulation and the other is circulated in the region of the ZEC or in the nearest region if there is no newspaper in the region.

10. At the time of the random draw, a person shall be put in charge of each group selected to which a hunting date shall be assigned. The sector or blind shall be

assigned to the group by a draw of lots on the premises on the day of the hunt.

11. A person who, pursuant to paragraph 2 of section 8, is selected by a random draw or makes a reservation by telephone shall be allotted one reservation for a maximum of four persons and for a maximum stay of two consecutive days.

12. The person selected in accordance with section 8 may designate a substitute, at any time before the beginning of the stay, by notifying the agency.

DIVISION IV **ASSIGNMENT FOR PROMOTIONAL PURPOSES**

13. Notwithstanding Division III, an agency may assign hunters in any sector of the ZEC for promotional purposes according to the procedure it determines by by-law; the number of hunters so assigned shall not exceed 2 % of the total number of hunting days in the ZEC during the preceding year provided that the maximum referred to in paragraph 1 of section 8 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 hunt wildfowl 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 16:

(1) \$66 per day;

(2) \$125 per day in a limited access sector for which the selection of hunters is made in accordance with paragraph 1 of section 8; or

(3) \$1 000 per day in any sector for which the selection of hunters is made in accordance with section 13.

The fees referred to in subparagraph 3 of the first paragraph may be charged only where it is part of a fund-raising activity of a nonprofit organization.

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

17. As provided in the second paragraph of section 110 of the Act respecting the conservation and development of wildlife, 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

PENAL

18. Any person who contravenes section 3, 5, 7 or 15 is guilty of an offence.

DIVISION VII

TRANSITIONAL AND FINAL

19. Where the territory of a ZEC that has been divided into sectors for wildfowl hunting is enlarged by the Minister, that enlargement shall constitute an additional hunting sector until such time as a by-law respecting that enlargement, made by the agency pursuant to section 4 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.

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

21. The by-laws made by an agency 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.

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