



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 73

(1999, chapter 63)

Water Resources Preservation Act

Introduced 21 October 1999
Passage in principle 26 October 1999
Passage 24 November 1999
Assented to 26 November 1999

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EXPLANATORY NOTES

The purpose of this bill is to preserve the water resources in Québec by prohibiting the transfer outside Québec of surface water or groundwater taken in Québec.

The bill provides, however, for cases in which the prohibition will not apply and specifies the cases in which the Government is authorized to lift the prohibition, notably for grounds of urgency or humanitarian reasons.

The bill provides that it is to have effect for a fixed period of time.

Bill 73

WATER RESOURCES PRESERVATION ACT

WHEREAS Québec's water resources are essential to the economic, social and environmental well-being of Québec; and whereas it is necessary to provide for the sustainable use of water resources;

WHEREAS public hearings are currently being held on the management of water in Québec; whereas the Bureau d'audiences publiques sur l'environnement must submit a report on the hearings; and whereas the Government thereafter will be called upon to implement new rules to provide a framework for water management that is consistent with the principles of sustainable development;

WHEREAS it is expedient in the meantime to act expeditiously to prevent any adverse effects on the environment that may arise from the transfer outside Québec of surface water or groundwater taken in Québec;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. This Act applies to surface water and groundwater.
2. From 21 October 1999, no water taken in Québec may be transferred outside Québec.

Such prohibition does not apply, however, to water taken

- (1) to produce electric power;
- (2) to be marketed as water intended for human consumption, insofar as the water is packaged in Québec in containers of 20 litres capacity or less;
- (3) to supply potable water to establishments or dwellings situated in a bordering zone;
- (4) to supply vehicles, including vessels and aircraft, and to be used by the persons or animals being transported in the vehicles or for ballast or other needs related to the operation of the vehicles.

3. The Government may, on the ground of urgency, for humanitarian reasons or for any other reason considered to be in the public interest, lift the prohibition under section 2 to allow the transfer of water outside Québec, subject to the provisions of the Environment Quality Act (R.S.Q., chapter Q-2).

The decision of the Government must describe the situation that warrants the lifting of the prohibition.

4. Any contravention of the provisions of section 2 renders the offender liable to the penalties set out in section 106.1 of the Environment Quality Act.

The provisions of the first paragraph of section 109.1.1 and of sections 109.1.2, 109.2, 110, 110.1, 112, 114 and 115 of the said Act are applicable.

5. This Act comes into force on 26 November 1999.

This Act will cease to have effect on the date to be fixed by the Government or at the latest on 1 January 2001 unless the Government, before that date, extends its effect for the period it indicates.