

Regulations and other acts

Gouvernement du Québec

O.C. 1252-2001, 17 October 2001

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)

Lands in the public domain

— Sale, lease and granting of immovable rights — Amendments

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain

WHEREAS under subparagraphs 3 and 7 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right and establish the rules and conditions under which persons may have access to and stay on any land, and specify the circumstances under which access to or staying on the land may be prohibited;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2001 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following that publication, no comments were made;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT the Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain, attached to this Order in Council, be made

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain*

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1, s. 71, subpars. 3 and 7)

1. The title and section 1 of the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain are amended by substituting the words “domain of the State” for the words “public domain”.

2. The following paragraph is added at the end of section 10:

“A person who applies for regularization under section 19.1 shall also have priority in purchasing the land covered by his application.”

3. The following is inserted after section 19:

“**19.1** The Minister may sell land to a person who applies for regularization within two years of the filing of a cadastral renovation plan and who would have qualified for a title under section 40.1 of the Act during the preparation of the renovation plan, or to the person’s successor.

The sale price shall be 1% of the market value of the land.”

4. The following Division is inserted after section 36:

“DIVISION V.1 SPECIAL CONDITIONS APPLYING TO CAMPSITES

36.1 This Division does not apply to lands leased by the Minister for the operation of a campsite.

36.2 No one may camp on lands in the domain of the State on the same site for more than seven months in a single year. For the purposes of this section, the expression “same site” includes any other site located within a 1 kilometre radius of the first site.

* The Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain, made by Order in Council 231-89 dated 22 February 1989 (1989, *G.O.* 2, 1483), was amended by the Regulation made by Order in Council 308-99 dated 31 March 1999 (1999, *G.O.* 2, 400).

36.3 No one may set up equipment in the right of way of a road or trail or in a loading and unloading zone on lands in the domain of the State.

No one may park a vehicle in the right of way of a trail or in a loading and unloading zone, nor park a vehicle in a way that hampers the traffic in the right of way of a road.

36.4 Any person camping on lands in the domain of the State shall clean the site and restore the premises to their original condition before leaving. The person shall also bring his garbage back with him when leaving.”.

5. The numbers “and 36.2 to 36.4” are inserted after the number “33” in section 48.

6. The last sentence is struck out in section 1 of Schedule 1.

7. The following is substituted for sections 2 and 4 of Schedule 1 :

“2. The fees payable for the sale of a parcel of land shall be \$200.

3. The fees payable for the other transactions shall be as follows :

(1) \$200 for the lease of a parcel of land, for exchanging an occupation permit for a lease, for an exchange, the granting of a servitude, the striking out or alteration of a restrictive clause, a quittance or a release and for permission by the Minister to alienate ;

(2) \$100 for the granting of a right of way ;

(3) \$50 for any change in a lease resulting from a mistake on the lessee’s part, and an application for altering the area of the parcel of land leased ;

(4) \$35 for the transfer of a lease ;

(5) \$25, including exigible taxes, for registration for a drawing of lots.

4. A person who has omitted or neglected to inform the Minister of a change of address shall reimburse the Minister for the expenses incurred by the Minister to trace the new address of that person upon the renewal of a right or upon an application for payment.”.

8. 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. 1253-2001, 17 October 2001

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)

Land for public use — Gratuitous transfer

Regulation respecting gratuitous transfer of land for public use

WHEREAS under subparagraphs 3 and 6 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1), the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right and prescribe the purposes of public utility for which a gratuitous transfer of land under the authority of the Minister may be made ;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2001 with a notice that it could be made by the Government upon the expiry of 45 days following that publication ;

WHEREAS following such publication, no comments were made ;

WHEREAS it is expedient to make the Regulation with amendments ;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources :

THAT the Regulation respecting gratuitous transfer of land for public use, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif