

Gouvernement du Québec

O.C. 485-2004, 19 May 2004

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

Hunting and fishing controlled zones
— Amendments

Regulation to amend the Regulation respecting hunting and fishing controlled zones

WHEREAS, under section 110 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, in respect of controlled zones, make regulations on the matters mentioned therein;

WHEREAS the Government made the Regulation respecting hunting and fishing controlled zones by Order in Council 1255-99 dated 17 November 1999;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting hunting and fishing controlled zones was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2003, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting hunting and fishing controlled zones, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting hunting and fishing controlled zones, attached hereto, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting and fishing controlled zones*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, 1st par., subpars. 1, 2, 2.1, 3, 4, 5.2, 6, items *b, d, e* and 2nd par.)

1. The Regulation respecting hunting and fishing controlled zones is amended in section 1 by adding “or a limit on the number of persons who may enter daily to fish” in the definition of “limited access sector” after “moose”.

2. Section 3 is amended

(1) by inserting the following after subparagraph 3 of the second paragraph:

“(3.1) specify to the officer a location or, where applicable, a sector where the person will carry on a recreational activity that is part of a development plan approved by the Société in accordance with section 106.0.1 of the Act and the date of each day on which the activity will be carried on;”;

(2) by replacing the third and fourth paragraphs by the following paragraph:

“Subject to the fourth paragraph, a person may, without paying additional fees or by paying the difference if the person requests to be transferred to a location or sector for which the fees are higher, have a registration officer modify the choice of location or sector for hunting, fishing or a recreational activity referred to in subparagraph 3.1 of the second paragraph; this paragraph does not apply to a person who hunts in a limited access sector.”;

(3) by adding the following paragraph at the end:

“If places are available and subject to the payment of fees, a person may also have a registration officer modify the choice of fishing location or sector in the following cases:

* The Regulation respecting hunting and fishing controlled zones made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381) has been amended once, by the regulation made by Order in Council 1093-2002 dated 18 September 2002 (2002, *G.O.* 2, 5272).

(1) to replace a non-limited access sector by a limited access sector or a body of water referred to in section 17.1;

(2) to replace a limited access sector or such a body of water by another limited access sector or another such body of water; and

(3) to replace a limited access sector or such a body of water by a non-limited access sector.”.

3. Sections 8 and 14 are amended by replacing “Type 1” by “Type 13”.

4. The Regulation is amended by inserting the following before section 8:

“**§1. Moose hunting sector**”.

5. The Regulation is amended by inserting the following after section 15:

“**§2. Fishing sector**

15.1. An agency may determine, by by-law, for fishing purposes, the maximum number of fishers who may be admitted daily to each sector it has established, to the extent that each sector corresponds to a body of water referred to in section 17.1, up to five sectors; the number of fishers must be at least six per sector.

15.2. To be able to fish in a limited access sector, a person must have been selected as provided in section 15.3.

15.3. The agency shall select fishers according to one of the following methods:

(1) at least two months before the fishing season, by an annual draw of lots or by telephone reservation, for the selection of at least half the number of fishers who may be admitted daily to all the limited access sectors in the ZEC;

(2) on the second day before the day on which the activity is to take place, by a draw of lots or by telephone reservation;

(3) on the day before the day the activity is to take place, by telephone reservation; and

(4) on the day the activity is to take place, by a draw of lots from among the persons present at the reception station.

15.4. At least one month prior to selecting the fishers, the agency shall publish the terms and conditions for participation in the draw of lots or telephone reservation in two newspapers, one of which with province-wide circulation and the other circulated in the region where the ZEC is located, or where that is not possible, in the nearest region.

15.5. Following a draw of lots held in accordance with paragraph 1 or 2 of section 15.3, each person selected shall be assigned a rank for the choice of a date and a limited access sector.

Following a draw of lots held in accordance with paragraph 4 of that section, each person selected shall be given the choice of a limited access sector.

15.6. A person selected following a draw of lots or who makes a telephone reservation shall be assigned only one reservation by the agency for a limit of three persons in the same limited access sector.”.

6. Section 17 is amended by replacing the first paragraph by the following:

“A person may not fish or hunt in a ZEC unless the person has paid the fees set by by-law of the agency; the fees may not exceed the amounts prescribed in Schedule II or those set in accordance with section 24 in the case of a non-resident.”.

7. The Regulation is amended by inserting the following after section 17:

“**17.1.** An agency may also, for no more than five bodies of water, set daily fishing fees by by-law, the amount of which may be increased up to double the amount the agency has set in accordance with the first paragraph of section 17; in such a case, any lump-sum fishing fee set by the agency does not apply to those bodies of water.”.

8. Section 19 is amended by replacing subparagraphs 1 and 2 of the first paragraph by the following:

(1) (a) \$7.50 if the person is travelling alone, whether or not the person is bringing in additional vehicles;

(b) \$7.50 for all persons, if the person is travelling with other persons but is not bringing in additional vehicles;

(c) \$7.50 per person, if the person is travelling with other persons and bringing in additional vehicles or, where applicable, \$7.50 per vehicle, if the number of vehicles including the main vehicle is less than the number of persons travelling; and

(2) when entering or leaving the ZEC between 10:00 p.m. and 7:00 a.m. from 16 April to 14 September, or between 9:00 p.m. and 6:00 a.m. from 15 September to 15 April, an additional amount of \$3.00 may be charged to the driver of the main vehicle.”.

9. Section 22 is replaced by the following:

“**22.** An agency may set, by by-law, for the benefit of any person, the person’s spouse and their minor children, an annual lump-sum fee not exceeding an amount prescribed in Schedule III, to travel by vehicle in the territory of the ZEC under its management.

An agency may also set, by by-law, for the benefit of any person, the person’s spouse, their minor children and the persons accompanying them, an annual lump-sum fee, the amount of which may be increased up to double the amount the agency has set in accordance with the first paragraph, to travel by vehicle in the territory of the ZEC.

Payment of the lump-sum fee referred to in the first and second paragraphs does not exempt the person from payment of the fees under subparagraph 2 of the first paragraph of section 19.”.

10. Section 23 is revoked.

11. The Regulation is amended by inserting the following after section 25:

“DIVISION IV.1
RECREATIONAL ACTIVITIES

25.1. An agency may, by by-law, determine the conditions on which a recreational activity, other than camping, may be carried on in a sector it has established for recreational activities, provided that the activity is part of a development plan approved by the Société in accordance with section 106.0.1 of the Act.

25.2. No person may, for the purposes of carrying on a recreational activity, install equipment in the right of way of a road or trail or in a loading zone, except where required for the proper management of the territory of the ZEC.”.

12. The Regulation is amended by inserting the following after section 27:

“**27.1.** No person may travel in a vehicle on a trail laid out for recreational activities that do not include travel by vehicle where the activities are part of a development plan referred to in section 25.1; such a trail must be identified as a trail for such activities.

27.2. No person may park a vehicle in the right of way of a road or trail in such manner as to impede traffic or in a loading zone.”.

13. The Regulation is amended by inserting the following after section 28:

“DIVISION VI.1
INDEXING

28.1. As of 1 April 2007, the maximum amounts of fees payable for fishing or hunting, set pursuant to sections 17 and 20, and the maximum amounts of travel fees set pursuant to sections 19 and 22 shall be indexed annually by applying to their value for the preceding year the percentage of annual increase in the unadjusted Canadian Consumer Price Index (recreation component), computed for the month of June of the preceding year, as published by Statistics Canada.

The Société de la faune et des parcs shall inform the public of the results of the indexing under this section through the *Gazette officielle du Québec* or by any other means the Société considers appropriate.”.

14. Section 29 is amended by replacing “19 and 28” by “19, 19.1, 25.2, 27.1, 27.2 and 28”.

15. Section 30 is amended

(1) by replacing “sectors for hunting or fishing” by “sectors for hunting, fishing or other recreational activities”;

(2) by replacing “additional hunting or fishing sector” by “additional sector for hunting, fishing or other recreational activities”.

16. The Regulation is amended by adding at the end Schedules II and III attached to this Regulation.

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

SCHEDULE II

(s. 17)

MAXIMUM FEES PAYABLE TO FISH AND HUNT**As of 10 June 2004**

- (1) \$17.25 per day for fishing from 1 December to 15 April;
- (2) \$17.25 per day for fishing from 16 April to 30 November;
- (3) \$17.25 per day for hunting, other than white-tailed deer, moose, caribou or black bear hunting;
- (4) \$29.00 per day for white-tailed deer hunting;
- (5) \$29.00 per day for moose hunting;
- (6) \$29.00 per day for caribou hunting;
- (7) \$29.00 per day for black bear hunting.

As of 1 April 2005

- (1) \$18.00 per day for fishing from 1 December to 15 April;
- (2) \$18.00 per day for fishing from 16 April to 30 November;
- (3) \$18.00 per day for hunting, other than white-tailed deer, moose, caribou or black bear hunting;
- (4) \$30.25 per day for white-tailed deer hunting;
- (5) \$30.25 per day for moose hunting;
- (6) \$30.25 per day for caribou hunting;
- (7) \$30.25 per day for black bear hunting.

As of 1 April 2006

- (1) \$19.00 per day for fishing from 1 December to 15 April;
- (2) \$19.00 per day for fishing from 16 April to 30 November;
- (3) \$19.00 per day for hunting, other than white-tailed deer, moose, caribou or black bear hunting;
- (4) \$31.50 per day for white-tailed deer hunting;

- (5) \$31.50 per day for moose hunting;
- (6) \$31.50 per day for caribou hunting;
- (7) \$31.50 per day for black bear hunting.

SCHEDULE III

(s. 22)

MAXIMUM ANNUAL LUMP-SUM FEES TO TRAVEL BY VEHICLE

- (1) \$75.00 where only one vehicle is used;
- (2) \$90.00 where two vehicles are used;
- (3) \$100.00 where three or more vehicles are used.

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Notice

Health Insurance Act
(R.S.Q., c. A-29)

**Insured visual aids
— Amendment**

Making by the Régie de l'assurance maladie du Québec of a Regulation to amend the Regulation respecting visual aids insured under the Health Insurance Act, dated 18 May 2004

THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC,

CONSIDERING the sixth paragraph of section 3 and section 72.1 of the Health Insurance Act (R.S.Q., c. A-29);

CONSIDERING that it is expedient to amend the lists of visual aids contained in the Regulation respecting visual aids insured under the Health Insurance Act;

GIVES NOTICE that, by Resolution CA-410-04-11 of the board of directors dated 18 May 2004, it has made the Regulation to amend the Regulation respecting visual aids insured under the Health Insurance Act, the text of which appears below.

Sillery, 18 May 2004

ANDRÉ-GAÉTAN CORNEAU,
*Secretary General of the Régie
de l'assurance maladie du Québec*