

Regulations and other acts

Gouvernement du Québec

O.C. 960-2004, 15 October 2004

An Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., c. M-25.2)

Signing of certain deeds, documents and writings — Amendments

Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles

WHEREAS, under section 8 of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., c. M-25.2), the Government may determine, by regulation published in the *Gazette officielle du Québec*, the deeds, documents and writings which may be signed by certain members of the personnel of the Ministère des Ressources naturelles, de la Faune et des Parcs indicated by the Government and may therefore bind the department or be attributed to the Minister;

WHEREAS, by Order in Council 1455-95 dated 8 November 1995, the Government made the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles;

WHEREAS, under the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11), the responsibilities assigned to the Société, under its constituent Act, have been transferred to the Minister of Natural Resources, Wildlife and Parks;

WHEREAS it is expedient to amend the Regulation accordingly to authorize certain holders of positions related to wildlife and parks to sign deeds, writings and other documents that will bind the Ministère des Ressources naturelles, de la Faune et des Parcs and may be attributed to the Minister;

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

THAT the Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles*

An Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., c. M-25.2, s. 8)

1. The Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles is amended by adding “, de la Faune et des Parcs” at the end of the title.

2. Section 1 is replaced by the following:

“**1.** The members of the personnel of the Ministère des Ressources naturelles, de la Faune et des Parcs who hold the positions referred to in this Regulation, including the members of the Department’s personnel who are appointed to those positions by interim, are authorized to sign alone, within the limits of their respective duties and with the same authority as the Minister, the deeds, documents and writings listed after their positions.”

3. Section 2 is replaced by the following:

“**2.** An associate deputy minister, an assistant deputy minister, a director general or an assistant director general is authorized to sign the following documents in respect of the sector or directorate for which he or she is responsible:

* The Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles, made by Order in Council 1455-95 dated 8 November 1995 (1995, *G.O.* 2, 3135), was last amended by the regulation made by Order in Council 1073-2000 dated 5 September 2000 (2000, *G.O.* 2, 4568). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

- (1) supply contracts ;
- (2) service contracts ;
- (3) construction contracts ;
- (4) concession contracts and business partnership contracts ;
- (5) deeds for the acquisition and transfer of immovable rights and property other than those referred to in Division III ;
- (6) leases for the rental of immovables for occasional and seasonal needs of the Department ;
- (7) promises and grants of subsidies for which the granting standards and eligibility criteria have been approved by the Government or the Conseil du trésor ;
- (8) leases for telecommunication equipment ;
- (9) any deed, document or writing pertaining to copyright and intellectual property ;
- (10) authorizations for out-of-court settlements with or without consideration, and transactions, discharges and subrogations ;
- (11) credit agreements ;
- (12) agreements for the protection and conservation of wildlife ; and
- (13) leases resulting from agreements entered into with Natives within the meaning of the Act respecting Cree, Inuit and Naskapi Native persons (R.S.Q., c. A-33.1) in the territories covered by the James Bay and Northern Québec Agreement and the Northeastern Québec Agreement.”.

4. The following is inserted after section 34.2 :

**“DIVISION II.1
FAUNE QUÉBEC SECTOR**

34.3. In this Division, unless otherwise indicated by the context, “Act” means the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1).

34.4. The associate deputy minister of the Faune Québec sector, the director general of wildlife protection or a regional wildlife protection director is authorized to sign a deed of appointment provided for in section 8 of the Act.

34.5. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or a regional wildlife management director is authorized to sign the authorizations or contracts provided for in sections 22, 26, 56.1, 58, 107, 109, 118, 120, 126 and 127 of the Act.

34.6. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management, the director of wildlife habitats and regulation, the regional wildlife management director or the director of wildlife management in a bordering region is authorized to sign the licence provided for in the first paragraph of section 47 of the Act.

34.7. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or the director of licences and fee rates is authorized to sign an authorization provided for in the first paragraph of section 54 of the Act, in respect of a person other than an officer.

The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management, the director of wildlife habitats and regulation, the director of wildlife development or the regional wildlife management director is authorized to sign an authorization provided for in the first paragraph of section 54 of the Act, in respect of an officer.

34.8. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or the director of wildlife habitats and regulation is authorized to sign the authorizations provided for in sections 105, 112 and 123 of the Act.

34.9. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management, the regional wildlife management director or the director of wildlife management in a bordering region is authorized to sign an authorization provided for in section 128.7 of the Act as well as the decision on its refusal, suspension or revocation and any prior notice to that effect.

34.10. The associate deputy minister of the Faune Québec sector, the director general of wildlife protection or a regional wildlife protection director is authorized to sign the mandate entrusted to a wildlife protection officer or an officer referred to in section 3 of the Act to act within his or her investigative or control functions, under section 24 of the Act.

The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or a regional wildlife management director is authorized to sign the mandate entrusted to an employee of the Department to act for research, study, analysis, inventory or appraisal purposes, under section 24.0.1 of the Act.

34.11. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or a regional wildlife management director is authorized to sign the agreements provided for in sections 37, 104, 106, 111, 122 and 128.16 of the Act.

34.12. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or a regional wildlife management director is authorized to sign an order provided for in section 128.15 of the Act.

The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or the director of wildlife development is authorized to sign an order provided for in sections 74 and 75 of the Act.

34.13. The associate deputy minister of the Faune Québec sector or the director general of wildlife development and management is authorized to sign decisions to suspend, revoke, amend or refuse to renew an outfitter's licence provided for in the first paragraph of section 177 of the Act.

The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or the regional wildlife management director is authorized to sign decisions to revoke, suspend or refuse to renew any licence provided for in the second paragraph of section 177 of the Act.

34.14. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management, the director of wildlife habitats and regulation or the regional wildlife management director is authorized to sign the leases of exclusive rights referred to in section 86 of the Act, as well as decisions on their revocation, amendment or non-renewal.

34.15. The associate deputy minister of the Faune Québec sector or the director general of wildlife development and management is authorized to sign decisions to revoke or amend an outfitter's licence provided for in section 86.2 of the Act.

34.16. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or the director of wildlife development is authorized to sign the notice provided for in section 171.3 of the Act.

34.17. The associate deputy minister of the Faune Québec sector, the director general of wildlife development and management or the director of licences and fees is authorized to sign the notice relating to the indemnity referred to in section 79 of the Act.”.

5. The title of Division III is replaced by the following:
“TERRITORY AND PARKS SECTOR”.

6. The following is inserted before section 35:
“§1. *Territory*”.

7. Section 35 is amended by replacing “Division” by “Subdivision”.

8. The following is inserted after section 52:
“§2. *Parks*

52.1. In this Subdivision, unless otherwise indicated by the context, “Act” means the Parks Act (R.S.Q., c. P-9).

52.2. The associate deputy minister for territory and parks or the director of parks is authorized to sign any authorization or contract provided for in sections 6, 7, 8, 8.1 and 8.1.1 of the Act.

52.3. The director of parks or an employee of a contracting party referred to in section 8.1 or 8.1.1 of the Act may issue any authorization provided for in section 6.1 of the Act.”.

9. The Regulation is amended by replacing “associate deputy minister for the Territory Sector” in sections 39 to 45, 47 to 49 and 51 by “associate deputy minister for territory and parks”.

10. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.