

## Draft Regulation

Transport Act  
(R.S.Q., c. T-12)

### Transport of passengers by water — Amendments

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 to amend the Regulation respecting the transport of passengers by water, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend certain conditions for the issue and renewal of permits for the transport of passengers by water, the period of coverage of the insurance policy and the terms and conditions for the posting of a permit. The purpose of the draft Regulation is also to add to the cases already provided for in the Regulation, cases in which a permit is not required.

The proposed regulatory amendments will reduce the administrative and financial burden on several enterprises to which the Regulation applies. However, a small number of enterprises will have to obtain a permit whereas some enterprises will no longer have to apply for one.

Further information may be obtained by contacting Rachid Raffa, Ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 24<sup>e</sup> étage, Québec (Québec) G1R 5H1; telephone: 418 644-2908, extension 2257; fax: 418 646-6196; e-mail: touhamirachid.raffa@mtq.gouv.qc.ca

Any person wishing to comment on the draft Regulation may submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

JULIE BOULET,  
*Minister of Transport*

## Regulation to amend the Regulation respecting the transport of passengers by water\*

Transport Act  
(R.S.Q., c. T-12, s. 5, pars. c, d, e and f)

**1.** The Regulation respecting the transport of passengers by water is amended by replacing section 2 by the following:

“2. No permit is required in the following cases:

- (1) the rental of a pleasure craft without crew;
- (2) white-water rafting in a non-motorized craft or any other water sport;
- (3) transport by water provided by
  - (a) the holder of an outfitter’s licence in connection with activities incidental to the outfitting operation;
  - (b) an agency having signed a lease granting it exclusive fishing rights for purposes other than outfitting activities under subparagraph 5 of the second paragraph of section 86.1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1);
  - (c) an agency to which the management of a controlled zone has been entrusted, in whole or in part, pursuant to section 106 of the Act respecting the conservation and development of wildlife;
  - (d) a person, an association or a body or agency authorized by contract to organize activities or provide services for profit or operate a commercial undertaking with a view to the development or utilization of wildlife or its habitat, as the case may be, or for the purposes of recreational activities pursuant to sections 109, 118 and 127 of the Act respecting the conservation and development of wildlife;
  - (e) the Société des établissements de plein air du Québec or its mandataries; or
  - (f) a person, an association or a body authorized by contract to operate a business, provide a service or organize an activity pursuant to section 8.1 of the Parks Act (R.S.Q., c. P-9); and
- (4) transport of marine pilots.

For the purposes of subparagraph 2 of the first paragraph, “water sport” means any physical activity involving the use of a craft on various bodies of water, provided by a person who is a member of a sports body that has adopted a safety regulation approved pursuant to section 27 of the Act respecting safety in sports (R.S.Q., c. S-3.1) or by a person who is a member of a sports body affiliated to a sports federation that has adopted such a regulation approved pursuant to section 27 of that Act.”.

\* The Regulation respecting the transport of passengers by water was made by Order in Council 147-98 dated 4 February 1998 (1998, G.O. 2, 1205).

**2.** Section 3 is amended

(1) by striking out paragraph 1;

(2) by replacing “for the period of validity of the permit” in paragraph 2 by “for the period of operation of the service authorized by the permit”;

(3) by striking out “whose gross tonnage is greater than 5 tons or” in paragraph 2;

(4) by replacing paragraph 4 by the following:

“(4) he attests in a document that each ship and its crew to be used in providing the service meet the requirements of the federal regulations relating to the inspection, capacity and safety of ships and the competence of their crew;”.

**3.** Section 6 is amended by replacing “15 June” in the second paragraph by “15 July”.

**4.** Section 9 is amended by striking out “at all times” and by replacing “in the boarding area in full view of the public” by “in full view of the public during boarding”.

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