

Draft Regulations

Draft Regulation

Cultural Heritage Act
(chapter P-9.002)

Archaeological Research

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Archaeological Research Regulation, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to determine the conditions under which archaeological research permits are issued and revoked and the content and manner of presentation of the annual activity report provided for in section 72 of the Cultural Heritage Act (chapter P-9.002).

It replaces, in connection with the provisions of the Cultural Heritage Act, the Regulation respecting archaeological research (chapter B-4, r. 2), which was made under the Cultural Property Act (chapter B-4). The draft Regulation provides new conditions under which permits are issued, in particular the condition requiring the persons in charge of the archaeological operation who are mentioned in the permit application to be the same persons who, during the archaeological operation, perform the tasks under their name in the permit application. The draft Regulation also changes the conditions under which permits are revoked, as well as the content and manner of presentation of the annual archaeological research report.

Further information may be obtained by contacting Jean-Jacques Adjizian, Service Head, Direction du patrimoine et de la muséologie, Service des inventaires, archéologie et muséologie, Ministère de la Culture et des Communications, 225, rue Grande Allée Est, bloc C, 3^e étage, Québec (Québec) G1R 5G5; telephone: 418 380-2352, extension 7434.

Any person having comments to make is requested to submit written comments within the 45-day period to the Minister of Culture and Communications, 225, rue Grande Allée Est, bloc A, 1^{er} étage, Québec (Québec) G1R 5G5.

MAKA KOTTO,
Minister of Culture and Communications

Archaeological Research Regulation

Cultural Heritage Act
(chapter P-9.002, s. 81, par. 2)

DIVISION I DEFINITIONS

1. In this Regulation, unless otherwise indicated by the context,

(1) “ecofact” means a material relic from the animal, vegetal or mineral kingdom that was not made by man but testifies to human occupancy, including hair, bones or traces such as coal;

(2) “archaeological operation” means the excavations and surveys referred to in section 68 of the Cultural Heritage Act, including monitoring, inventory, trial excavation and collecting activities;

(3) “person in charge of the archaeological operation” means any natural person who supervises the operation on the site and takes part in the carrying out of that operation and in the drafting of the archaeological research report.

DIVISION II ISSUE OF AN ARCHAEOLOGICAL RESEARCH PERMIT

2. An archaeological research permit may be issued by the Minister to a person who applies for it if the following conditions are met:

(1) the applicant provides, in addition to the written consent of the immovable’s owner or of any other interested person, an agreement entered into with that owner or interested person concerning the nature and duration of the work, and the treatment of objects that will be found;

(2) the Minister has received every annual archaeological research report related to a permit now expired that was held by that person;

(3) the applicant submits an archaeological research project that includes

(a) the place of the archaeological operation, including the precise perimeter of the operation and the archaeological sites already known in that perimeter on a plan or

topographic map at any of the following scales: 1:50,000, 1:20,000 or 1:5,000, except in an urban setting for which the scale is 1:1,000;

(b) the nature of the archaeological operation, including details on the context, its objectives and the issues anticipated, and a history of the prior archaeological researches in the perimeter of the planned operation;

(c) the planned duration of the archaeological research with the dates scheduled for the beginning and end of the operation;

(d) the composition of the archaeological team that will carry out the operation: all the persons in charge of the archaeological operation, assistants and specialists, and the number of technicians;

(e) except for technicians, the record of qualification of each member of the archaeological team, including academic training and relevant experience and, for all the persons in charge of the archaeological operation, a list of their scientific publications, a list of the bodies to which they have been attached since the end of their academic training and their position in each body;

(f) the methods that the person plans to use to operate on the site and to record data;

(g) the methods that the person plans to use, on the site and in the laboratory, to preventively preserve or restore the movable and immovable relics;

(h) the places and circumstances in which collections and data will be analyzed and, in the case of an archaeological operation on land in the domain of the State, the proposed place for the deposit of collections;

(i) a description of the material means for the research, in particular the equipment and premises; and

(j) the name of the persons and bodies that provided funds, the amounts obtained for the research project and an itemized budget for the financial resources at the person's disposal at each stage of the research, such as on-site operation, the treatment of objects found, the analysis and the drafting of the archaeological research report.

3. In addition to the conditions provided for in the Cultural Heritage Act, an archaeological research permit is issued conditional on the following:

(1) all the persons in charge of the archaeological research who are mentioned in the permit application are the persons who, during the archaeological operation, perform the tasks identified under their name in the permit application;

(2) the archaeological research work begins within 30 days of the date planned by the applicant for the beginning of the operation;

(3) the permit holder informs the Minister in writing of the nature of and reasons for any permit modification desired by the permit holder.

Any permit modification granted by the Minister forms, as a condition, part of the initial permit of the permit holder.

DIVISION III REVOCATION OF AN ARCHAEOLOGICAL RESEARCH PERMIT

4. In addition to the cases provided for in the Cultural Heritage Act for the revocation of an archaeological research permit, any permit issued by the Minister may be revoked if the information provided by its holder under section 2 is inaccurate or incomplete.

DIVISION IV ANNUAL ARCHAEOLOGICAL RESEARCH REPORT

5. The annual archaeological research report provided for in section 72 of the Cultural Heritage Act must be submitted to the Minister before the permit's date of expiry.

Despite the foregoing, if a permit has been revoked, the annual report must be submitted to the Minister within 60 days of the revocation.

6. The archaeological research report must contain the following elements: the context, information on the archaeological operation, the results of the research, the conclusions and recommendations, and schedules.

7. The context given in the report must include the following information on the site of the archaeological operation:

(1) the ancient environmental framework in connection with the findings, that is, information on the evolution of wildlife, flora, geology and landscape;

(2) the historic and prehistoric framework, presenting the various cultural periods;

(3) maps, ancient plans and iconography, if any;

(4) a history of the previous archaeological researches, including those related to the presence of known sites on the operation site and within a minimum radius of 5 kilometres or, in the case of an urban setting, within a minimum radius of 500 metres from the site.

8. The archaeological research information that must be exposed in the report is

- (1) a summary, not exceeding 2 pages, of the work performed and of the results and conclusions;
- (2) the nature and duration of the archaeological operation and the dates on which that operation is to begin and end on the site;
- (3) the name of the permit holder, the permit number and the permit holder's professional contact information;
- (4) the name of the promoters;
- (5) the composition of the team for the archaeological operation, the analysis and the drafting of the report, including each person's responsibility;
- (6) the location of the zone of archaeological operation on a topographic map, at any of the following scales: 1:50,000, 1:20,000 or 1:5,000, except in an urban setting for which the scale is 1:1,000;
- (7) a description of each place of operation or archaeological site concerned;
- (8) the detailed methods for each type of research and the methods of recording field data, including the grid layout and the on-site establishment strategy; and
- (9) the measures taken for the protection and preservation of the archaeological objects and relics.

9. The results of the research must be presented in a detailed manner in the archaeological research report and include

- (1) a description of the artifacts and ecofacts found, associated with their stratigraphic origin, with details as to the cultural period they are associated with;
- (2) the location of the site with its Borden code and its limits defined by GPS coordinates on a topographic map at any of the following scales: 1:50,000, 1:20,000 or 1:5,000, except in an urban setting for which the scale is 1:1,000, for all the archaeological sites affected by the operation;
- (3) an aerial photograph or a satellite card showing the site's limits;
- (4) a detailed plan showing the areas having been the subject of excavations or surveys including the grid layout and the location of negative and positive trial excavations and any information on the presence of vegetation, water-courses, railway, road and public utility infrastructures and buildings;

(5) a spatial distribution plan of the traces of settlement and vestiges found, and of their stratigraphic origin, with the orientation indicated;

(6) representative stratigraphic sections with elevations, exposing the natural and man-made stratigraphic layers necessary for understanding the place of operation, including those of negative trial excavations, with the orientation indicated;

(7) color photographs of the research zone and, if applicable, for each site, stratigraphies, traces of settlement and significant artifacts from each cultural period with, for each photograph of stratigraphies and traces of settlement, the position in relation to the four cardinal points;

(8) the event-based analysis and interpretation of the content in terms of artifacts, ecofacts and architectural vestiges in the research zone and at each stratigraphic level, including their chronologic and cultural attribution and the integration of the results of specialized studies made, for instance, in animal osteology, bioarchaeology, material culture, sedimentology, archaeobotany, palynology and carbon-14 dating; and

(9) for each archaeological site affected by the operation, an appraisal of its heritage values and importance.

10. The conclusions and recommendations in the research report must include a summary of the results of the research, the general conclusions, recommendations as to the follow-up to be given to the archaeological operation and a statement of the development potential of the operation site.

11. The schedules that the research report must contain are

(1) a summary of the following information: the identification of the site and its location, the cultural periods associated with it, the work carried out, the analyses made, the heritage values associated with the site, the recommendations, the nature, dating and function of the immovable vestiges, and the nature and dating of the artifacts and ecofacts;

(2) a legible copy of the notes, plans and drawings;

(3) specialized study reports;

(4) photographs of the significant movable and immovable archaeological property found and of the operations, and the catalogue of photographs; and

(5) for each site, a detailed inventory of artifacts and ecofacts and the objects' catalogue cards, if any.

12. This Regulation replaces the Regulation respecting archaeological research (chapter B-4, r. 2).

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

2376

Draft Regulation

Financial Administration Act
(chapter A-6.001)

Health Insurance Act
(chapter A-29)

Forms and statements of fees under the Health Insurance Act

— Fee adjustments
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act, made by the Régie de l'assurance maladie du Québec and the text of which appears hereafter, may be submitted to the government for approval on the expiry of the 45-day period following this publication.

The object of this draft regulation is to increase the fees exigible of insured persons under the health insurance plan. Thus, the cost of replacing a lost, damaged or stolen card, as well as the cost of renewing a card after six months of its expiry, would increase from \$20 to \$23.

The proposed amendments have no impact on enterprises.

For further information, please contact:

Yannic Périgny-Lajoie

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Vice-présidence à l'administration et à la gestion de l'information

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Persons wishing to comment on this draft regulation may write, before the deadline, to the undersigned, Minister of Health and Social Services and Minister responsible for Seniors, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

RÉJEAN HÉBERT,

Minister of Health and Social Services

Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

Financial Administration Act
(chapter A-6.001, s. 83.8)

Health Insurance Act
(chapter A-29, s. 72, subpars. c and c.2)

1. Section 8.1 of the Regulation respecting forms and statements of fees under the Health Insurance Act (chapter A-29, r. 7) is amended by replacing the number “20” by the number “23”.

2. Section 8.3 of that Regulation is amended by replacing the number “20” by the number “23”.

3. This Regulation comes into force on 1 March 2013.

2365

Draft Regulation

An Act respecting off-highway vehicles
(chapter V-1.2)

Operation of off-highway vehicles on a portion of chemin Saint-Joseph under the management of the Minister of Transport

— **Municipalité de Trois-Rives**

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 authorize the operation of off-highway vehicles on a portion of chemin Saint-Joseph under the management of the Minister of Transport, appearing below, may be made by the Minister of Transport on the expiry of 45 days following this publication.

The draft Regulation authorizes the operation of motorized all-terrain vehicles and side-by-side vehicles on a portion of chemin Saint-Joseph in the territory of Municipalité de Trois-Rives.