

This Agreement takes effect on the date of its publication in the *Gazette officielle du Québec* and applies to services rendered under legal aid mandates entrusted as of 1 April 2010.

However, this Agreement does not have the effect of reducing the fees already paid before its publication.

173. By exception to the second paragraph of section 172, the fees provided for in sections 55, 56, 67 and 149 apply to services rendered under mandates entrusted as of the effective date of this Agreement. For the services referred to in those sections and rendered under mandates entrusted between 1 April 2010 and the effective date, the Regulation to ratify the Agreement between the Minister of Justice and the Barreau du Québec respecting the conditions of practice, the procedure for the settlement of disputes and the tariff of fees of advocates under the legal aid plan entered into on 4 April 2008 continues to apply despite its replacement.

That Regulation also continues to have effect for mandates entrusted between 1 April 2007 and 1 April 2010 and for mandates entrusted between 1 January 2008 and 1 April 2010 for which the fees are provided for in sections T201.1 and T201.2 of that Regulation.

174. The maximum level of the fees that may be paid to an advocate who renders services under the legal aid plan is set at \$140,000 for mandates entrusted to the advocate between 1 April and 31 March of the years covered by this Agreement. Beyond that amount, the fees paid to an advocate are reduced by 35% for each mandate.

175. This Agreement expires on 30 September 2017; it continues to apply until it is replaced.

2583

M.O., 2013

Order number 2013-01 of the Minister of Culture and Communications dated 15 March 2013

Cultural Heritage Act
(chapter P-9.002)

Archaeological Research

THE MINISTER OF CULTURE AND COMMUNICATIONS

CONSIDERING paragraph 2 of section 81 of the Cultural Heritage Act (chapter P-9.002), which allows the Minister of Culture and Communications to make regulations to determine conditions under which archaeological research

permits are issued or revoked and the content and manner of presentation of the annual activity report required under section 72 of the Act;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Archaeological Research Regulation was published in Part 2 of the *Gazette officielle du Québec* of 12 December 2012 with a notice that it could be made by the Minister of Culture and Communications on the expiry of 45 days following that publication and that any interested person could submit comments within that period;

CONSIDERING that the 45-day period has expired and comments have been received and examined;

CONSIDERING that it is expedient to make the Archaeological Research Regulation with amendments;

ORDERS AS FOLLOWS:

The Archaeological Research Regulation, attached to this Order, is hereby made.

Québec, 15 March 2013

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 bones, seeds or coal;

(2) “archaeological operation” means the excavations and surveys for the purposes of finding archaeological property or sites, including monitoring, 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 measures for conservation of objects that will be uncovered;

(2) the Minister has received every annual archaeological research report related to a permit now expired or revoked 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;

(b) the nature of the archaeological operation, including details on the context and its objectives, 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 team that will carry out the archaeological operation: the name of 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 operation team, including education or university 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 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) if the application concerns an archaeological site to which a Borden code has been given by the Ministère de la Culture et des Communications, the strategies 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 treated and 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 uncovered, 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 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 expiry of 1 year from the date of issue of the permit.

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 and current 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, that was used for interpreting the results;

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

(4) a history of the previous archaeological researches.

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 archaeological operation site on a topographic map;

(7) a description of each place of operation or archaeological site concerned;

(8) the methods for each type of operation 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) the location of the site and its limits defined by geographical coordinates on a topographic map, for all the archaeological sites affected by the operation;

(2) an aerial photograph or a space map showing the site's limits;

(3) for every site where archaeological property has been uncovered, a plan showing the areas having been the subject of excavations or surveys including the location of negative and positive trial excavations and any information on the presence of vegetation, watercourses, railway, road and public utility infrastructures and buildings;

(4) a spatial distribution plan of the traces of settlement and vestiges found, with the orientation indicated;

(5) representative stratigraphic sections with elevations, exposing the natural and man-made stratigraphic layers necessary for understanding the place of operation, with the orientation indicated;

(6) color photographs of the operation site 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, with the orientation indicated;

(7) the event-based description, analysis and interpretation of the content in terms of artifacts, ecofacts and architectural vestiges in the operation site 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

(8) for each archaeological site affected by the operation, an appraisal of its heritage values and archaeological 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) for each archaeological site, a summary of the following information: the identification of the site and its location, the Borden code, the cultural periods associated with it, the work carried out, the analyses made, the archaeological 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 field notes, plans and drawings;

(3) a copy of the specialized study carried out;

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

12. Until (*insert the date that occurs one year after the date of the day prior to the date of coming into force of this Regulation*) and despite sections 6 to 11, the holder of a permit issued before (*insert the date of coming into force of this Regulation*) may, in lieu of the report provided for in those sections, submit to the Minister, within the period provided for in section 5, an annual report complying with section 11 of the Regulation respecting archaeological research (chapter P-9.002, r. 2).

13. This Regulation replaces the Regulation respecting archaeological research (chapter P-9.002, r. 2).

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

2585

M.O., 2013

Order of the Minister of Sustainable Development, Environment, Wildlife and Parks dated 13 March 2013

Natural Heritage Conservation Act
(chapter C-61.01)

Extension of the setting aside of land for two proposed aquatic reserves and of land for twenty-seven proposed biodiversity reserve

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT, WILDLIFE AND PARKS,

CONSIDERING the Minister's Order dated 31 March 2009 (2009, *G.O.* 2, 1309), made in accordance with the Natural Heritage Conservation Act (chapter C-61.01), by which the following land has been set aside for a term of four years beginning on 15 April 2009:

Proposed biodiversity reserves:

- du Fjord-Tursukattaq;
- de Kangiqsujuaq;
- de la Rivière-Vachon;
- de Quaqaq-Kangirsuk;
- de l'Estuaire-des-Rivières-Koktac-et-Nauberakvik;
- des Drumlins-du-Lac-Viennaux;
- de la Rivière-Delay;
- du Lac-Sérigny;
- Hironnelle;
- du Domaine-La-Vérendrye;
- de la Station-de-Biologie-des-Laurentides;
- de Grandes-Piles;

CONSIDERING the first paragraph of section 16 of the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River (2009, chapter 31), under which the territory of the proposed Réserve de biodiversité Samuel-De Champlain was set aside and is deemed to be constituted as such in accordance with Title III of the Natural Heritage Conservation Act, for a term of 4 years beginning on 19 June 2009;

CONSIDERING the Minister's Order dated 27 July 2005 (2005, *G.O.* 2, 4072), made in accordance with the Natural Heritage Conservation Act by which the following land has been set aside for a term of 4 years beginning on 7 September 2005:

Proposed aquatic reserves:

- du lac au Foin;
- de la vallée de la rivière Sainte-Marguerite;

Proposed biodiversity reserves:

- du ruisseau Niquet;
- du lac Saint-Cyr;
- du lac Wetetnagami;
- du lac Plétipi;
- du lac Onistagane;
- du lac Berté;
- Paul-Provencher;
- de la vallée de la rivière Godbout;
- du brûlis du lac Frégate;
- des îles de l'est du Pipmuacan;
- Akumunan;
- du lac Ménistouc;
- de la rivière de la Racine de Bouleau;
- des drumlins du lac Clérac;

CONSIDERING the Minister's Order dated 17 July 2009 (2009, *G.O.* 2, 2233), made in accordance with the Natural Heritage Conservation Act, by which the term of