

Plant production	Period of exemption
Blackberry	4 years
Switchgrass	3 years
Mooseberry	5 years
Cultivated medicinal plant	2 years
Perennial	2 years
Pear	5 years
Apple	5 years
Non-timber forest products	2 years
Plum	7 years
Table or wine grape	6 years
Rhubarb	3 years
Saffron	2 years
Truffle	10 years

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Gouvernement du Québec

**O.C. 1155-2020, 4 November 2020**

An Act respecting the lands in the domain of the State (chapter T-8.1)

**Sale, lease and granting of immovable rights on lands in the domain of the State****—Amendment**

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State

WHEREAS, under subparagraph 3 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (chapter T-8.1), the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right;

WHEREAS, under the second paragraph of section 71 of the Act, regulations made under subparagraph 3 of the first paragraph may prescribe different conditions, prices and fees according to the categories of users and the zones or territories indicated by the Government;

WHEREAS the Government made the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (chapter T-8.1, r. 7);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State was published in Part 2 of the *Gazette officielle du Québec* of 19 August 2020 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 with amendments;

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

THAT the Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on the lands in the domain of the state**

An Act respecting the lands in the domain of the State (chapter T-8.1, s. 71, 1st par., subpar. 3 and 2nd par.).

**1.** The Regulation respecting the sale, lease and granting of immovable rights on the lands in the domain of the State (chapter T-8.1, r. 7) is amended in section 3

(1) by replacing “adjusted” in the first paragraph by “indexed”;

(2) by inserting the following after the second paragraph:

“The indexing of an amount that cannot be rounded up to the nearest dollar is postponed until the year in which the total of the indexing rates applicable to each year for which the indexing is postponed will increase the amount by \$1.”

**2.** Section 4 is amended

(1) by inserting “of land intended for commercial or industrial purposes” after “lessee” in the second, third and fourth paragraphs;

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

“In the case of land leased for purposes other than commercial or industrial purposes, the Minister shall pay the fees for the preparation and registration of survey plans and documents, where such operations are necessary.”.

**3.** Section 26 is amended by striking out the third paragraph.

**4.** The following is inserted after section 26:

“**26.01.** A lease is not transferable as long as the lessee fails to remedy a failure to comply with the lease covered by a written notice of non-compliance.

At the time of the transfer by the lessee of the lessee’s rights in the lease or the alienation of the buildings and facilities erected on the leased land, a new lease must be entered into between the Minister and the purchaser. In either case, the lessee must inform the Minister.”.

**5.** Schedule I is amended by replacing “a file is opened” in section 1 by “an application is filed”.

**6.** Schedule I is amended in the first paragraph of section 2

(1) by inserting “non-refundable” after “the following” in the portion before subparagraph 1;

(2) by replacing “its renewal” in subparagraph 2 by “the renewal of a lease with a term longer than 1 year”.

**7.** Schedule I is amended by replacing section 17 by the following:

“(17) For the purposes of section 28.1, the urban poles and references values of land rated 100 according to the corresponding years as follows:

Urban poles	100-rated reference value for leases issued before 1 January 2020	100-rated reference value for leases issued in 2020	100-rated reference value for leases issued as of 1 January 2021
Municipalité de Chénéville	\$34,200	\$34,200	\$34,200
Municipalité de La Pêche	\$28,384	\$29,405	\$31,500
Municipalité de Saint-Côme	\$16,100	\$16,100	\$16,100
Municipalité de Saint-Donat	\$20,200	\$20,200	\$20,200
Municipalité de Sainte-Thècle	\$29,300	\$29,300	\$29,300
Municipalité de Saint-Michel-des-Saints	\$15,500	\$15,500	\$15,500
Municipalité de Val-des-Monts	\$38,300	\$38,300	\$38,300
Municipalité Les Escoumins	\$3,800	\$3,800	\$3,800
Municipalité Les Îles-de-la-Madeleine	\$15,315	\$15,315	\$15,500
Paroisse de Saint-Alexis-des-Monts	\$18,800	\$18,800	\$18,800
Village de Fort-Coulonge	\$24,700	\$24,700	\$24,700
Ville d’Alma	\$16,642	\$18,000	\$18,000
Ville d’Amos	\$14,100	\$14,100	\$14,100
Ville d’Amqui	\$5,600	\$5,600	\$5,600
Ville de Baie-Comeau	\$4,000	\$4,000	\$4,000
Ville de Carleton-sur-Mer	\$2,900	\$2,900	\$2,900
Ville de Chandler	\$3,400	\$3,400	\$3,400
Ville de Chibougamau	\$20,800	\$20,800	\$20,800

Urban poles	100-rated reference value for leases issued before 1 January 2020	100-rated reference value for leases issued in 2020	100-rated reference value for leases issued as of 1 January 2021
Ville de Forestville	\$3,500	\$3,500	\$3,500
Ville de Gaspé	\$3,800	\$3,800	\$3,800
Ville de La Malbaie	\$24,200	\$24,200	\$24,200
Ville de La Pocatière	\$12,100	\$12,100	\$12,100
Ville de La Sarre	\$3,800	\$3,800	\$3,800
Ville de La Tuque	\$16,030	\$16,030	\$24,600
Ville de Maniwaki	\$26,700	\$26,700	\$26,700
Ville de Matagami	\$6,841	\$7,000	\$7,000
Ville de Matane	\$4,900	\$4,900	\$4,900
Ville de Mont-Laurier	\$20,931	\$22,258	\$28,000
Ville de Montmagny	\$11,800	\$11,800	\$11,800
Ville de Mont-Tremblant	\$29,400	\$29,400	\$29,400
Ville de Paspébiac	\$1,500	\$1,500	\$1,500
Ville de Port-Cartier	\$3,369	\$3,471	\$4,000
Ville de Rimouski	\$9,100	\$9,100	\$9,100
Ville de Rivière-du-Loup	\$11,800	\$11,800	\$11,800
Ville de Rivière-Rouge	\$28,500	\$28,500	\$28,500
Ville de Roberval	\$9,400	\$9,400	\$9,400
Ville de Rouyn-Noranda	\$12,967	\$13,477	\$21,300
Ville de Saguenay (arrondissement Chicoutimi)	\$20,200	\$20,200	\$20,200
Ville de Saguenay (arrondissement La Baie)	\$13,500	\$13,500	\$13,500
Ville de Sainte-Anne-des-Monts	\$3,800	\$3,800	\$3,800
Ville de Saint-Félicien	\$8,000	\$8,000	\$8,000
Ville de Saint-Georges	\$16,100	\$16,100	\$16,100
Ville de Saint-Raymond	\$28,800	\$28,800	\$28,800
Ville de Senneterre	\$4,900	\$4,900	\$4,900
Ville de Sept-Îles	\$3,369	\$3,471	\$6,000
Ville de Témiscaming	\$18,400	\$18,400	\$18,400
Ville de Témiscouata-sur-le-Lac	\$11,900	\$11,900	\$11,900
Ville de Val-d'Or	\$16,000	\$16,000	\$16,000
Ville de Ville-Marie	\$4,901	\$4,901	\$10,200

**8.** This Regulation comes into force on 1 January 2021.