

1994, chapter 13

AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DE L'ÉNERGIE ET DES RESSOURCES AND OTHER LEGISLATIVE PROVISIONS

Bill 4

Introduced by Mr Christos Sirros, Minister of Natural Resources

Introduced 23 March 1994

Passage in principle 12 May 1994

Passage 15 June 1994

Assented to 17 June 1994

Coming into force: 17 June 1994

Acts amended:

Act respecting land use planning and development (R.S.Q., chapter A-19.1)
Act respecting land survey (R.S.Q., chapter A-22)
Land Surveyors Act (R.S.Q., chapter A-23)
Building Act (R.S.Q., chapter B-1.1)
Cultural Property Act (R.S.Q., chapter B-4)
Escheat and Confiscation Act (R.S.Q., chapter B-5)
Cadastre Act (R.S.Q., chapter C-1)
Highway Safety Code (R.S.Q., chapter C-24.2)
Timber-Driving Companies Act (R.S.Q., chapter C-42)
Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1)
Forestry Credit Act (R.S.Q., chapter C-78)
Act to promote forest credit by private institutions (R.S.Q., chapter C-78.1)
Mining Duties Act (R.S.Q., chapter D-15)

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Acts amended (Cont'd):

Act respecting the conservation of energy in buildings (R.S.Q., chapter E-1.1)
Act respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances (R.S.Q., chapter E-1.2)
Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01)
Act respecting the examination of complaints from customers of electricity distributors (R.S.Q., chapter E-17.1)
Executive Power Act (R.S.Q., chapter E-18)
Act respecting the exportation of electric power (R.S.Q., chapter E-23)
Act respecting municipal taxation (R.S.Q., chapter F-2.1)
Forest Act (R.S.Q., chapter F-4.1)
Hydro-Québec Act (R.S.Q., chapter H-5)
Taxation Act (R.S.Q., chapter I-3)
Forestry Merit Act (R.S.Q., chapter M-11.1)
Cullers Act (R.S.Q., chapter M-12.1)
Mining Act (R.S.Q., chapter M-13.1)
Act respecting the Ministère de l'Énergie et des Ressources (R.S.Q., chapter M-15.1)
Government Departments Act (R.S.Q., chapter M-34)
Act respecting municipal territorial organization (R.S.Q., chapter O-9)
Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7)
Special Corporate Powers Act (R.S.Q., chapter P-16)
Tree Protection Act (R.S.Q., chapter P-37)
Act to preserve agricultural land (R.S.Q., chapter P-41.1)
Environment Quality Act (R.S.Q., chapter Q-2)
Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1)
Act respecting the Régie du gaz naturel (R.S.Q., chapter R-8.02)
Watercourses Act (R.S.Q., chapter R-13)
Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., chapter R-13.1)
Act respecting the Société de récupération, d'exploitation et de développement forestiers du Québec (R.S.Q., chapter S-12)
Act respecting the James Bay Eeyou Corporation (R.S.Q., chapter S-16.1)
Act respecting the Société nationale de l'amiante (R.S.Q., chapter S-18.2)
Act respecting the Société québécoise d'exploration minière (R.S.Q., chapter S-19)
Act respecting the Société québécoise d'initiatives pétrolières (R.S.Q., chapter S-22)

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Acts amended (Cont'd):

Act respecting agricultural lands in the public domain (R.S.Q., chapter T-7.1)

Act respecting the lands in the public domain (R.S.Q., chapter T-8.1)

Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11)

Act respecting the use of petroleum products (R.S.Q., chapter U-1.1)

Securities Act (R.S.Q., chapter V-1.1)

Ecological Reserves Act (1993, chapter 32)

Act repealed:

Act respecting the Ministère des Forêts (R.S.Q., chapter M-24.1)



CHAPTER 13

An Act to amend the Act respecting the Ministère de l'Énergie et des Ressources and other legislative provisions

[Assented to 17 June 1994]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE MINISTÈRE DE L'ÉNERGIE ET DES RESSOURCES

c. M-15.1,
title,
replaced

1. The title of the Act respecting the Ministère de l'Énergie et des Ressources (R.S.Q., chapter M-15.1) is replaced by the following title:

“Act respecting the Ministère des Ressources naturelles”.

c. M-15.1,
s. 1, am.

2. Section 1 of the said Act is amended by replacing the words “Energy and Resources” in the first line by the words “Natural Resources” and the words “de l'énergie et des ressources” in the third line by the words “des Ressources naturelles”.

c. M-15.1,
s. 2, am.

3. Section 2 of the said Act is amended by replacing the words “shall appoint a deputy minister to the Ministère de l'énergie et des ressources, hereinafter called the “Deputy Minister”, and” in the first, second and third lines by the words “, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), shall appoint a person as Deputy Minister of Natural Resources as well as”.

c. M-15.1,
s. 3, am.

4. Section 3 of the said Act is amended by adding, at the end, the words “or the Minister”.

c. M-15.1,
s. 4, repealed

5. Section 4 of the said Act is repealed.

c. M-15.1,
s. 12, am.

6. Section 12 of the said Act, amended by section 263 of the Building Act (R.S.Q., chapter B-1.1), is again amended

(1) by replacing the word “include” in the first line by the words “shall consist more particularly in”;

(2) by replacing the words “the management and granting of” in the first line of paragraph 1 by the words “granting and managing” and by replacing the words “and energy” in the third line by the words “, energy and forest”;

(3) by replacing the words “the management of” in the first line of paragraph 2 by the word “managing”;

(4) by replacing the words “the devising and carrying out of” in the first line of paragraph 3 by the words “devising and implementing”, by inserting the word “conservation,” after the words “programmes for the” in the first line of that paragraph, and by replacing the words “and energy” in the third line of that paragraph by the words “, energy and forest”;

(5) by replacing the words “the setting up of” in the first line of paragraph 4 by the words “setting up”, and by adding, at the end, the words “and encouraging the setting up of such laboratories”;

(6) by replacing the words “the construction and maintenance of” in the first line of paragraph 5 by the words “constructing and maintaining”;

(7) by replacing the words “the development” in the first line of paragraph 6 by the words “encouraging the management”, and by replacing the words “improvement of the lands of” in the first and second lines of that paragraph by the words “development of the lands in”;

(8) by replacing the words “the establishment and management of” in the first line of paragraph 8 by the words “establishing and managing”, and by striking out the words “and the integration of the surveys and the cartography effected for the Gouvernement du Québec” in the second and third lines of that paragraph;

(9) by replacing the words “the provision” in the first line of paragraph 8.1 by the word “providing”, and by striking out the word “of” in the first line of that paragraph;

(10) by replacing the words “the dissemination” in the first line of paragraph 8.2 by the word “supplying”, and by striking out the word “of” in the first line of that paragraph;

(11) by replacing the words “the survey” in the first line of paragraph 9 by the words “making a survey”;

(12) by replacing the words “the maintenance” in the first line of paragraph 10 by the words “ensuring the maintenance”;

(13) by replacing the words “the control” in the first line of paragraph 11 by the words “ensuring the control”;

(14) by replacing the words “the accelerated” in the first line of paragraph 12 by the words “fostering the”;

(15) by replacing the words “the control of energy supplies” in paragraph 13 by the words “ensuring that energy supplies are maintained”;

(16) by replacing the words “the eleboration of” in paragraph 14 by the word “developing”;

(17) by replacing the words “the control of the quality of energy production and the supervision of the safety of its” in the first and second lines of paragraph 15 by the words “ensuring the control of the quality of energy products and their safe”;

(18) by replacing the words “the keeping of” in the first line of paragraph 16 by the word “keeping”;

(19) by inserting, after paragraph 16, the following paragraphs:

“(16.1) overseeing all aspects of forest management in forests in the public domain;

“(16.2) ensuring, in forests in the public domain, the compatibility of forest management activities with the uses provided for in land use plans referred to in Division III of Chapter II of the Act respecting the lands in the public domain (R.S.Q., chapter T-8.1);

“(16.3) encouraging the development of private forests;

“(16.4) establishing, in forests in the public domain, forest management units and allocating in such units, up to the maximum allowable annual cut, volumes of round timber to supply wood processing plants, taking other available sources of supply into account;

“(16.5) carrying out, in accordance with the Forest Act (R.S.Q., chapter F-4.1), forest management activities;

“(16.6) devising and implementing research and development programs in the fields of forestry and the processing of forest resources;

“(16.7) ensuring the protection of forest resources against fire, epidemics and diseases and carrying out phytosanitary tests on such resources;

“(16.8) contributing to the development, adaptation and modernization of wood processing plants and other activities using ligneous matter;

“(16.9) encouraging the marketing and sale of forest products;

“(16.10) encouraging the participation of the forestry sector in regional development;”;

(20) by replacing the words “the application of” in the first line of paragraph 17 by the word “administering”, and by replacing the words “and energy” in the second line of that paragraph by the words “, energy and forest”;

(21) by adding, after paragraph 17, the following paragraph:

“(18) performing any other function assigned to him by the Government.”

c. M-15.1,
s. 14.1, added

7. The said Act is amended by inserting, after section 14, the following section:

Policies

“14.1 The Minister shall devise and propose to the Government policies pertaining to the activities of the department. He shall direct and coordinate the implementation of such policies.”

c. M-15.1,
s. 15, am.

8. Section 15 of the said Act is amended

(1) by replacing the words “and energy on such conditions as may be determined by government regulation published in the *Gazette officielle du Québec*” in the second, third and fourth lines by the words “, energy and forestry”;

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

Financial
assistance

“He may also, with the authorization of the Government, grant any other form of financial assistance.”

c. M-15.1,
s. 16, am.

9. Section 16 of the said Act is amended by adding, at the end, the words “or of any Act under his administration”.

c. M-15.1,
s. 17.5, am.

10. Section 17.5 of the said Act is amended by replacing the words “Energy and” in the fourth line of the second paragraph by the word “Natural”.

CONCORDANCE AMENDMENTS

EXECUTIVE POWER ACT

c. E-18, s. 4,
am.

11. Section 4 of the Executive Power Act (R.S.Q., chapter E-18), amended by section 33 of chapter 51 of the statutes of 1993, is again amended

(1) by replacing subparagraph 8 of the first paragraph by the following subparagraph:

“(8) A Minister of Natural Resources;”;

(2) by striking out subparagraph 32 of the first paragraph.

ACT RESPECTING THE MINISTÈRE DES FORÊTS

c. M-24.1,
repealed

12. The Act respecting the Ministère des Forêts (R.S.Q., chapter M-24.1) is repealed.

GOVERNMENT DEPARTMENTS ACT

c. M-34, s. 1,
am.

13. Section 1 of the Government Departments Act (R.S.Q., chapter M-34), amended by section 42 of chapter 51 of the statutes of 1993, is again amended

(1) by replacing paragraph 7 by the following paragraph:

“(7) The Ministère des Ressources naturelles, presided over by the Minister of Natural Resources;”;

(2) by striking out paragraph 30.

ECOLOGICAL RESERVES ACT

1993, c. 32,
s. 4, am.

14. Section 4 of the Ecological Reserves Act (1993, chapter 32) is amended

(1) by replacing the words “Energy and” in the second line of the first paragraph by the word “Natural”, and by striking out the words “, the Minister of Forests” in the third line of that paragraph;

(2) by replacing the words “Energy and” in the second line of subparagraph 1 of the second paragraph by the word “Natural”.

Words
replaced

15. The words “Minister of Energy and Resources”, “Ministère de l’Énergie et des Ressources”, “Deputy Minister of Energy and

Resources”, and “Act respecting the Ministère de l’Énergie et des Ressources” are replaced respectively by the words “Minister of Natural Resources”, “Ministère des Ressources naturelles”, “Deputy Minister of Natural Resources” and “Act respecting the Ministère des Ressources naturelles” wherever they appear in the following provisions:

(1) sections 4, 16 and 27 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1), section 44 of the said Act as amended by section 12 of chapter 3 of the statutes of 1993, sections 81 and 82 of the said Act, section 105 of the said Act as amended by section 47 of chapter 3 of the statutes of 1993, and section 112.1 of the said Act as amended by section 53 of chapter 3 of the statutes of 1993;

(2) sections 3, 14, 15, 18 and 19 of the Act respecting land survey (R.S.Q., chapter A-22);

(3) section 1 of the Land Surveyors Act (R.S.Q., chapter A-23);

(4) section 263 of the Building Act (R.S.Q., chapter B-1.1);

(5) sections 47, 47.2 and 102 of the Cultural Property Act (R.S.Q., chapter B-4);

(6) sections 1 and 2 of the Escheat and Confiscation Act (R.S.Q., chapter B-5);

(7) section 1 of the Cadastre Act (R.S.Q., chapter C-1) as amended by section 1 of chapter 52 of the statutes of 1993, and section 21.7 of the said Act;

(8) section 4 of the Highway Safety Code (R.S.Q., chapter C-24.2);

(9) sections 92, 128.2, 128.5 and 188 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);

(10) sections 70, 76, 96 and 97 of the Mining Duties Act (R.S.Q., chapter D-15);

(11) section 17 of the Act respecting the conservation of energy in buildings (R.S.Q., chapter E-1.1);

(12) section 19 of the Act respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances (R.S.Q., chapter E-1.2);

(13) sections 6, 12 and 15 of the Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01);

(14) section 28 of the Act respecting the examination of complaints from customers of electricity distributors (R.S.Q., chapter E-17.1);

(15) section 9 of the Act respecting the exportation of electric power (R.S.Q., chapter E-23);

(16) section 235 of the Forest Act (R.S.Q., chapter F-4.1);

(17) sections 4.2 and 32 of the Hydro-Québec Act (R.S.Q., chapter H-5);

(18) section 1 of the Taxation Act (R.S.Q., chapter I-3) as amended by section 1 of chapter 16 of the statutes of 1993, by section 12 of chapter 19 of the statutes of 1993 and by section 4 of chapter 64 of the statutes of 1993;

(19) sections 11, 13, 244, 248, 320 and 382 of the Mining Act (R.S.Q., chapter M-13.1);

(20) section 67 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) as amended by section 17 of chapter 65 of the statutes of 1993, section 68 of the said Act as amended by section 18 of chapter 65 of the statutes of 1993, section 108 of the said Act as replaced by section 30 of chapter 65 of the statutes of 1993, section 109 of the said Act as amended by section 31 of chapter 65 of the statutes of 1993, section 162 of the said Act as amended by section 51 of chapter 65 of the statutes of 1993, section 163 of the said Act as amended by section 52 of chapter 65 of the statutes of 1993, section 187 of the said Act as amended by section 61 of chapter 65 of the statutes of 1993, section 206 of the said Act as replaced by section 70 of chapter 65 of the statutes of 1993, section 207 of the said Act, sections 210 to 210.3 of the said Act as enacted by section 71 of chapter 65 of the statutes of 1993, and section 281 of the said Act;

(21) Schedules A and B to the Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7);

(22) section 33 of the Act to preserve agricultural land (R.S.Q., chapter P-41.1);

(23) section 126 of the Environment Quality Act (R.S.Q., chapter Q-2);

(24) sections 1, 2 and 3 of the Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1), section 4 of the said Act as amended by section 20 of chapter 52 of the statutes of 1993, sections 6 and 7 of the said Act, section 8 of the said Act as amended by section

21 of chapter 52 of the statutes of 1993, and sections 8.2, 10 and 63 of the said Act;

(25) section 101 of the Act respecting the Régie du gaz naturel (R.S.Q., chapter R-8.02);

(26) sections 1, 2, 40, 68, 69.3 and 70 of the Watercourses Act (R.S.Q., chapter R-13);

(27) sections 1, 56, 83, 84, 86, 89, 148, 167, 168, 170, 173, 191.38, 191.62, 191.63, 191.65 and 191.68 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., chapter R-13.1);

(28) section 52 of the Act respecting the James Bay Eeyou Corporation (R.S.Q., chapter S-16.1);

(29) sections 18, 57 and 61 of the Act respecting the Société nationale de l'amiante (R.S.Q., chapter S-18.2);

(30) sections 23, 25 and 29 of the Act respecting the Société québécoise d'exploration minière (R.S.Q., chapter S-19);

(31) sections 20 and 26 of the Act respecting the Société québécoise d'initiatives pétrolières (R.S.Q., chapter S-22);

(32) sections 55 and 56.1 of the Act respecting agricultural lands in the public domain (R.S.Q., chapter T-7.1);

(33) sections 3 and 98 of the Act respecting the lands in the public domain (R.S.Q., chapter T-8.1);

(34) section 1 of the Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11), and section 2 of the said Act as amended by section 33 of chapter 52 of the statutes of 1993;

(35) sections 5 and 82 of the Act respecting the use of petroleum products (R.S.Q., chapter U-1.1);

(36) section 256 of the Securities Act (R.S.Q., chapter V-1.1).

Words
replaced

16. The words “Minister of Forests” and “Ministère des Forêts” are replaced respectively by the words “Minister of Natural Resources” and “Ministère des Ressources naturelles” wherever they appear in the following provisions:

(1) section 4 of the Highway Safety Code (R.S.Q., chapter C-24.2);

(2) section 6 of the Timber-Driving Companies Act (R.S.Q., chapter C-42) as amended by section 322 of chapter 48 of the statutes of 1993, section 6.1 of the said Act as enacted by section 323 of chapter 48 of the statutes of 1993, sections 8, 10, 14, 27, 28 and 43 of the said Act, section 44 of the said Act as amended by section 327 of chapter 48 of the statutes of 1993, and sections 49 and 66 of the said Act;

(3) section 128.2 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);

(4) sections 1 and 53 of the Forestry Credit Act (R.S.Q., chapter C-78);

(5) sections 30, 69 and 70 of the Act to promote forest credit by private institutions (R.S.Q., chapter C-78.1);

(6) sections 6 and 12 of the Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01);

(7) section 220.2 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1);

(8) section 257 of the Forest Act (R.S.Q., chapter F-4.1);

(9) sections 4, 9 and 11 of the Forestry Merit Act (R.S.Q., chapter M-11.1);

(10) section 44 of the Cullers Act (R.S.Q., chapter M-12.1);

(11) sections 244 and 245 of the Mining Act (R.S.Q., chapter M-13.1);

(12) section 42 of the Special Corporate Powers Act (R.S.Q., chapter P-16);

(13) section 1 of the Tree Protection Act (R.S.Q., chapter P-37);

(14) sections 144 and 178 of the Environment Quality Act (R.S.Q., chapter Q-2);

(15) sections 174 and 191.69 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., chapter R-13.1);

(16) sections 19, 19.1, 25 and 28 of the Act respecting the Société de récupération, d'exploitation et de développement forestiers du Québec (R.S.Q., chapter S-12).

FINAL PROVISIONS

References **17.** In any other Act and in any regulation, by-law, order in council, ministerial order, proclamation, order, contract, agreement, accord or other document, any reference to the Minister or Deputy Minister of Energy and Resources or the Ministère de l'Énergie et des Ressources or to the Minister or Deputy Minister of Forests or the Ministère des Forêts is, unless the context indicates otherwise, a reference to the Minister or Deputy Minister of Natural Resources or the Ministère des Ressources naturelles.

References In any such document, any reference to the Act respecting the Ministère de l'Énergie et des Ressources, to the Act respecting the Ministère des Forêts or to a provision of either of those Acts is, unless the context indicates otherwise, a reference to the Act respecting the Ministère des Ressources naturelles or to the corresponding provision of that Act.

Coming into force **18.** This Act comes into force on 17 June 1994.