

1984, chapter 43

**AN ACT RESPECTING THE LEASING
OF WATER-POWERS OF THE DU LIÈVRE RIVER
TO LES PRODUITS FORESTIERS BELLERIVE
KA'N'ENDA INC.**

Bill 9

Introduced by Mr Jean-Guy Rodrigue, Minister of Energy and Resources

Introduced: 13 November 1984

Passage in principle: 12 December 1984

Passage: 20 December 1984

Assented to: 21 December 1984

Coming into force: by proclamation of the Government

Act replaced:

Act respecting a hydro-electric development at Mont-Laurier (1943, chapter 21)



CHAPTER 43

An Act respecting the leasing of water-powers of the du Lièvre river to Les Produits forestiers Bellerive Ka'N'Enda Inc.

[Assented to 21 December 1984]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Leasing

1. The Government is authorized to lease to Les Produits forestiers Bellerive Ka'N'Enda Inc., on such conditions and according to such modalities as it deems consistent with the interests of Québec, and subject to the provisions of this Act:

(1) the water-powers of the du Lièvre river not already conceded, included in the section of the river situated between the extension across the river of the dividing line of lots 799 and 800 and the extension across the same river of the dividing line of lots 1557 and 1558 on the plan and book of reference of the official cadastre of the village of Mont-Laurier, in the county of Labelle;

(2) the right to maintain and operate a dam on the du Lièvre river provided that the water-level at the damsite never exceed elevation 211.8 metres and that no land, work or right above that elevation be affected.

Main-
tenance

2. The company may maintain and reconstruct the dams, channels and all the other works erected for the operation of the water-powers contemplated in section 1.

Approval of
plans and
specifi-
cations

The plans and specifications relating to the reconstruction of the dams, channels and other works must receive prior approval by the Government.

Term of the
lease

3. The term of the lease authorized under this Act will be forty years from 1 January 1984.

- Royalties** **4.** The company shall pay to the Government, for the operation of the water-powers and the use of the rights contemplated in section 1, annual royalties computed at the higher of the rates indicated in the following paragraphs:
- (1) \$0.4590 per 1 000 kilowatt-hours of electricity produced at the Rapide de l'Original plant;
- (2) \$0.1913 per 1 000 kilowatt-hours indexed annually according to such formula as may be prescribed in the lease authorized under this Act.
- Prohibitions** **5.** The company shall not lend, sublet, transfer or alienate any rights conceded under this Act unless it obtains prior authorization from the Government and, where such is the case, it complies with the conditions determined by the Government.
- Liability** **6.** The company shall be responsible for any damage caused to property forming part of the public domain or to third parties as a result of the works and operations contemplated by this Act.
- Ownership** **7.** The Government shall become the owner without compensation, from the end of the lease authorized under this Act, of the improvements and works that shall have been used for the operation of the water-powers contemplated in section 1; however, the Government may waive this right at any time before the expiry of the lease.
- 1943, c. 21,
replaced **8.** This Act replaces the Act respecting a hydro-electric development at Mont-Laurier (1943, chapter 21).
- Exception** **9.** This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).
- Coming into force** **10.** This Act comes into force on the date fixed by proclamation of the Government, but has effect from 1 January 1984.