



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FIFTH LEGISLATURE

Bill 77

An Act to amend the Parks Act

Introduction

Introduced by
Mr Jacques Brassard
Minister of the Environment and Wildlife



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EXPLANATORY NOTES

This bill amends the Parks Act to provide that, in the cases determined by regulation, a person must be the holder of an authorization from the Minister of the Environment and Wildlife in order to enter a park or stay, travel or engage in an activity in a park. The authorization is issued on payment of the fees fixed by regulation.

The bill also provides that the Government may, by regulation, in the cases it determines, exempt any person or class or group of persons from holding the authorization or paying the related fees. The regulation may also provide that the fees payable may vary according to the persons or classes or groups of persons, the times of the year or of the day, the places frequented or the means used to enter or travel in such places, namely, on foot or in a vehicle, boat or aircraft.

Lastly, the bill contains administrative, penal and consequential provisions.

Bill 77

An Act to amend the Parks Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Parks Act (R.S.Q., chapter P-9), amended by section 76 of chapter 17 of the statutes of 1994, is again amended by adding, at the end, the following paragraph:

“(g) “resident” means any person domiciled in Québec and having lived in Québec for not less than 183 days in the year preceding his application for the authorization required under section 6.1.”

2. The said Act is amended by inserting, after section 6, the following section:

“**6.1** Every person who enters a park or stays, travels or engages in an activity in a park must, in the cases determined by regulation, hold an authorization issued for that purpose by the Minister or a person designated by the Minister. The authorization shall be issued on payment of the fees fixed in the regulation.”

3. Section 8.1 of the said Act is amended by replacing the second paragraph by the following paragraph:

“The contract may provide that all or part of the fees paid to enter a park or to stay, travel or engage in an activity in a park devolve on the other contracting party.”

4. Section 9 of the said Act is amended

(1) by replacing the words “visiting or partaking in any” in the first and second lines of paragraph *d* by the words “travelling or engaging in an”;

(2) by replacing the words “there and the duties payable for fishing there according as he holds a fishing licence for resident or for non-resident and according to the species of fish sought” in the second, third and fourth lines of paragraph *d* by the words “in a park”;

(3) by replacing the words “, snowmobiles or any other vehicle” in the first and second lines of paragraph *f* by the words “or any type of vehicle, motorized or not”;

5. The said Act is amended by inserting, after section 9, the following section:

“9.1 The Government may also, by regulation,

(a) determine the cases in which an authorization issued by the Minister is required to enter a park or to stay, travel or engage in activities in a park and the fees payable to obtain such authorization;

(b) exempt, in the cases it determines, any person or class or group of persons it identifies from all or part of the obligations imposed by section 6.1 or those prescribed in the regulation, on the basis, in particular, of a person’s age or of the fact that a person is a resident or non-resident;

(c) confer on the employees of a park or of the other party to a contract made under section 8.1 any power or duty relating to the carrying out of section 6.1 and of the regulations made under this section;

(d) determine the obligations of persons who enter a park or stay, travel or engage in an activity in a park;

(e) determine which of the provisions of a regulation made under this section entail penalties under section 11.3 for their contravention.

The fees prescribed in subparagraph *a* of the first paragraph may vary according to the persons or classes or groups of persons which the Government may determine, in particular, on the basis of a person’s age or of the fact that a person is a resident or non-resident.

The fees may also vary according to the times of the year or of the day determined by the Government at which persons enter the park, or stay, travel or engage in an activity in the park and, in the case of fishing, according to the species to be fished.

Finally, the fees may vary according to the places frequented or the means used to enter or travel in such places, namely, on foot, in a vehicle or by boat or aircraft and, in the latter three cases, according to the type of vehicle, boat or aircraft or according to whether they are motorized or not.”

6. Section 10 of the said Act is repealed.

7. Section 11.3 of the said Act is amended

(1) by inserting the words “section 6.1 or” after the word “infringes” in the first line;

(2) by inserting the words “or under subparagraph *e* of the first paragraph of section 9.1” after the figure “9” in the second line.

8. The Government may make a first regulation under the provisions of section 9.1 of the Parks Act enacted by section 5 of this Act, even if the regulation has not been published as required under section 8 of the Regulations Act (R.S.Q., chapter R-18.1). The regulation may come into force, notwithstanding section 17 of that Act, on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

9. This Act comes into force on (*insert here the date of assent to this Act*).