

THIRD SESSION

THIRTY-SECOND LEGISLATURE

# NATIONAL ASSEMBLY OF QUÉBEC

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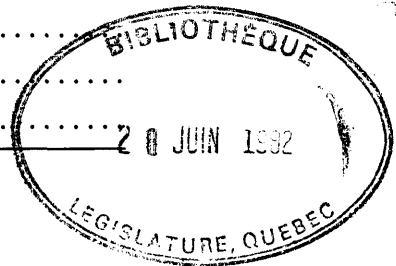
## Bill 83

**An Act respecting the support program for Inuit  
beneficiaries of the James Bay and Northern Québec Agreement  
for their hunting, fishing and trapping activities**

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First reading .....  
Second reading .....  
Third reading .....

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M. LUCIEN LESSARD

Minister of Recreation, Fish and Game

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## EXPLANATORY NOTES

*The object of this bill is to establish a support program for Inuit beneficiaries of the James Bay and Northern Québec Agreement for their hunting, fishing and trapping activities.*

*Division I gives the necessary definitions.*

*Division II establishes the support program, sets out its objectives and indicates the purposes for which the amounts granted may be used.*

*Division III is concerned with the financing of the program; it provides the method of computing the grant, indicates its source and its recipient, and determines the modalities of payment and indexation.*

*Division IV prescribes the modalities of administration of the program and, to that end, specifies the powers conferred on the Kativik Regional Government and the Northern Village Corporations.*

*Division V deals with the report to be made by the Kativik Regional Government and the auditing of the books and accounts of that body and of any Northern Village Corporation.*

*Lastly, Division VI contains final provisions and entrusts responsibility for the administration of the Act to the Minister of Recreation, Fish and Game.*

## Bill 83

An Act respecting the support program for Inuit  
beneficiaries of the James Bay and  
Northern Québec agreement for their hunting,  
fishing and trapping activities

HER MAJESTY, with the advice and consent of the National  
Assembly of Québec, enacts as follows:

### DIVISION I

#### INTERPRETATION

1. In this Act, unless the context indicates a different meaning,

“beneficiary” means an Inuk who is a beneficiary under the Act respecting Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter A-33.1);

“hunting, fishing and trapping activities” means any activity which involves the exercise of the right to harvest that the Act respecting hunting and fishing rights in the James Bay and New Québec Territories (R.S.Q., chapter D-13.1) grants to beneficiaries;

“Kativik Regional Government” means the public corporation constituted under the Act concerning Northern Villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);

“Inuit community” means each of the Inuit communities, existing on 15 November 1974, of Chisasibi, Kuujjuarapik, Inukjuak, Povungnituk, Akulivik, Ivujivik, Salluit, Kangiqsujuaq, Quaqtaq, Kangirsuk, Aupaluk, Tasiujaq, Kuujjuaq, Kangiqsualujjuaq, and any other Inuit community formed thereafter and recognized by the Government in conformity with paragraph e of section 1 of the Act respecting Cree, Inuit and Naskapi Native Persons;

“Northern Village Corporation” means a corporation erected for each Inuit community under the Act concerning Northern Villages and the Kativik Regional Government or, until such corporation is created, the community council of such Inuit community or, in its absence, that which, on the advice of the Kativik Regional Government, stands in its place.

## DIVISION II

### SUPPORT PROGRAM FOR INUIT

**2.** A support program for beneficiaries, for their hunting, fishing and trapping activities, is established. The objectives of the program shall be to favour, encourage and perpetuate the hunting, fishing and trapping activities of the beneficiaries as a way of life and to guarantee to the Inuit communities a supply of the produce from such activities.

**3.** Beneficiaries, through their community, are collectively entitled to the benefits of the program on the conditions and in the manner provided in this Act.

**4.** The amounts paid under the program shall not be used except for the following purposes:

(1) hunting, fishing and trapping activities, with the exception of the development or financing of the activities contemplated in Chapter VII of the Act respecting hunting and fishing rights in the James Bay and New Québec Territories;

(2) the purchase, manufacture, construction, maintenance and repair of any community equipment or material necessary for hunting, fishing and trapping activities;

(3) access to the regions where the beneficiaries may exercise hunting, fishing and trapping activities;

(4) the organization of search and rescue operations for beneficiaries exercising hunting, fishing and trapping activities;

(5) the marketing of products and by-products from hunting, fishing and trapping activities, with the exception of the development and financing of the activities contemplated in Chapter VII of the Act respecting hunting and fishing rights in the James Bay and New Québec Territories;

(6) the domestic production of handicrafts from the products and by-products of hunting, fishing and trapping activities;

(7) the participation of beneficiaries in courses respecting the collection, processing and marketing of furs with a view to increasing the profitability of their fur trade;

(8) the collaboration of the beneficiaries in the preservation, improvement and restoration of wildlife habitats;

(9) the participation of the beneficiaries in wildlife studies and management programs established with a view to assist hunting, fishing and trapping activities;

(10) information and publicity relating to the proper operation of the program;

(11) the use of the services of Inuit hunters and fishermen who carry on their trade for community purposes;

(12) the participation of the beneficiaries in traditional activities carried on outdoors for the benefit of an Inuit community, to the extent of 5% of the amount made available to each Northern Village Corporation pursuant to paragraph 2 of section 8.

### DIVISION III

#### FUNDING OF THE PROGRAM

**5.** The Government alone shall assume the funding of the program and, for this purpose, shall pay to the Kativik Regional Government, for each financial period of the latter, an indexed grant which, for the year 1982, is equal to the sum of the following amounts:

(1) \$17 410 per Inuit community;

(2) \$17 410 per group of 100 beneficiaries or fraction thereof;

(3) \$19.33 per beneficiary;

(4) 15% of the total of the amounts provided for in subparagraphs 1, 2 and 3 to cover the local and regional costs of administration of the program.

This grant shall be payable in two instalments: the first, after receipt of the application contemplated in section 7, on 15 January, and the second, which shall include the annual indexation contemplated in section 6, after receipt of the information and reports contemplated in sections 11 and 14, on 15 July.

**6.** The amounts contemplated in subparagraphs 1, 2 and 3 of section 5 shall be indexed annually according to the increase in the cost of living in Québec, using the increase in the pension index provided in the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9).

Notwithstanding the first paragraph, if a separate index is established for the territory contemplated in section 2 of the Act

respecting Cree, Inuit and Naskapi Native Persons on a basis similar to that used in Québec on 11 November 1975, the Kativik Regional Government and the Government may, by agreement, choose such index for future years.

#### DIVISION IV

##### ADMINISTRATION OF THE PROGRAM

**7.** Before 1 December each year, the Kativik Regional Government shall transmit an application for the grant to the Minister of Recreation, Fish and Game, containing the following information:

- (1) the total number of beneficiaries;
- (2) the number of beneficiaries affiliated to each Inuit community;
- (3) the method of calculation of the grant;
- (4) a general breakdown of the grant in terms of its proposed use
  - (a) according to the purposes contemplated in section 4;
  - (b) for the administration of the program contemplated in section 5.

**8.** The Kativik Regional Government must

- (1) reserve 15% of the amounts received pursuant to subparagraphs 1, 2, and 3 of section 5 and allocate them for purposes of a regional or local nature or in respect of which sums have not been made available to the Northern Village Corporations;
- (2) make 85% of the amounts received pursuant to subparagraphs 1, 2 and 3 of section 5 available to the Northern Village Corporations according to the following formula:
  - (a) for each Northern Village Corporation, a basic allocation equal to twice the amount of the community grant remitted to the Kativik Regional Government pursuant to subparagraph 1 of section 5;
  - (b) the remainder is divided among the Northern Village Corporations in proportion to the beneficiaries affiliated to the interested Inuit community.

**9.** The Kativik Regional Government shall prepare and, in conformity with the Act concerning Northern Villages and the Kativik Regional Government, issue the ordinances necessary for the administration of the program.

**10.** The Kativik Regional Government shall administer the grant in conformity with Title VI of Part II of the Act concerning Northern Villages and the Kativik Regional Government.

**11.** The Kativik Regional Government shall bring up to date the general breakdown contemplated in paragraph 4 of section 7 following the division and distribution contemplated in the second paragraph of section 12 and shall inform the Minister of it before 1 June each year.

**12.** A Northern Village Corporation must, within 90 days from the beginning of the financial period of the Kativik Regional Government, conclude an agreement with the latter respecting the payment and use of the amounts made available to it and concerning the purposes contemplated in section 4.

Any amount which is not the object of an agreement within the time prescribed in the first paragraph shall accrue to a common fund which may be divided and distributed by the Kativik Regional Government among the other Northern Village Corporations, in accordance with subparagraph *b* of paragraph 2 of section 8, to be used for the purposes contemplated in section 4 that the corporations suggest.

**13.** A Northern Village Corporation may adopt, in conformity with the Act concerning Northern Villages and the Kativik Regional Government, by-laws necessary for the management of an agreement entered into pursuant to section 12.

## DIVISION V

### ACCOUNTS AND REPORTS

**14.** The Kativik Regional Government must, within 60 days of the end of its financial period, transmit to the Minister a report of the implementation of the program for that financial period.

The report must contain, apart from other information that the Minister may prescribe, the following:

(1) the amount paid by the Government to the Kativik Regional Government and the division of that amount pursuant to section 8;

(2) the use of the grant by the Kativik Regional Government and the Northern Village Corporations in terms of the purposes contemplated in section 4 and the general breakdowns contemplated in paragraph 4 of section 7;

(3) the relevant explanations relating to the differences between budgeted and expended sums for each of the purposes contemplated in section 4;

(4) the division of the use of the amounts accruing to the common fund contemplated in the second paragraph of section 12.

**15.** The Minister shall table the report of the Kativik Regional Government before the National Assembly of Québec within 30 days of its receipt. If it is received while the Assembly is not sitting, he shall table it within 30 days of the opening of the next session or, as the case may be, within 15 days of resumption.

**16.** The books and accounts of the Kativik Regional Government or of a Northern Village Corporation in respect of the administration of the program shall be audited by the Minister any time that the Government so orders.

The Government may withhold amounts out of any subsequent grant, or reclaim any amount spent for purposes other than those provided for by this Act.

## DIVISION VI

### FINAL PROVISIONS

**17.** Section 1 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the James Bay and Northern Québec Agreement (R.S.Q., chapter S-3.2) is amended by replacing paragraph *h* by the following paragraph:

“(*h*) “beneficiary” means a Cree beneficiary under the Act respecting Cree, Inuit and Naskapi native persons (R.S.Q., chapter A-33.1);”.

[[**18.** The amounts required for the application of this Act shall be paid out of the sums granted annually for that purpose by the Legislature.]]

**19.** The Minister of Recreation, Fish and Game is responsible for the administration this Act.

**20.** The program established under this Act has effect from 1983 and replaces the temporary program carried out during the preceding years.

**21.** This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (*insert here the reference to the chapter number of the Canada Act in the compilation of the Acts of the Parliament of the United Kingdom for 1982*).



**22.** This Act will come into force on the date fixed by proclamation of the Government, with the exception of those provisions excluded by such proclamation, which will come into force, in whole or in part, on such later date as may be fixed by proclamation of the Government.