

NATIONAL ASSEMBLY

SECOND SESSION

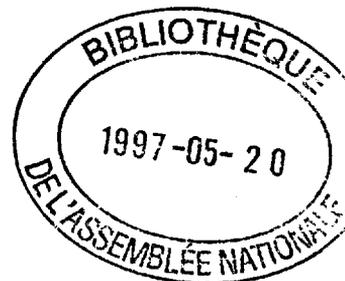
THIRTY-FIFTH LEGISLATURE

Bill 143

**An Act to amend the Act respecting
the conservation and development of wildlife**

Introduction

**Introduced by
Mr David Cliche
Minister of the Environment and Wildlife**



Québec Official Publisher
1997

EXPLANATORY NOTES

This bill amends the Act respecting the conservation and development of wildlife to authorize the Government to enter into agreements with Native communities for the purpose of, among other things, further facilitating the development and management of wildlife resources by Native communities.

The bill also empowers the Government to provide, by regulation, adaptations to the provisions of the Act and the regulations in order to better reconcile wildlife conservation and management requirements with the activities pursued by Native communities for food, ritual or social purposes.

Bill 143

AN ACT TO AMEND THE ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Section 2.1 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) is repealed.
- 2.** The said Act is amended by inserting, after section 24, the following chapter:

“CHAPTER II.1

“PROVISIONS SPECIFIC TO NATIVE COMMUNITIES

“24.1. The Government is authorized, to better reconcile wildlife conservation and management requirements with the activities pursued by Native people for food, ritual or social purposes, or to further facilitate wildlife resource development and management by Native people, to enter into agreements with any Native community represented by its band council in respect of any matter to which this Act applies.

The provisions of the agreements shall prevail over the provisions of this Act or the regulations. However, a community, undertaking or person to whom or which an agreement applies shall be exempted from the application of irreconcilable provisions of this Act and the regulations only insofar as the community, undertaking or person abides by the terms of the agreement.

The agreements entered into under this section shall be tabled before the National Assembly within 15 days of the date on which they are signed if the Assembly is in session, or, if it is not sitting, within 15 days of resumption. They shall also be published in the *Gazette officielle du Québec*.

“24.2. The Government is also authorized, to better reconcile wildlife conservation and management requirements with the activities pursued by Native people for food, ritual or social purposes, to provide, by regulation, adaptations to the provisions of this Act or of the regulations.

The regulatory provisions made pursuant to the first paragraph may depart from this Act or the regulations. They shall, if necessary, identify the Native communities and the territories or zones to which they apply. In addition, they

may determine, from among the penal and administrative sanctions provided for in Chapters VII and VII.1, those which will apply in case of contravention.

Any draft regulation under this section shall be published in the *Gazette officielle du Québec* with a notice stating that the regulation may be made by the Government, with or without amendment, on the expiry of 60 days from publication. In addition, the draft regulation must, within the same time limit, be submitted to the Native communities concerned for their advice.”

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