



chapter T-8.1, r. 1

Regulation respecting gratuitous transfer of land for public use

An Act respecting the lands in the domain of the State
(chapter T-8.1, s. 71)

1. This Regulation applies to lands in the domain of the State and to buildings, improvements and movables located on those lands that come under the authority of the Minister of Natural Resources and Wildlife under section 3 of the Act respecting the lands in the domain of the State (chapter T-8.1).

O.C. 1253-2001, s. 1.

2. The Minister may gratuitously transfer land or grant a servitude to a municipality where it is required for the purposes of a public highway, municipal administrative services, port installations or airport facilities, a residual materials elimination site such as a sanitary landfill site or an incinerator, waste water treatment, protection of a drinking water reservoir or for water supply or sewer systems.

O.C. 1253-2001, s. 2.

3. The Minister may gratuitously transfer land or grant a servitude to a local municipality where it is required for the development of roads or public transport, public housing, public security, social services, municipal parks, gardens, green spaces, for heritage preservation and for cultural or non-profit recreational purposes.

In this section, “local municipality” excludes the James Bay Regional Zone Council.

O.C. 1253-2001, s. 3.

4. A metropolitan community and the Kativik Regional Government may benefit from sections 2 and 3 within the jurisdiction assigned to them by law.

O.C. 1253-2001, s. 4.

5. The Minister may gratuitously transfer land or grant a servitude to a non-profit organization that takes over the management of port installations or airport facilities following a retrocession granted by the Government of Canada to the Gouvernement du Québec.

O.C. 1253-2001, s. 5.

6. Where the transfer or servitude is granted to a local municipality, the land must be located within its territorial boundaries or within those of a neighbouring local municipality to the extent permitted by law.

O.C. 1253-2001, s. 6.

7. The Minister may gratuitously transfer land to an intermunicipal board where it is required for the development of a park, garden or green space, or for non-profit recreational purposes.

O.C. 1253-2001, s. 7.

8. The Minister may gratuitously transfer land where it is required for the non-profit operation of a cemetery.

O.C. 1253-2001, s. 8.

9. The transferee or the acquirer of a servitude shall pay the registration fees prescribed by the Regulation respecting fees for attestation, registration and research in the Register of the domain of the State (chapter T-8.1, r. 3), the administration fees and the fees for the preparation and deposit of survey plans and documents prescribed for the sale of land or granting of a servitude by the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (chapter T-8.1, r. 7), and the fees for the notarial deed.

O.C. 1253-2001, s. 9.

10. (Omitted).

O.C. 1253-2001, s. 10.

11. (Omitted).

O.C. 1253-2001, s. 11.

REFERENCES

O.C. 1253-2001, 2001 G.O. 2, 5818