



chapter C-61.1, r. 77

Regulation respecting wildfowl hunting controlled zones

An Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 110 and 162)

The fees prescribed in the Regulation have been indexed as of 1 April 2014 pursuant to the notice published in Part 1 (French) of the Gazette officielle du Québec of 26 October 2013, page 1182. (s. 15)

DIVISION I INTERPRETATION AND SCOPE

1. In this Regulation,

“agency” means an agency that is a party to a memorandum of agreement in respect of the management of a controlled zone in accordance with section 106 of the Act respecting the conservation and development of wildlife (chapter C-61.1); (organisme)

“limited access sector” means a sector in a wildfowl hunting controlled zone for which an agency sets by by-law a limit on the number of hunting parties that may enter to hunt wildfowl; (secteur à accès contingenté)

“wildfowl” means migratory game birds within the meaning of section 2 of the Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22) whose hunting is governed by the Migratory Birds Regulations (C.R.C., c. 1035); (sauvagine)

“ZEC” means a controlled zone established for the purposes of wildfowl hunting in accordance with section 104 of the Act respecting the conservation and development of wildlife. (ZEC)

O.C. 1255-99, s. 1; O.C. 1095-2002, s. 1.

2. This Regulation applies to the Montmagny snow goose wildfowl hunting controlled zone and to wildfowl hunting controlled zones that will be established as of 16 December 1999.

O.C. 1255-99, s. 2.

DIVISION II REGISTRATION AND ASSIGNMENT

3. An agency may, by by-law, determine the cases where a person who, for recreational purposes, enters or stays in a ZEC under its management or engages in any other activity therein shall be required to register.

Such person shall comply with the following registration procedure:

- (1) report to the designated reception centre;
- (2) show identification and, where applicable, his hunting licence to the registration officer and state his name and address;
- (3) obtain from the officer a proof of registration and place it on the dashboard of his vehicle so that it may be

read from the outside or keep it with him and produce it upon request from a wildlife protection officer, a wildlife protection assistant or an area warden; and

- (4) return the duly completed registration to the registration officer on leaving the controlled zone.

O.C. 1255-99, s. 3.

4. An agency may, by by-law, divide a ZEC territory into wildfowl hunting sectors.

O.C. 1255-99, s. 4.

5. A person shall not hunt in a ZEC except on the date and in the blind, location or, where applicable, sector specified on the proof of registration.

At the end of his stay, a person shall declare to the registration officer the number of birds of each species taken, the date, blind and location where they were taken, and shall produce the birds on request and allow any required handling or sampling.

O.C. 1255-99, s. 5.

DIVISION III
LIMITED ACCESS SECTORS

6. An agency may, by by-law, limit the number of hunting parties to be admitted at the same time in each of the sectors that it has established, determine the number of hunters permitted per blind, and impose a requirement to hunt from a blind assigned by the agency.

The number of hunting parties that may be admitted at the same time shall be equal to or greater than the number arrived at by using the following formula:

$$\begin{array}{rcl} \text{Number of hunting} & = & \text{lenght of the bank or shore of the} \\ \text{parties} & & \text{ZEC in metre} \\ & & \hline & & 600 \end{array}$$

O.C. 1255-99, s. 6.

7. In order to hunt in a limited access sector, a person shall be part of a party selected in accordance with section 8 or shall have been selected in accordance with section 13.

O.C. 1255-99, s. 7.

8. An agency shall select hunting parties according to the following procedures:

- (1) on an optional basis, for the daily selection of not more than 20% of the number of hunting parties that may be admitted each day into all the limited access sectors of the ZEC, according to the method of assignment determined by by-law of the agency;
- (2) for the selection of not less than two-thirds of the number of parties that may be admitted each day into all the limited access sectors of the ZEC, by a draw of lots held each year or by telephone reservation not less than 2 months before the beginning of the wildfowl hunting season;
- (3) for groups not selected pursuant to paragraph 1, if applicable, and paragraph 2, by telephone reservation or by a draw of lots 2 days before the hunt;
- (4) if there are vacancies following the selections made in accordance with paragraph 1, if applicable, and

paragraphs 2 and 3, by telephone reservation the day before the hunt;

(5) if there are vacancies following the selections made in accordance with paragraph 1, if applicable, and paragraphs 2 to 4, by a draw of lots on the day of the hunt among the persons present at the reception centre.

O.C. 1255-99, s. 8.

9. At least 1 month prior to selecting hunting parties, the agency shall publish the terms and conditions for participating in the draw of lots or for making reservations by telephone in 2 Québec newspapers, one of which with a province-wide circulation and the other circulated in the region of the ZEC or in the nearest region if there is no newspaper in the region.

O.C. 1255-99, s. 9.

10. At the time of the draw of lots, a person shall be put in charge of each party selected to which a hunting date shall be assigned. A sector or blind shall be assigned to each party by a draw of lots on the premises on the day of the hunt.

O.C. 1255-99, s. 10.

11. A person who, pursuant to paragraph 2 of section 8, is selected by a draw of lots or makes a reservation by telephone shall be allotted one reservation for a maximum of 4 persons and for a maximum stay of 2 consecutive days.

O.C. 1255-99, s. 11.

12. The person selected in accordance with section 8 may designate a substitute, at any time before the beginning of the stay, after notifying the agency.

O.C. 1255-99, s. 12.

DIVISION IV

ASSIGNMENT FOR PROMOTIONAL PURPOSES

13. Notwithstanding Division III, an agency may assign a number of hunters in any sector of the ZEC for promotional purposes according to the procedure it determines by by-law; the number of hunters so assigned shall not exceed 2% of the total number of hunting days in the ZEC during the preceding year and provided that the maximum referred to in paragraph 1 of section 8 is complied with.

O.C. 1255-99, s. 13.

DIVISION V

FEES PAYABLE

14. The fees payable by a person applying for membership that may be set by by-law of an agency shall not be less than \$10 nor more than \$20.

O.C. 1255-99, s. 14.

15. A person may not hunt wildfowl in a ZEC unless he has paid the fees set by by-law of the agency; those fees shall not exceed the following amounts or, in the case of a non-resident, those set under section 16:

- (1) [\\$74.39](#) per day;
- (2) [\\$140.88](#) per day in a limited access sector for which the selection of hunters is made in accordance with paragraph 1 of section 8; or

(3) [\\$1,127.03](#) per day in any sector for which the selection of hunters is made in accordance with section 13.

The fees referred to in subparagraph 3 of the first paragraph may be charged only where it is part of a fund-raising activity of a nonprofit organization.

O.C. 1255-99, s. 15.

16. An agency may, by by-law, increase the amount of the fees payable by non-residents to up to twice the amount set by the agency for a resident pursuant to this Division.

O.C. 1255-99, s. 16.

17. As provided in the second paragraph of section 110 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the fees which may be set by an agency under this Division may vary according to the criteria referred to in that paragraph.

O.C. 1255-99, s. 17.

17.1. As of 1 April 2008, the maximum amounts of the fees payable for wildfowl hunting, set pursuant to section 15, are adjusted annually based on the annual percentage change, calculated for the month of June of the preceding year, in the general Consumer Price Index (CPI) published by Statistics Canada.

The Minister is to publish the results of the adjustment in Part 1 of the Gazette officielle du Québec or by any other appropriate means.

O.C. 55-2008, s. 1.

DIVISION VI PENAL

18. Any person who contravenes any of sections 3, 5, 7 or 15 is guilty of an offence.

O.C. 1255-99, s. 18.

DIVISION VII TRANSITIONAL AND FINAL

19. Where the territory of a ZEC that has been divided into sectors for wildfowl hunting is enlarged by the Minister, that enlargement shall constitute an additional hunting sector until such time as a by-law respecting that enlargement, made by the agency pursuant to section 4, comes into force.

For the purposes of this section, where the territory added is made up of separate areas, each area shall be deemed to constitute a separate sector.

O.C. 1255-99, s. 19.

20. The by-laws made by an agency pursuant to the provisions of the Regulation respecting controlled zones (O.C. 122-89, 89-02-08) shall remain in force until they are amended, replaced or revoked by a by-law of that agency made under the provisions of this Regulation.

O.C. 1255-99, s. 20.

21. (Omitted).

O.C. 1255-99, s. 21.

REFERENCES

O.C. 1255-99, 1999 G.O. 2, 4381

S.Q. 2000, c. 48, s. 36

O.C. 1095-2002, 2002 G.O. 2, 5273

O.C. 55-2008, 2008 G.O. 2, 620