

chapter P-43

ACT RESPECTING THE ARTIFICIAL INDUCEMENT OF RAIN

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REPEAL SCHEDULE

1. In this Act the following words mean:

- (a) “rain” : any water which falls from the atmosphere in the form of solid or liquid precipitation;
- (b) “Minister” : the Minister of Sustainable Development, Environment and Parks.

1970, c. 28, s. 1; 1979, c. 49, s. 22; 1994, c. 17, s. 75; 1999, c. 36, s. 158; 2006, c. 3, s. 35.

2. No person shall artificially induce rain in any territory unless he has been declared qualified to do so by the Government acting on the recommendation of the Minister.

1970, c. 28, s. 2.

3. For the purposes of this Act, a person artificially induces rain if he causes it to fall artificially or attempts to cause it to fall artificially.

1970, c. 28, s. 3.

4. Any person who wishes to be declared qualified to induce rain artificially shall apply therefor to the Minister in the form prescribed by the regulations and shall prove that he has the qualifications and fulfils the conditions required by the regulations.

1970, c. 28, s. 4.

5. If the Government declares a person qualified to induce rain artificially, the Minister shall issue a certificate to that effect.

1970, c. 28, s. 5.

6. The Minister shall forthwith give notice of the issue of the certificate in the *Gazette officielle du Québec*.

1970, c. 28, s. 6.

7. No person who holds a certificate contemplated in section 5 shall undertake any operation intended to induce rain artificially unless specifically authorized to do so by the Minister.

1970, c. 28, s. 7.

8. No application for authorization shall be presented to the Minister unless the applicant has published at least twice during the same week, on different days, in an English-language daily newspaper and in a French-language daily newspaper circulating in the territory in which the operation is to be effected, a notice stating:

- (a) that an application for authorization will be sent to the Minister at the end of the week during which the notice is published;
- (b) the period of time during which the operation is to be effected;
- (c) the territory in which the operation is to be effected;
- (d) the method of inducement to be used.

If it is established to the satisfaction of the Minister that no daily newspaper is circulating in the territory in which the operation is to be effected, he may prescribe another mode of publication.

1970, c. 28, s. 8.

9. No operation shall be commenced before the publication in the *Gazette officielle du Québec* by the person authorized of the authorization by the Minister.

1970, c. 28, s. 9.

10. When of opinion that there is urgency, the Government may dispense with the publications contemplated in sections 8 and 9.

1970, c. 28, s. 10.

11. The Government, by regulation, may:

(a) determine the qualifications required of any person who wishes to be declared qualified to induce rain artificially, the conditions which such person must fulfil, the returns which he must file and the duties which he must pay;

(b) determine the form of the application for the certificate contemplated in section 5, the form, tenor and term of such certificate and the conditions of its renewal;

(c) subject to section 13, indicate the cases in which a certificate may be cancelled.

1970, c. 28, s. 11.

12. The regulations shall come into force on the date of their publication in the *Gazette officielle du Québec* or on such other date as is indicated at the time of publication.

1970, c. 28, s. 12.

13. Whoever infringes any of the provisions of this Act or of the regulations is guilty of an offence and shall be liable to a fine of not less than \$200 nor more than \$1,000 in the case of a natural person and to a fine of not less than \$500 nor more than \$5,000 in the case of a legal person.

Conviction shall entail cancellation of the certificate which, in such case, shall not be renewable.

1970, c. 28, s. 13; 1990, c. 4, s. 723; 1999, c. 40, s. 237.

14. When a legal person is guilty of an infringement of this Act or of a regulation, any officer, director, employee or agent of such legal person who prescribed or authorized the commission of the offence or who assented thereto or acquiesced or participated therein, shall be deemed a party to the offence and shall be liable to the same fine as that provided for the legal person, whether or not the legal person was prosecuted or convicted.

1970, c. 28, s. 14; 1999, c. 40, s. 237.

15. *(Repealed).*

1970, c. 28, s. 15; 1992, c. 61, s. 490.

16. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 28 of the statutes of 1970, in force on 31 December 1977, is repealed, except section 16, effective from the coming into force of chapter P-43 of the Revised Statutes.