

c. Q-2, r.16

Regulation respecting certain bodies for the protection of the environment and social milieu of the territory of James Bay and Northern Québec

Environment Quality Act

(R.S.Q., c. Q-2, s. 205)

DIVISION I

INTERPRETATION

1. Definitions: In this Regulation, unless the context indicates otherwise, the following words and expressions mean:

(a) «Hunting, Fishing and Trapping Coordinating Committee»: the Hunting, Fishing and Trapping Coordinating Committee created under the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);

(b) «Advisory Committee»: the James Bay Advisory Committee on the Environment created pursuant to section 134 of the Act;

(c) «Act»: the Environment Quality Act (R.S.Q., c. Q-2).

R.R.Q., 1981, c. Q-2, r. 16, s. 1

DIVISION II

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

2. Right to vote: When voting on a given matter, the members of the Advisory Committee shall each have 1 vote, except as hereinafter provided in the second, third and fourth paragraphs.

When matters within the exclusive jurisdiction of Québec are being voted on, the members appointed by the Governor General in Council or any other person he authorizes for such purpose, including the Chairman of the Hunting, Fishing and Trapping Coordinating Committee, when he also has been appointed by the Governor General in Council or any other person he authorizes for such purpose, shall not vote.

When matters within the exclusive jurisdiction of Canada are being voted on, the members appointed by the Government, including the Chairman of the Hunting, Fishing and Trapping Coordinating Committee, when he has also been appointed by the Government shall not vote.

When matters within the joint or mixed jurisdiction of Québec and Canada are being voted on, the members appointed by the Government or by the Governor General in Council or any other person he authorizes for such purposes, shall each have 1 vote and the members appointed by the Cree Regional Authority shall each have 2 votes and the Chairman of the Hunting, Fishing and Trapping Coordinating Committee shall then have a vote.

R.R.Q., 1981, c. Q-2, r. 16, s. 2

3. Deciding vote: The Chairman of the Advisory Committee shall have, in the case of a tie vote, a second and deciding vote.

R.R.Q., 1981, c. Q-2, r. 16, s. 3

4. Majority: All decisions of the Advisory Committee shall be decided by a majority of the votes cast.

R.R.Q., 1981, c. Q-2, r. 16, s. 4

5. Appointment of the Chairman and Vice-Chairman: The Chairman and Vice-Chairman of the Advisory Committee shall be appointed as follows, from among the members of the Advisory Committee:

(a) in the first year of the operation of the Advisory Committee, the Chairman shall be appointed by the Government and the Vice-Chairman shall be appointed by the Governor General in Council or any other person he authorizes for such purpose;

(b) in the second year of the operation of the Advisory Committee, the Chairman and the Vice-Chairman shall be appointed by the Cree Regional Authority;

(c) in the third year of the operation of the Advisory Committee, the Chairman shall be appointed by the Governor General in Council or any other person he authorizes for such purpose and the Vice-Chairman shall be appointed by the Government;

(d) in the fourth year of the operation of the Advisory Committee, the Chairman and the Vice-Chairman shall be appointed as provided for in paragraph *b*;

(e) in the subsequent years, the appointment of the Chairman and the Vice-Chairman shall take place in the sequence set forth in paragraphs *a* to *d*.

R.R.Q., 1981, c. Q-2, r. 16, s. 5

6. Absence of the Chairman: In the case of the absence of the Chairman at a meeting of the Advisory Committee, the members appointed by the authority that designated the Chairman shall select an alternate Chairman from among themselves.

R.R.Q., 1981, c. Q-2, r. 16, s. 6

7. Vice-Chairman: The Vice-Chairman of the Advisory Committee shall act as Chairman only when the latter does not have the right to vote pursuant to the second and third paragraphs of section 2.

R.R.Q., 1981, c. Q-2, r. 16, s. 7

8. Term of office: The Chairman and the Vice-Chairman of the Advisory Committee shall hold office for one year.

R.R.Q., 1981, c. Q-2, r. 16, s. 8

9. Quorum: When matters within the exclusive jurisdiction of either the Gouvernement du Québec or the Government of Canada are being studied by the Advisory Committee, 5 members shall constitute a quorum, on condition that at least 1 member appointed by the Cree Regional Authority and at least 1 member appointed by the Government or by the Governor General in Council or any other person he authorizes for such purpose who is

not deprived of the right to vote pursuant to the second and third paragraphs of section 2, are present.

When matters within the joint or mixed jurisdiction of Québec and Canada are being dealt with, 7 members shall constitute a quorum on condition that at least 1 member appointed by the Cree Regional Authority, 1 member appointed by the Government and 1 member appointed by the Governor General in Council or any other person he authorizes for such purposes, are present.

R.R.Q., 1981, c. Q-2, r. 16, s. 9

10. Proxy: Each member appointed to the Advisory Committee by the Cree Regional Authority shall, upon his appointment, execute a written proxy in favour of the other members, including their replacements, appointed by that Authority. The members appointed by the Government and by the Governor General in Council or any other person he authorizes for such purpose shall do the same in favour of the other members appointed by each of the latter.

The holder of such a proxy shall have the right to vote and otherwise act in the place of the absent member from whom the proxy has been obtained, in addition to the voting and other rights that the member holding the proxy is entitled to exercise in his own right.

R.R.Q., 1981, c. Q-2, r. 16, s. 10

11. Meetings: The Advisory Committee shall hold at least 4 meetings annually.

R.R.Q., 1981, c. Q-2, r. 16, s. 11

12. Special meetings: The Chairman of the Advisory Committee shall convoke a special meeting within 20 days of receipt of a written request from any 4 members of the Advisory Committee indicating the purpose of such meeting.

R.R.Q., 1981, c. Q-2, r. 16, s. 12

13. Chairing of the meetings: The Chairman or Vice-Chairman, as the case may be, shall preside over meetings of the Advisory Committee.

R.R.Q., 1981, c. Q-2, r. 16, s. 13

14. Secretariat: The secretariat of the Advisory Committee shall consist of not more than 5 full-time employees.

Among the tasks it shall perform, the secretariat shall prepare and transmit in advance the agenda and minutes of each meeting to the members of the Advisory Committee and shall keep an official record of the discussions and decisions of the Advisory Committee.

R.R.Q., 1981, c. Q-2, r. 16, s. 14

DIVISION III

EVALUATING COMMITTEE

15. Right to vote: When voting on a given project, the members of the Evaluating Committee created pursuant to section 148 of the Act shall each have 1 vote, except as hereinafter provided for in the second, third and fourth paragraphs.

When projects within the exclusive jurisdiction of Québec are being voted on, the members appointed by the Governor General in Council or any other person he authorizes for such purpose shall not vote.

When projects within the exclusive jurisdiction of Canada are being voted on, the members appointed by the Government shall not vote.

When projects within the joint or mixed jurisdiction of Québec and Canada are being voted on, the members appointed by the Cree Regional Authority shall each have 2 votes.
R.R.Q., 1981, c. Q-2, r. 16, s. 15

16. Other provisions: Sections 3, 5 and 8 shall apply, by adapting them, to the Chairman and the Vice-Chairman of the Evaluating Committee.

R.R.Q., 1981, c. Q-2, r. 16, s. 16

DIVISION IV

KATIVIK ENVIRONMENTAL ADVISORY COMMITTEE

17. Right to vote: When voting on a given matter, the members of the Kativik Environmental Advisory Committee created pursuant to section 169 of the Act shall each have 1 vote, except as hereinafter provided in the second, third and fourth paragraphs.

When matters within the exclusive jurisdiction of Québec are being voted on, the members appointed by the Governor General in Council or any other person he authorizes for such purposes shall not vote.

When matters within the exclusive jurisdiction of Canada are being voted on, the members appointed by the Government shall not vote.

When matters within the joint or mixed jurisdiction of Québec and Canada are being voted on, the members appointed by the Kativik Regional Government shall each have 2 votes.

R.R.Q., 1981, c. Q-2, r. 16, s. 17

18. Quorum: When matters within the exclusive jurisdiction of either Québec or Canada are being studied by the Kativik Environmental Advisory Committee, 4 members shall constitute a quorum, on condition that at least 1 member appointed by the Kativik Regional Government and at least 1 member appointed by the Government or by the Governor General in Council or any other person he authorizes for such purpose, who is not deprived of the right to vote pursuant to the second and third paragraphs of section 17, are present.

When matters within the joint or mixed jurisdiction of Québec and Canada are being dealt with, 6 members shall constitute a quorum, on condition that at least 1 member appointed by the Kativik Regional Government and at least 1 member appointed by the Government and 1 member appointed by the Governor General in Council or any other person he authorizes for such purposes, are present.

R.R.Q., 1981, c. Q-2, r. 16, s. 18

19. Vice-Chairman: The Vice-Chairman of the Kativik Environmental Advisory Committee shall act as Chairman only when the latter does not have the right to vote pursuant to the second and third paragraphs of section 17.

R.R.Q., 1981, c. Q-2, r. 16, s. 19

20. Other provisions: Sections 3 to 6, 8 and 10 to 14 shall apply, by adapting them, to the Kativik Environmental Advisory Committee, its members and officers, and the Kativik Regional Government shall replace the Cree Regional Authority in sections 5 and 10.

However, the special meetings of the Kativik Environmental Advisory Committee shall be convoked in accordance with section 12 upon a written request signed by at least 3 members of the Kativik Environmental Advisory Committee.

R.R.Q., 1981, c. Q-2, r. 16, s. 20

DIVISION V

KATIVIK ENVIRONMENTAL QUALITY COMMISSION

21. Vote: Each member of the Kativik Environmental Quality Commission created pursuant to section 181 of the Act shall have 1 vote except for the Chairman who only votes in the event of a tie-vote.

Section 4 applies by adapting it to the Kativik Environmental Quality Commission.

R.R.Q., 1981, c. Q-2, r. 16, s. 21

22. Quorum: The quorum required for any meeting of the Kativik Environmental Quality Commission shall be 5 members attending, which members must include at least 2 members appointed by the Kativik Regional Government and at least 2 members appointed by the Government.

R.R.Q., 1981, c. Q-2, r. 16, s. 22

R.R.Q., 1981, c. Q-2, r. 16

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