



Saguenay-St. Lawrence Marine Park Act (1997, c. 37)

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Act current to June 2nd, 2007

Attention: See coming into force provision and notes, where applicable.

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Saguenay-St. Lawrence Marine Park Act

1997, c. 37

S-1.3

[Assented to December 10th, 1997]

An **Act** to establish the **Saguenay-St. Lawrence Marine Park** and to make a consequential amendment to another **Act**

Preamble

WHEREAS the Governments of Canada and of Quebec recognize the necessity, both for the present and for future generations, of protecting the environment, the flora and fauna and the exceptional natural resources of a representative portion of the Saguenay River and the St. **Lawrence** estuary;

WHEREAS those Governments, on April 6, 1990, entered into an agreement for the purpose of establishing a **marine park** there;

WHEREAS those Governments have agreed to cooperate to the greatest extent possible in the exercise of their respective powers;

AND WHEREAS each of the Parliament of Canada and the legislature of Quebec must enact legislation within its own jurisdiction for the establishment and management of a **marine park**;

NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE

Short title

1. This **Act** may be cited as the ***Saguenay-St. Lawrence Marine Park Act***.

INTERPRETATION

Definitions

2. The definitions in this section apply in this **Act**.

"agreement"
«*Entente*»

"agreement" means the agreement entered into on April 6, 1990 by the Government of Canada and the Government of Quebec for the purpose of establishing the **Saguenay-St. Lawrence Marine Park**.

"enforcement officer"
«*agent de l'autorité*»

"enforcement officer" means an officer or a member of a class of officers designated by the Minister as an enforcement officer for the purposes of this **Act**.

"Minister"
«*ministre*»

"Minister" means the Minister responsible for the Parks Canada Agency.

"park"
«*parc*»

"park" means the **Saguenay-St. Lawrence Marine Park** created by section 5.

"park warden"
«*garde de parc*»

"park warden" means a person appointed under the *Parks Canada Agency Act* whose duties include the enforcement of this **Act** or the *Canada National Parks Act* and who is designated by the Minister as a **park warden**.

"Quebec minister"
«*ministre du Québec*»

"Quebec minister" means the minister of the Government of Quebec responsible for the law of the Province of Quebec entitled *An Act respecting the Saguenay-St. Lawrence Marine Park*, chapter 16 of the Statutes of Quebec, 1997.

"superintendent"
«*directeur*»

"superintendent" means a person appointed under the *Parks Canada Agency Act* who holds the office of superintendent of the **park**, and includes any other person appointed under that **Act** who is authorized by that person to **act** on their behalf.

1997, c. 37, s. 2; 1998, c. 31, s. 61.01; 2000, c. 32, s. 64; 2005, c. 2, s. 13.

HER MAJESTY

Binding on Her Majesty

3. This Act is binding on Her Majesty in right of Canada or a province.

PURPOSE

Purpose

4. The purpose of this Act is to increase, for the benefit of the present and future generations, the level of protection of the ecosystems of a representative portion of the Saguenay River and the St. Lawrence estuary for conservation purposes, while encouraging its use for educational, recreational and scientific purposes.

ESTABLISHMENT OF THE PARK

Park established

5. (1) The Saguenay-St. Lawrence Marine Park, the boundaries of which are set out in the schedule, is hereby established.

Park zones

- (2) The park is composed of four types of zones:
- (a) comprehensive preservation zones (Type I zones);
 - (b) specific protection zones (Type II zones);
 - (c) general protection zones (Type III zones); and
 - (d) general use zones (Type IV zones).

CHANGE OF PARK BOUNDARIES

Change of park boundaries

6. (1) Subject to section 7, the Governor in Council may, by order, change the park boundaries set out in the schedule if

(a) agreement has been reached between the Governments of Canada and Quebec; and

(b) the Minister and the Quebec minister have jointly consulted with the public and the coordinating committee.

Limitation

(2) For greater certainty, any enlargement of the park may only extend over public lands of Quebec.

Notice of the proposed change to be tabled and referred to committee

7. (1) A notice of intention to make an order to change boundaries of the park shall be tabled in the House of Commons and stands referred to the committee of the House that normally considers matters relating to parks, or to any other committee designated by the House for the purposes of this section, if the intention is to reduce the area of the park, or of any zone of the park, other than a reduction of the area of a Type III or Type IV zone by one square kilometre or less.

Consideration by committee

(2) The committee shall report to the House of Commons whether it approves or disapproves the change and, on or after the next sitting day, a motion to concur in the report shall be put to the House in accordance with its procedures and disposed of without amendment or debate.

Where proposed change rejected

(3) The proposed change shall not be made if the House of Commons concurs in a report disapproving the proposed order or does not concur in a report approving the order.

1997, c. 37, s. 7; 2000, c. 32, s. 65.

ADMINISTRATION OF PARK

Administration

8. (1) The administration, management and control of the park are under the direction and authority of the Minister.

Scientific research

(2) The Minister may conduct activities for the purpose of advancing scientific knowledge of the park ecosystems.

Agreement with Quebec

(3) The Minister may enter into agreements with the Quebec minister or another minister of the Government of Canada for carrying out the purpose of this Act and for coordinating the activities permitted in the park.

Management plan

9. (1) The Minister shall, within one year after the coming into force of this Act, cause to be laid before each House of Parliament a management plan for the park that the Minister draws up jointly with the Quebec minister with respect to resource protection, zoning, visitor use and any other matters that the Minister considers appropriate.

Review of plan

(2) The Minister shall review the management plan with the Quebec minister at least once every seven years, and shall cause any amendments to the plan to be laid with the plan before each House of Parliament.

Public participation

(3) The Minister shall, in cooperation with the Quebec minister, provide opportunities for public participation in the development of the management plan and any other matters that the Minister considers relevant.

Permits

10. (1) The Minister may issue, amend, suspend and cancel permits and other authorizing instruments for the control of any activity in the park.

Delegation

(2) The Minister may authorize any person, or any member of a class of persons, to exercise any power mentioned in subsection (1).

SUPERINTENDENT, PARK WARDENS AND ENFORCEMENT OFFICERS

Powers and duties of superintendent

11. The superintendent has and may exercise the powers and perform the duties of the Minister under this Act that the Minister delegates to the superintendent.

Powers of park wardens

12. For the purposes of the preservation and maintenance of the public peace in the park, and the enforcement of this Act and any other federal Act that they may be authorized to enforce, both inside and outside the park, a park warden has the powers, duties and protection provided by law to peace officers.

Powers of enforcement officers

13. For the purpose of the enforcement of this Act, both inside and outside the park, enforcement officers have the powers, duties and protection provided by law to peace officers.

Entry

14. In the discharge of their duties, park wardens, enforcement officers and persons accompanying them may enter on and pass through and over private property without the owner of the property having the right to object to that use of the property.

HARMONIZATION COMMITTEE

Establishment of committee

15. (1) A harmonization committee, made up of representatives of the Minister and the Quebec minister, is hereby established for the purposes of ensuring harmonization and implementing the activities and programs of the Government of Canada and the Government of Quebec with respect to the **park**, in particular with respect to the protection of ecosystems, planning, management, issuance of permits and other authorizations, consultation, the programming of activities, communications and the ways in which infrastructures, installations

and equipment are to be shared.

Regulations

(2) The harmonization committee also is to harmonize draft regulations to be made under this Act and draft regulations that are to be made under the law of the Province of Quebec that creates the **Saguenay-St. Lawrence Marine Park**.

Representatives of the Minister

(3) The Minister shall name his or her representative or representatives on the harmonization committee.

COORDINATING COMMITTEE

Coordinating committee

16. (1) A coordinating committee is hereby established to make recommendations to the Minister and the Quebec minister on the measures to be taken in order to carry out the objectives of the management plan.

Composition

(2) The Minister, in cooperation with the Quebec minister, shall decide on the composition of the coordinating committee.

Representatives of the Minister

(3) The Minister shall name his or her representative or representatives on the coordinating committee.

REGULATIONS

Regulations

17. The Governor in Council may make regulations

- (a) for the protection, control and management of the park;
- (b) for the protection of ecosystems, and any elements of ecosystems, in the park;
- (c) for the protection of the cultural resources submerged in the park;
- (d) for public protection, health and safety inside the park;
- (e) setting out the characteristics of each type of zone in the park;
- (f) setting out the terms and conditions under which each type of zone may be used, the boundaries of each type of zone and any time limits respecting zones;
- (g) determining the conditions under which various activities may be undertaken in each type of zone in the park;
- (h) determining the activities that are prohibited in the park;
- (i) for the closing of park zones or for prohibiting activities in those zones;
- (j) authorizing the superintendent to prohibit or restrict activities that may be undertaken in park zones under paragraph (g) or to close park zones or prohibit access to those zones, despite any regulation made under this section, in order to protect park ecosystems and elements of park ecosystems;
- (k) for the issuance, renewal, revocation and suspension of permits and other authorizing instruments

required to carry on any activity under this Act or the regulations, and any conditions of those permits and instruments;

(l) for the determination of charges for the permits or other authorizing instruments required to carry on any activity under this Act or the regulations;

(m) for limiting the number of persons who may hold the permits and authorizations at any one time;

(n) prescribing offences in respect of which section 23 applies and the manner in which they may be described in tickets;

(o) prescribing the amount of the fine for offences in respect of which section 23 applies, which amount shall not exceed \$2,000;

(p) determining the conditions under which aircraft may take off, fly over and land within park boundaries; and

(q) in respect of any other matters that are necessary for carrying out the purposes of this Act.

ARREST, SEARCH AND SEIZURE

Arrest without warrant — park wardens and peace officers

18. (1) A park warden or peace officer may, in accordance with the *Criminal Code*, arrest without warrant any person

(a) who they believe, on reasonable grounds, has committed or is about to commit an offence referred to in section 20; or

(b) whom they find committing an offence under this Act or committing an offence in the park under any other Act.

Arrest without warrant — enforcement officers

(2) An enforcement officer may, in accordance with the *Criminal Code*, arrest without warrant any person

(a) who they believe, on reasonable grounds, has committed or is about to commit an offence referred to in section 20; or

(b) whom they find committing an offence under this Act.

Search and seizure

19. (1) A park warden, peace officer or enforcement officer may

(a) enter and search any place and open and examine any package or receptacle in accordance with a warrant issued under subsection (2) at any time during the day or, if so specified in the warrant, during the night; and

(b) seize anything that they believe on reasonable grounds is or has been possessed or used in connection with an offence under this Act.

Authority to issue warrant

(2) Where on *ex parte* application a justice of the peace is satisfied by information on oath that there are reasonable grounds to believe that there is in any place, including any building, boat or other conveyance, or in any package or receptacle, whether in or outside the park,

(a) an animal, bird or fish, or any part or egg of an animal, bird or fish, or a firearm, trap or other device for destroying or capturing animals, birds or fish, in respect of which there are reasonable grounds to believe an offence under this Act has been committed, or

(b) anything that there are reasonable grounds to believe will provide evidence with respect to an offence under this Act involving a thing referred to in paragraph (a),

the justice of the peace may issue a warrant authorizing the peace officer, park warden or enforcement officer named in the warrant to enter and search the place or to open and examine the package or receptacle, subject to any conditions specified in the warrant.

Where warrant not necessary

(3) A park warden, peace officer or enforcement officer may exercise any powers under subsection (1) without a warrant if the conditions for obtaining a warrant exist but by reason of exigent circumstances it would not be feasible to obtain one.

OFFENCES AND PUNISHMENT

Contravention

20. (1) Every person who contravenes this Act or the regulations is guilty of

(a) an offence punishable on summary conviction and liable

(i) in the case of a natural person, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding six months, or to both, and

(ii) in the case of a corporation, to a fine not exceeding \$100,000; or

(b) an indictable offence and liable

(i) in the case of a natural person, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding five years, or to both, and

(ii) in the case of a corporation, to a fine not exceeding \$500,000.

Orders of court

(2) Where a person is convicted of an offence under this Act, in addition to any punishment imposed, the court may, having regard to the nature of the offence and the circumstances surrounding its commission, make an order containing any one or more of the following prohibitions, directions or requirements:

(a) prohibiting the person from doing any act or engaging in any activity that may, in the opinion of the court, result in the continuation or repetition of the offence;

(b) directing the person to take any action the court considers appropriate to remedy or avoid any harm to any park resources that resulted or may result from the commission of the offence;

(c) directing the person to pay the Minister an amount of money as compensation, in whole or in part, for the cost of any remedial or preventive action taken by or caused to be taken on behalf of the Minister as a result of the commission of the offence;

(d) directing the person to post a bond or pay into court an amount of money the court considers appropriate for the purpose of ensuring compliance with any prohibition, direction or requirement mentioned in this section; and

(e) requiring the person to comply with any other conditions that the court considers appropriate.

Continuing offences

21. Where a contravention of this Act or the regulations is committed or continued on more than one day, it constitutes a separate offence for each day on which it is committed or continued.

Limitation or prescription

22. (1) Any proceedings by way of summary conviction may be instituted within two years after the time when the subject-matter of the proceedings becomes known to the Minister.

Minister's certificate

(2) A document purporting to have been issued by the Minister, certifying the day on which the subject-matter of any proceedings became known to the Minister, is admissible in evidence without proof of the signature or official character of the person appearing to have signed the document and is evidence of the matters asserted in it.

TICKETABLE OFFENCES

Ticketing procedure

23. (1) In addition to the procedures set out in the *Criminal Code* for commencing a proceeding, proceedings in respect of any prescribed offence may be commenced by a peace officer, park warden or enforcement officer by

- (a) completing a ticket that consists of a summons portion and an information portion;
- (b) delivering the summons portion of the ticket to the accused or mailing it to the accused at the accused's latest known address; and
- (c) filing the information portion of the ticket with a court of competent jurisdiction before or as soon as is feasible after the summons portion has been delivered or mailed.

Content of ticket

- (2) The summons and information portions of a ticket shall
 - (a) set out a description of the offence and the time and place of its alleged commission;
 - (b) include a statement, signed by the peace officer, park warden or enforcement officer who completes the ticket, that they have reasonable grounds to believe that the accused committed the offence;
 - (c) set out the amount of the prescribed fine for the offence and the manner in which and period within which it is to be paid;
 - (d) include a statement that if the accused pays the fine within the period set out in the ticket, a conviction will be entered and recorded against the accused; and
 - (e) include a statement that if the accused wishes to plead not guilty or for any other reason fails to pay the fine within the period set out in the ticket, the accused must appear in the court at the time set out in the ticket.

Notice of forfeiture

(3) Where a thing is seized under this Act and proceedings relating to it are commenced by way of the ticketing procedure, the peace officer, park warden or enforcement officer who completed the ticket shall give written notice to the accused that if the accused pays the prescribed fine within the period set out in the ticket, the thing, or any proceeds realized from its disposition, shall immediately be forfeited to Her Majesty.

Consequences of payment

(4) Where an accused to whom the summons portion of a ticket is delivered or mailed pays the prescribed fine within the period set out in the ticket,

- (a) the payment constitutes a plea of guilty to the offence described in the ticket and a conviction shall be entered against the accused and no further action shall be taken against the accused in respect of that offence; and
- (b) anything seized from the accused under this Act relating to the offence described in the ticket, or any

proceeds realized from its disposition, is forfeited to Her Majesty in right of Canada or in right of Quebec, depending on whether the peace officer, park warden or enforcement officer who completed the ticket is a member of the federal public administration or the public service of Quebec.

1997, c. 37, s. 23; 2003, c. 22, s. 219(E).

OTHER REMEDIES

Injunction

24. (1) Whether or not there are other proceedings with respect to offences under this Act or the regulations, Her Majesty in right of Canada may undertake or continue proceedings seeking to prevent the commission of such offences.

Civil remedies

(2) No civil remedy for an act or omission is suspended by reason only that the act or omission is an offence under this Act or the regulations.

CONSEQUENTIAL AMENDMENT

25. [Amendment]

TRANSITIONAL PROVISION

Permits

26. Permits in force on the date of the coming into force of this Act remain in force until their expiry dates unless the activities authorized under the permits contravene this Act or the regulations.

COMING INTO FORCE

Coming into force

***27.** This Act comes into force on a day to be fixed by order of the Governor in Council.

* [Note: Act in force June 8, 1998, see SI/98-74.]

SCHEDULE

(Section 5)

SAGUENAY-ST. LAWRENCE MARINE PARK

Public lands of Québec

A territory, within the territories of the Municipalité régionale de comté du Fjord-du-Saguenay, the Municipalité régionale de comté de la Haute-Côte-Nord, the Municipalité régionale de comté de Charlevoix-Est, the Municipalité régionale de comté de Rivière-du-Loup and the Municipalité régionale de comté de Kamouraska, official cadastre of the townships of: Saint-Germains, Durocher, Champigny, Labrosse, Albert, Tadoussac, Bergeronnes, Escoumins, Otis, Hébert, Saint-Jean, Dumas, Saguenay and Callières, and of the parishes of: Saint-Siméon and Saint-Fidèle.

Such territory being situated on Québec public lands and comprising part of the bed of the Saguenay River and part of the bed of the estuary of the St. Lawrence River. Containing an area of 1 138 square kilometres within the perimeter described as follows:

Starting from point A situated at Cap de l'Est at the intersection of the boundary line between lots 7 and 8 of Range F, cadastre of the township of Saint-Germains, and the ordinary high water mark (OHWM) on the

northeast shore of the Saguenay River; thence, in a general southeasterly direction, the OHWM on the northeast shore of the Saguenay River to point B (Pointe Rouge), designated as 5 333 239 m N and 364 246 m E in the Québec plane coordinate system (QPCS);

Skirting, so as to exclude them, the following areas:

— SAINTE-ROSE-DU-NORD WHARF (1):

The submerged shore lot, without designation, forming part of the bed of the Saguenay River, fronting on part of lots A-1 and A-2 of Range B of the official cadastre of the township of Saint-Germains, transferred to the Government of Canada by Québec Order in Council 357 dated 5 March 1963 and accepted by Order in Council P.C. 1302 dated September 4, 1963.

— ESTUARY OF THE SAINTE-MARGUERITE RIVER:

Part of the Sainte-Marguerite bay bordered by the downstream side of the walkway linking lot 12 of the West Range of the river to lot D of the East Range of the river, cadastre of the township of Albert.

— L'ANSE-DE-ROCHE (2):

Part of the bed of the Saguenay River comprising:

The L'Anse-de-roche wharf. The submerged shore lot, being Block 35 on the original survey, fronting on lots 20-4, 20-5, 20-8 and 20-9 of Range I Saguenay of the revised cadastre of the township of Albert;

A submerged shore lot, without designation, fronting on lot 20-4, Range I Saguenay, revised cadastre of the township of Albert, contiguous to the aforementioned Block 35 and bounded as follows: on the east by the OHWM; on the north by the aforementioned Block 35; on the south and west by the Saguenay River. Being 40.0 metres in width and 83.82 metres along its north line;

L'Anse-de-roche marina (2). A submerged shore lot, without designation, fronting on lots 20-8, 21-20, 21-22 and 21-23 of Range I Saguenay of the revised cadastre of the township of Albert, contiguous to the aforementioned lot and bounded as follows: on the east by the OHWM; on the south by the aforementioned Block 35; on the west and north by the Saguenay River. Being 45.0 metres in width and 85.34 metres along its south line.

— TADOUSSAC FERRY WHARF (3):

The submerged shore lot 1014 of the revised cadastre of the township of Tadoussac.

— ANSE À L'EAU (3):

Lots 55-1, 54-B-1, 54-A-1 to their southeast line and lot 54-1 to its southwest line, revised cadastre of the township of Tadoussac.

— ANSE À CALE SÈCHE (4):

Part of Block 1 of the revised cadastre of the township of Tadoussac to a line parallel to and running at a distance of 10 metres to the south of the dry dock gate.

— TADOUSSAC BAY (5):

Part of the bed of the Saguenay River, Tadoussac Bay, comprising:

Tadoussac wharf. A submerged shore lot, without designation, comprising the site of the Tadoussac wharf and a contiguous strip of land 25 metres in width measured perpendicularly from the outside wall of the wharf;

Tadoussac marina. A submerged shore lot, without designation, fronting on lots 67-14 and 67-15 of the

revised cadastre of the village of Tadoussac, containing an area of approximately 21 848 square metres, lease number 9091-41, Tadoussac yachting harbour;

A submerged shore lot, without designation, triangular in shape, bounded on the southeast by the wharf lot; on the west by the marina lot and on the northeast by a straight line running from the northwest corner of the wharf lot to the northeast corner of the marina lot (5).

— TADOUSSAC BAY (6):

A submerged shore lot, without designation, forming part of the bed of the Saguenay River, fronting on lots 122-1 and 688, lease number 7677-382;

Two submerged shore lots, without designation, forming part of the bed of the Saguenay River, fronting on lots 122-2, 129-2 and 129-3, lease number 7677-381.

From point B, in a general northeasterly direction, the OHWM on the northwest shore of the St. Lawrence River to the intersection of the boundary line between lots A-4 and A-5 of Range A of the township of Escoumins, designated as point C;

Skirting, so as to exclude them, the following areas:

— PETITES BERGERONNES BAY:

Part of the bay bounded by a straight line the extremities of which are designated as the following QPCS coordinates:

Point 3 5 343 820 m N and 373 006 m E;

Point 4 5 343 825 m N and 373 248 m E;

— GRANDES BERGERONNES BAY (7):

Part of the bay bounded by a straight line the extremities of which are designated as the following QPCS coordinates:

Point 5 5 344 751 m N and 375 045 m E;

Point 6 5 344 756 m N and 375 369 m E;

Grandes-Bergeronnes wharf. A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, estuary of the Grandes-Bergeronnes River, and situated at the southwesternmost extremity of Block A-2 of the township of Bergeronnes, transferred to the Government of Canada by Québec Order in Council 1240 dated 30 June 1939 and accepted by Order in Council P.C. 2607 dated September 9, 1939;

Grandes-Bergeronnes marina. A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, estuary of the Grandes-Bergeronnes River, and contiguous to the aforementioned lot, bounded as follows: on the southeast by the aforementioned lot; on the southwest and northwest by the St. Lawrence River and on the northeast by the OHWM. Being 153.15 metres on the southeast and 60.96 metres on the southwest.

— ANSE AUX BASQUES:

Part of the bed of the St. Lawrence River comprising:

The Escoumins wharf. The submerged shore lots designated on the original survey as Blocks 243 and 1074 of the bed of the St. Lawrence River, fronting on lot 2 (part), Range A, cadastre of the township of Escoumins;

The submerged shore lot, being Block 1040 of the bed of the St. Lawrence River on the original survey,

fronting on lot 1-1 (part) of Range A of the cadastre of the township of Escoumins;

A submerged shore lot, without designation, fronting on lot 2-15 of Range A of the cadastre of the township of Escoumins; bounded on the east by the aforementioned Block 243; on the south by Anse-aux-basques; on the west by the aforementioned Block 1040 and on the north by lot 20-15 of Range A of the cadastre of the township of Escoumins. Being 29.41 metres on the east and 5.45 metres and 16.97 metres on the west.

— ANSE À LA BARQUE:

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, fronting on lot 3 Range A, cadastre of the township of Escoumins. Being 53.0 metres in width and 75.0 metres in length;

From point C, southeasterly, a straight line to point D, having the geographic coordinates 48°17'17" N latitude and 69°17'17" W longitude.

From point D, southwesterly to point H 50, having the geographic coordinates 48°06'25" N latitude and 69°29'38" W longitude.

From point H 50, southwesterly, a straight line to point H 52, having the geographic coordinates 48°04'30" N latitude and 69°31'42" W longitude.

From point H 52, southwesterly, a straight line to point H 56, having the geographic coordinates 47°52'54" N latitude and 69°37'17" W longitude.

From point H 56, southwesterly, a straight line to point H 58, having the geographic coordinates 47°51'21" N latitude and 69°39'00" W longitude.

From point H 58, southwesterly, a straight line to point H 60, having the geographic coordinates 47°48'16" N latitude and 69°42'43" W longitude.

From point H 60, southwesterly, a straight line to point H 64, having the geographic coordinates 47°38'39" N latitude and 69°53'16" W longitude.

From point H 64, northwesterly, a straight line to point E, situated on the boundary line between lots 252 and 254 of the Saint-Paul Range, cadastre of the parish of Saint-Fidèle. The said point being situated on the OHWM on the northwest shore of the St. Lawrence River (Gros Cap à l'Aigle).

From point E, in a general northeasterly direction, being the OHWM on the northwest shore of the St. Lawrence River, to point F (Pointe Noire), designated as 5 331 938 m N and 363 150 m E in the QPCS.

Skirting, so as to exclude them, the following areas:

— PORT-AU-PERSIL WHARF (9):

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, fronting on lot 34 of Port-au-Persil Range in the cadastre of the parish of Saint-Siméon.

— SAINT-SIMÉON WHARF (10):

A submerged shore lot, being Block 627 of the bed of the St. Lawrence River on the original survey, fronting on lots 63 and 65 of Port-au-Persil Range, cadastre of the parish of Saint-Siméon;

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, fronting on lots 65 and 66 of Port-au-Persil Range, cadastre of the parish of Saint-Siméon, and contiguous to the aforementioned lot. Being 156.67 metres on the south; 91.44 metres on the east and 189.28 metres on the north.

— ESTUARY OF THE NOIRE RIVER(11):

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, fronting on lot 69 of Mont-Murray Seignory and the estuary of the Noire River, as shown on the plan prepared by Mario Morin, land surveyor, on 27 January 1995 under number 769 of his minutes. The said lot being reserved for the needs of the Québec department of transport.

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, fronting on lot 24 of Range 1 SW of the cadastre of the township of Callières. Being 102.11 metres on the south and 241.71 metres on the east. The said lot having been transferred to the Government of Canada by Québec Order in Council 3105 dated 20 December 1939 and accepted by Order in Council P.C. 176 dated January 17, 1940;

— BAIE-DES-ROCHERS WHARF:

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, fronting on lot 24 of Range A of the cadastre of the township of Callières, comprising the site of the wharf and a contiguous strip of land 25 metres in width measured perpendicularly from the outside wall of the wharf.

— AUX CANARDS RIVER:

The estuary of the Aux Canards River, bounded by a straight line the extremities of which are designated as the following QPCS coordinates:

Point 7: 5 326 822 m N and 360 789 m E;

Point 8: 5 326 882 m N and 360 907 m E.

— SAINTE-CATHERINE BAY (12):

The submerged shore lot, without designation, forming part of the bed of the St. Lawrence River granted by letters patent to Price Brothers on 23 August 1930, fronting on lots E, F, 6 and 7 of Range B, cadastre of the township of Saguenay;

A submerged shore lot, without designation, forming part of the bed of the St. Lawrence River, held by the Government of Canada by virtue of Québec Order in Council 365 dated 19 March 1934 and a deed of purchase registered at Baie-Comeau under number 8611 dated 8 August 1934.

From point F, in a general northwesterly direction, being the OHWM on the southwest shore of the Saguenay River, to its intersection with the boundary line between lots 2 and 3 of Range VI of the township of Otis, being point G;

Skirting, so as to exclude them, the following areas:

— BAIE-SAINTE-CATHERINE FERRY WHARF (13):

A submerged shore lot, without designation, forming part of the bed of the Saguenay River and including Block 37 fronting on lots 56 of Range 1 and 8-1 of Range B of the cadastre of the township of Saguenay, as shown on a plan prepared by Claude Latulippe, land surveyor, on 3 August 1978 under number 5255 of his minutes. The said lot being reserved for the needs of the Québec department of transport.

— SAINT-ÉTIENNE COVE:

A part of Saint-Étienne cove, bounded by a straight line the extremities of which are designated as the following QPCS coordinates:

Point 9: 5 340 426 m N and 348 677 m E;

Point 10: 5 340 477 m N and 348 658 m E.

— PETIT SAGUENAY COVE:

A part of Petit Saguenay cove, bounded by a straight line (line 11-12 on the attached plan), perpendicular to the current and having its origin at the mouth of a stream known locally as the Alvidas stream.

— PETIT-SAGUENAY WHARF (14):

A part of the bed of the Saguenay River comprising: a submerged shore lot being Block 64 of the bed of the Saguenay River, fronting on Block A of the cadastre of the township of Saint-Jean, containing an area of 13 053 square metres, transferred to the Government of Canada by Québec Order in Council 2017 dated 28 November 1962 and accepted by an Order in Council dated June 27, 1963;

A submerged shore lot, without designation, forming part of the bed of the Saguenay River, fronting on Block A of the cadastre of the township of Saint-Jean, bounded as follows: on the north by the hereinafter described Block B and the Saguenay River; on the east by the Saguenay River; on the south by the OHWM; and on the west by the aforementioned Block 64. Containing an area of 8 895 square metres, transferred to the Government of Canada by Québec Order in Council 2017 dated 28 November 1962 and accepted by an Order in Council dated June 27, 1963;

A submerged shore lot, being Block B of the bed of the Saguenay River, fronting on Block A of the cadastre of the township of Saint-Jean, transferred to the Government of Canada by Québec Order in Council 437 dated 17 March 1968 and accepted by Order in Council P.C. 1689 dated August 28, 1968.

— SAINT-JEAN COVE (15):

A part of Saint-Jean cove, bounded by a straight line (line 13-14 on the attached plan), starting from the boundary line between lots 62 and 7b, Reserve Range, cadastre of the township of Saint-Jean and perpendicular to the current.

Anse Saint-Jean wharf. A submerged shore lot, without designation, forming part of the bed of the Saguenay River, fronting on lot 1B of Range VII, cadastre of the township of Saint-Jean, including the site of the wharf and a contiguous strip of land 25 metres in width measured perpendicularly from the outside wall of the wharf;

A submerged shore lot, without designation, forming part of the bed of the Saguenay River, fronting on lot 1B of Range VII of the cadastre of the township of Saint-Jean, as described in lease No. 9596-85 of the Ministère de l'Environnement et de la Faune and a contiguous strip of land 25 metres in width measured perpendicularly from the boundary line described in the lease.

— ÉTERNITÉ BAY:

A part of Éternité Bay, bounded by a straight line the extremities of which are designated as the following QPCS coordinates:

Point 15: 5 350 803 m N and 316 863 m E;

Point 16: 5 350 903 m N and 316 803 m E.

A submerged shore lot, without designation, situated in Éternité Bay at 5 351 813 m N and 317 243 m E in the Québec plane coordinate system, including the site of the walkway and floating wharf and a contiguous strip of land 25 metres in width measured perpendicularly from the outside wall of that structure.

From point G, northwesterly, a straight line to the starting point, being point A.

The said territory including: all land placed at the disposal of Hydro-Québec for the construction and maintenance of electric power transportation lines within the perimeter described above.

The said territory excluding:

— all property not held by the Government of Québec;

— all islands and islets, and all structures, including the marine structure situated on the Haut-fond Prince, and a strip of land 25 metres in width around that structure, designated as 5 330 376 m N and 370 648 m E in the Québec plane coordinate system.

All Québec plane coordinate system data, NAD 83, zone 7, mentioned above are expressed in metres and are calculated from coordinates plotted on 1:20 000-scale maps prepared by the Ministère des Ressources Naturelles du Québec, N.A.D. 1927.

AMENDMENTS NOT IN FORCE

-- **1992, c. 47, s. 84 (Sch.), as amended by 1997, c. 37, s. 25:**

2.1 Section 17 is amended by adding the word "and" at the end of paragraph (l) and by repealing paragraphs (n) and (o).

-- **1992, c. 47, s. 84 (Sch.), as amended by 1997, c. 37, s. 25:**

2.2 Section 23 and the heading before it are repealed.

-- **2003, c. 22, s. 219:**

219. Paragraph 23(4)(b) of the English version of the *Saguenay-St. Lawrence Marine Park Act* is replaced by the following:

(b) anything seized from the accused under this Act relating to the offence described in the ticket, or any proceeds realized from its disposition, is forfeited to Her Majesty in right of Canada or in right of Quebec, depending on whether the peace officer, park warden or enforcement officer who completed the ticket is a member of the federal public administration or the public service of Quebec.

