



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 16

**An Act to amend various legislative
provisions to implement
Complementary Agreements No. 22
and No. 27 to the James Bay and
Northern Québec Agreement**

Introduction

**Introduced by
Mr. Ian Lafrenière
Minister Responsible for Indigenous Affairs**

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EXPLANATORY NOTES

This bill ensures the implementation of Complementary Agreement No. 22 to the James Bay and Northern Québec Agreement.

For that purpose, it amends various Acts so that the Crees of Oujé-Bougoumou are expressly recognized under those Acts as a Cree community with the same rights as the other Cree communities.

The bill also ensures the implementation of Complementary Agreement No. 27 to the James Bay and Northern Québec Agreement.

To that end, it amends the Act respecting the Cree Hunters and Trappers Income Security Board, including its title, to reflect the changes made to the Income Security Program for Cree Hunters and Trappers provided for in Section 30 of the James Bay and Northern Québec Agreement, which became the Economic Security Program for Cree Hunters.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting Cree, Inuit and Naskapi Native persons (chapter A-33.1);
- Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1);
- Act respecting the Cree Nation Government (chapter G-1.031);
- The Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14);
- Act respecting the Cree Hunters and Trappers Income Security Board (chapter O-2.1);
- Environment Quality Act (chapter Q-2);
- Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- The Cree Villages and the Naskapi Village Act (chapter V-5.1).

Bill 16

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS TO IMPLEMENT COMPLEMENTARY AGREEMENTS NO. 22 AND NO. 27 TO THE JAMES BAY AND NORTHERN QUÉBEC AGREEMENT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING CREE, INUIT AND NASKAPI NATIVE PERSONS

1. Section 1 of the Act respecting Cree, Inuit and Naskapi Native persons (chapter A-33.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph *d* of the first paragraph, “Cree community” also means the group consisting of all members of the Oujé-Bougoumou band constituted as a corporation as provided for in subparagraph 9.0.3A of Section 9 of the Agreement, as well as all other persons who are entitled to be enrolled as Cree beneficiaries under the terms of this Act and who are recognized by the said band as belonging to such group.”

ACT RESPECTING HUNTING AND FISHING RIGHTS IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

2. Section 1 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph *d* of the first paragraph, “Band” also means the Oujé-Bougoumou band constituted as a corporation as provided for in subparagraph 9.0.3A of Section 9 of the Agreement.”

ACT RESPECTING THE CREE NATION GOVERNMENT

3. Section 1 of the Act respecting the Cree Nation Government (chapter G-1.031) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph *a* of the first paragraph, “band” also means the Oujé-Bougoumou Band constituted as a corporation pursuant to subparagraph 9.0.3A of Section 9 of the Agreement.”

THE EDUCATION ACT FOR CREE, INUIT AND NASKAPI NATIVE PERSONS

4. Section 569 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) is amended by inserting “Oujé-Bougoumou” after “Mistassini,” in the first paragraph.

ACT RESPECTING THE CREE HUNTERS AND TRAPPERS INCOME SECURITY BOARD

5. The title of the Act respecting the Cree Hunters and Trappers Income Security Board (chapter O-2.1) is replaced by the following title:

“ACT RESPECTING THE CREE HUNTERS ECONOMIC
SECURITY BOARD”.

6. Section 1 of the Act is replaced by the following section:

“**1.** In this Act, “Program” refers to the Economic Security Program for Cree Hunters provided for in Section 30 of the James Bay and Northern Québec Agreement appearing as Schedule A to Complementary Agreement No. 27 entered into between the Gouvernement du Québec and the Cree Nation Government, approved, given effect to and declared valid by Order in Council 936-2021 (2021, G.O. 2, 4337, French only).”

7. Section 2 of the Act is amended by adding the following paragraph at the end:

“The Board carries on its activities under the name “Cree Hunters Economic Security Board”. ”

8. Section 3 of the Act is amended by replacing “paragraph 30.6.14” and “paragraph 30.11.8” in the second paragraph by “paragraph 30.6.16” and “paragraph 30.9.6”, respectively.

9. Section 18 of the Act is amended by replacing “paragraph 30.9.7” by “paragraph 30.7.5”.

10. The Act is amended by inserting the following section after section 22:

“**22.1.** Unless the context indicates otherwise or this Act provides otherwise, in any Act, regulation or other document,

(1) a reference to the Income Security Program for Cree Hunters and Trappers is a reference to the Economic Security Program for Cree Hunters;

(2) a reference to the Cree Hunters and Trappers Income Security Board is a reference to the Cree Hunters Economic Security Board; and

(3) a reference to the Act respecting the Cree Hunters and Trappers Income Security Board is a reference to the Act respecting the Cree Hunters Economic Security Board.”

11. Section 25 of the Act is replaced by the following section:

“**25.** The provisions of this Act apply subject to the conditions set out in sections 2 and 6 of Complementary Agreement No. 27 referred to in section 1 of this Act.”

ENVIRONMENT QUALITY ACT

12. Section 131 of the Environment Quality Act (chapter Q-2) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph 4 of the first paragraph, “Band” also means the Oujé-Bougoumou Band constituted as a legal person as provided for in subparagraph 9.0.3A of Section 9 of the Agreement.”

ACT RESPECTING THE LAND REGIME IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

13. Section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraphs *a* and *c* of the first paragraph, “band” also means the Oujé-Bougoumou band constituted as a corporation as provided for in subparagraph 9.0.3A of Section 9 of the Agreement.”

14. Section 2 of the Act is amended

(1) by inserting “Corporation foncière d’Oujé-Bougoumou,” after “Mistassini,” in the first paragraph;

(2) by inserting “Oujé-Bougoumou Ahschee Ahtabewowseenanooch,” after “Mistassini Ahschee Ahtabewowseenanooch,” in the second paragraph;

(3) by inserting “Oujé-Bougoumou Landholding Corporation,” after “Mistassini Landholding Corporation,” in the second paragraph.

15. Section 3 of the Act is amended by inserting “Oujé-Bougoumou,” after “Mistassini,”.

16. Section 10 of the Act is amended by adding the following paragraph at the end:

“The first general meeting of the members of the Oujé-Bougoumou Landholding Corporation shall be convened within six months from (*insert the date of assent to this Act*). The Minister may extend that time limit.”

17. Section 52 of the Act is amended by adding the following sentence at the end of the first paragraph: “The same applies, with the necessary modifications, to the holders of similar rights or titles granted before 7 November 2011 on lands surrounded by or adjacent to Category I lands of Oujé-Bougoumou.”

18. Section 53 of the Act is amended by adding the following sentence at the end of the second paragraph: “The same applies to the Category I lands of Oujé-Bougoumou from 7 November 2011.”

19. Section 94 of the Act is amended

(1) by inserting “, as well as lands, within the perimeter of the Category II lands of Oujé-Bougoumou, which were the subject, as of 7 November 2011, of similar rights or titles” after “mining leases” in paragraph *f*;

(2) by adding the following paragraph at the end:

“The provisions of subparagraphs *a* to *d* of the first paragraph apply, with the necessary modifications, to the Category I lands of Oujé-Bougoumou from 15 November 2012.”

THE CREE VILLAGES AND THE NASKAPI VILLAGE ACT

20. Section 1 of the Cree Villages and the Naskapi Village Act (chapter V-5.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph 2 of the first paragraph, “Cree Band” also means the Oujé-Bougoumou Band constituted as a legal person pursuant to subparagraph 9.0.3A of Section 9 of the Agreement.”

21. The Act is amended by inserting the following section after section 9:

“9.0.1. A municipality having the status of Cree village is hereby constituted under the name of “Village cri d’Oujé-Bougoumou”. The municipality may also be designated under the Cree name of “Oujé-Bougoumou Eeyoo Atawin” and under the English name of “Cree Village of Oujé-Bougoumou”.

The municipality is a legal person established in the public interest formed by the members of the community of Oujé-Bougoumou.

The Category IB lands intended for that community form the territory of the municipality.”

FINAL PROVISIONS

22. The Cree school municipality erected by Order in Council 2067-78 (1978, G.O. 2, 3917, French only) made under section 569 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) comprises the Category I lands of the Cree community of Oujé-Bougoumou from 15 November 2012.

23. This Act comes into force on (*insert the date of assent to this Act*), but sections 5 to 11 have effect from 1 July 2019.

