



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 37

**An Act to prohibit certain shale
natural gas exploration and production
activities**

Introduction

**Introduced by
Mr. Yves-François Blanchet
Minister of Sustainable Development, Environment,
Wildlife and Parks**

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EXPLANATORY NOTES

This bill establishes a moratorium prohibiting all drilling, injectivity testing and fracturing operations related to shale natural gas exploration or production in the territories of municipalities located mainly in the St. Lawrence lowlands. The moratorium will remain in effect until a law establishing new rules for hydrocarbon exploration and production comes into force or for a maximum period of five years. The Government is given the power to extend the application of the moratorium to municipal territories contiguous to those already covered by the bill.

In addition, the bill suspends authorizations under the Environment Quality Act and licences for well drilling, completion or conversion under the Mining Act issued prior to the coming into force of the bill that allowed their holders to engage in activities prohibited by the bill.

Lastly, penal sanctions are applicable to any person who engages in an activity prohibited by the bill.

Bill 37

AN ACT TO PROHIBIT CERTAIN SHALE NATURAL GAS EXPLORATION AND PRODUCTION ACTIVITIES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The following activities, when related to exploration for or production of shale natural gas, are prohibited in the territories of the municipalities listed in Schedule I:

- (1) drilling;
- (2) fracturing;
- (3) injectivity testing.

This section does not apply to stratigraphic drilling.

The Government may, by regulation, and giving reasons for its decision, extend the prohibition of the activities mentioned in the first paragraph to municipal territories contiguous to the territory of a municipality listed in Schedule I.

2. Authorizations issued under the Environment Quality Act (chapter Q-2) prior to (*insert the date of coming into force of this Act*) for activities prohibited under section 1 are suspended. During the suspension, the authorizations may not be transferred, modified or revoked.

3. Any well drilling licence, modification licence or completion licence issued under the Mining Act (chapter M-13.1) prior to (*insert the date of coming into force of this Act*) for activities prohibited under section 1 is suspended.

Such a suspension does not however prevent the holders of such licences from carrying out work for the purpose of repairing, maintaining or closing existing wells.

4. Anyone who engages in an activity prohibited under section 1 is guilty of an offence and is liable

(1) in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of three years or to both; and

(2) in other cases, to a fine of \$30,000 to \$6,000,000.

5. The application of this Act entails no right to compensation from the State.

6. The Minister of Sustainable Development, Environment, Wildlife and Parks is responsible for the administration of this Act.

7. This Act ceases to have effect as of the date a law establishing new rules applicable to hydrocarbon exploration and production comes into force or, at the latest, on *(insert the date that is five years after the date of coming into force of this Act)*.

8. This Act comes into force on *(insert the date of assent to this Act)*.

SCHEDULE I
(*Section 1*)

MUNICIPALITIES FOR THE PURPOSES OF SECTION 1

- (1) MRC Acton;
- (2) MRC Arthabaska;
- (3) MRC Bécancour;
- (4) MRC Bellechasse;
- (5) MRC Brome-Missisquoi;
- (6) MRC D'Autray;
- (7) MRC Drummond;
- (8) MRC Joliette;
- (9) MRC La Côte-de-Beaupré;
- (10) MRC La Haute-Yamaska;
- (11) MRC La Jacques-Cartier;
- (12) MRC La Nouvelle-Beauce;
- (13) MRC L'Assomption;
- (14) MRC La Vallée-du-Richelieu;
- (15) MRC Le Haut-Richelieu;
- (16) MRC L'Érable;
- (17) MRC Les Chenaux;
- (18) MRC Les Jardins-de-Napierville;
- (19) MRC Les Maskoutains;
- (20) MRC Les Moulins;
- (21) MRC Les Sources;
- (22) MRC Le Val-Saint-François;
- (23) MRC Lotbinière;

- (24) MRC Marguerite-D'Youville;
- (25) MRC Maskinongé;
- (26) MRC Montcalm;
- (27) MRC Montmagny;
- (28) MRC Nicolet-Yamaska;
- (29) MRC Pierre-De Saurel;
- (30) MRC Portneuf;
- (31) MRC Roussillon;
- (32) MRC Rouville;
- (33) MRC Thérèse-De Blainville;
- (34) Paroisse de Notre-Dame-des-Anges;
- (35) Ville de Boucherville;
- (36) Ville de Brossard;
- (37) Ville de Côte-Saint-Luc;
- (38) Ville de Hampstead;
- (39) Ville de l'Ancienne-Lorette;
- (40) Ville de Laval;
- (41) Ville de Lévis;
- (42) Ville de Longueuil;
- (43) Ville de Montréal;
- (44) Ville de Montréal-Est;
- (45) Ville de Montréal-Ouest.
- (46) Ville de Mont-Royal;
- (47) Ville de Québec;
- (48) Ville de Saint-Augustin-de-Desmaures;

- (49) Ville de Saint-Bruno-de-Montarville;
- (50) Ville de Saint-Lambert;
- (51) Ville de Trois-Rivières;
- (52) Ville de Westmount.

