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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 391

**An Act to amend the Forest Act to  
ensure the protection and sustainable  
development of forests**

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**Introduction**

**Introduced by  
Mr Claude Béchar  
Member for Kamouraska - Témiscouata**

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**Québec Official Publisher  
2000**

## **EXPLANATORY NOTES**

*This bill amends the Forest Act to enable a person who wishes to ensure the protection and sustainable development of forests to make an application to or file a complaint with the Auditor General with a view to having the Auditor General determine, in particular, whether the various agreements entered into or permits issued by the Minister are being complied with.*

*The bill authorizes the Auditor General to intervene to examine the efficiency of the forest management the Minister carries out for experimental, evaluation, educational or research purposes.*

*The bill authorizes the Auditor General to intervene to determine whether the forest protection, forest resource renewal and private woodlot development measures and the use and processing of the wood are efficient.*

*The bill provides that the Auditor General may hold a public hearing following an application or complaint received, before making a detailed report containing his or her findings or recommendations.*

# Bill 391

## AN ACT TO AMEND THE FOREST ACT TO ENSURE THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF FORESTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Forest Act (R.S.Q., chapter F-4.1) is amended by inserting the following before section 207 :

### “DIVISION I

“FOREST RESOURCE DEVELOPMENT MEASURES”.

**2.** The said Act is amended by inserting the following after section 212 :

### “DIVISION II

“AUDIT BY THE AUDITOR GENERAL

**“212.1.** In order to ensure the protection and sustainable development of forests, a person may file an application or a complaint with the Auditor General concerning the application of this Act requesting the Auditor General to determine, in particular, whether

(1) timber supply and forest management agreements entered into by the Minister are being complied with by the contracting parties ;

(2) forest management permits for the supply of a wood processing plant issued by the Minister are being complied with ;

(3) the forest management activities carried on by the Minister are conducive to the protection and renewal of forest resources ;

(4) the agreements entered into by the Minister for the management of forest areas promote economic development and forest resource renewal ;

(5) the forest management operations carried on by the Minister for experimental, educational, teaching or research purposes are efficient ;

(6) the forest protection, forest resource renewal and private woodlot development measures and the use and processing of wood are efficient.

**“212.2.** Where the Auditor General believes on reasonable grounds that an application or complaint warrants intervention, the Auditor General shall immediately notify the Minister and forward a copy of the application or complaint to the Minister.

**“212.3.** The Auditor General may call any person to hear that person’s point of view on the application or complaint.

**“212.4.** The Auditor General may hold a public hearing following receipt of an application or complaint.

Where a hearing is to be held, the Auditor General shall cause a notice to be published, at least 30 days before the hearing, in two daily newspapers circulated in Québec and in a weekly regional newspaper circulated in the region from which the application or complaint originates, containing

- (1) a summary of the application or complaint ;
- (2) the date, time and place of the hearing ;
- (3) a statement that any interested person wishing to appear and make representations concerning the application or complaint must notify the Auditor General within 15 days of the date of publication of the notice ; and
- (4) a statement that any interested person may, on request, obtain the text of the application or complaint from the Auditor General.

**“212.5.** On examining an application or complaint, the Auditor General shall consider, in particular, compliance with applicable legislation, regulations and orders.

**“212.6.** The Auditor General shall with all due dispatch make a detailed report containing his or her findings or recommendations to the person having filed the application or complaint and to the intervenors.

The Auditor General shall cause the report or, as the case may be, a summary to be published in two daily newspapers circulated in Québec and in a weekly regional newspaper circulated in the region from which the application or complaint originates.

**“212.7.** The Auditor General has, in relation to any application or complaint received pursuant to this division, the powers conferred on the Auditor General under the Auditor General Act (R.S.Q., chapter V-5.01).

**“212.8.** The Auditor General’s annual report shall mention any intervention of the Auditor General under this division.”

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