



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 391

**An Act to declare water a common
heritage of the Québec nation**

Introduction

**Introduced by
Mr. Denis Trottier
Member for Roberval**

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EXPLANATORY NOTES

The purpose of this bill is to declare that water is part of the common heritage of the Québec nation.

The bill also deals with water protection, enhancement and development, water use, and balanced, sustainable water resources management.

Bill 391

AN ACT TO DECLARE WATER A COMMON HERITAGE OF THE QUÉBEC NATION

AS water resources are essential to the environmental, economic and social well-being of Québec;

AS water resources, both surface water and groundwater, constitute a common heritage which it is important to conserve in order to meet the needs of present and future generations;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

WATER AS A COMMON HERITAGE OF THE QUÉBEC NATION

- 1.** Water is part of the common heritage of the Québec nation.

DIVISION II

APPLICABILITY OF THE CIVIL CODE OF QUÉBEC

- 2.** As a common heritage of the Québec nation, water, whether surface water or groundwater, is subject to the provisions of the Civil Code of Québec which stipulate that it is a thing whose use is common to all.

DIVISION III

WATER PROTECTION, ENHANCEMENT AND DEVELOPMENT

- 3.** The protection and enhancement of water, as well as the development of usable water resources with due regard for natural balance, are of general interest.

DIVISION IV

WATER USE

- 4.** Under the law, the use of water is for all. It is the right of every natural person to have access to water that is safe for drinking, cooking and personal hygiene.

DIVISION V

BALANCED AND SUSTAINABLE WATER RESOURCES MANAGEMENT

- 5.** Water resources management must be both balanced and sustainable.
- 6.** Water resources management must place the ecosystemic functions of water above all other considerations.

It must give priority to meeting public health and sanitation, civil protection, social and drinking water supply requirements.

It must take into account necessary adaptations to climate change.

DIVISION VI

FINAL PROVISIONS

- 7.** The Government may make regulations to establish standards for water use and for balanced and sustainable water resources management.
- 8.** The Minister publishes any draft regulation prepared under this Act in the *Gazette officielle du Québec* with a notice stating that it may be adopted by the Government, with or without amendment, at the expiry of 60 days following its publication.

The Minister must consider every written objection made to the Minister before the expiry of the 60 days.

- 9.** The Minister of Sustainable Development, Environment and Parks is responsible for the administration of this Act.
- 10.** This Act comes into force on (*insert the date of assent to this Act*).