



CANADA

CONSOLIDATION

CODIFICATION

Canada National Parks Act

Loi sur les parcs nationaux du Canada

S.C. 2000, c. 32

L.C. 2000, ch. 32

Current to February 6, 2013

À jour au 6 février 2013

Last amended on January 31, 2013

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OFFICIAL STATUS
OF CONSOLIDATIONS

CARACTÈRE OFFICIEL
DES CODIFICATIONS

Subsections 31(1) and (2) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Les paragraphes 31(1) et (2) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1^{er} juin 2009, prévoient ce qui suit :

Published
consolidation is
evidence

31. (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

31. (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

Codifications
comme élément
de preuve

Inconsistencies
in Acts

(2) In the event of an inconsistency between a consolidated statute published by the Minister under this Act and the original statute or a subsequent amendment as certified by the Clerk of the Parliaments under the *Publication of Statutes Act*, the original statute or amendment prevails to the extent of the inconsistency.

(2) Les dispositions de la loi d'origine avec ses modifications subséquentes par le greffier des Parlements en vertu de la *Loi sur la publication des lois* l'emportent sur les dispositions incompatibles de la loi codifiée publiée par le ministre en vertu de la présente loi.

Incompatibilité
— lois

NOTE

This consolidation is current to February 6, 2013. The last amendments came into force on January 31, 2013. Any amendments that were not in force as of February 6, 2013 are set out at the end of this document under the heading "Amendments Not in Force".

NOTE

Cette codification est à jour au 6 février 2013. Les dernières modifications sont entrées en vigueur le 31 janvier 2013. Toutes modifications qui n'étaient pas en vigueur au 6 février 2013 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

TABLE OF PROVISIONS

TABLE ANALYTIQUE

Section		Page	Article		Page
	An Act respecting the national parks of Canada			Loi concernant les parcs nationaux du Canada	
	SHORT TITLE	1		TITRE ABRÉGÉ	1
1	Short title	1	1	Titre abrégé	1
	INTERPRETATION	1		DÉFINITIONS	1
2	Definitions	1	2	Définitions	1
	HER MAJESTY	2		SA MAJESTÉ	2
3	Binding on Her Majesty	2	3	Obligation de Sa Majesté	2
	NATIONAL PARKS OF CANADA	2		PARCS NATIONAUX DU CANADA	2
4	Parks dedicated to public	2	4	Usage public des parcs	2
5	National parks of Canada	3	5	Parcs nationaux du Canada	3
6	Reserves for parks	3	6	Réserves à vocation de parc	3
7	Amendment to be tabled and referred	4	7	Dépôt de la modification et renvoi en comité	4
	ADMINISTRATION	5		GESTION	5
8	Management by Minister	5	8	Autorité compétente	5
9	Park communities	5	9	Collectivités	5
10	Agreements — general	5	10	Accords généraux	5
11	Management plans	6	11	Plan directeur	6
12	Public consultation	6	12	Consultation du public	6
	PARK LANDS	6		TERRAINS	6
13	No disposition or use without authority	6	13	Aliénation ou utilisation des terres domaniales	6
14	Wilderness areas	7	14	Création de réserves intégrales	7
15	Disposition of public lands	7	15	Aliénation des terres domaniales	7
	REGULATIONS	9		RÈGLEMENTS	9
16	Regulations	9	16	Règlements	9
17	Resource harvesting in certain parks	12	17	Activités traditionnelles en matière de ressources renouvelables	12
	ENFORCEMENT	14		APPLICATION DE LA LOI	14
18	Designation of park wardens	14	18	Désignation des gardes de parc	14
19	Designation of enforcement officers	14	19	Désignation des agents de l'autorité	14
19.1	Contraventions Act	14	19.1	Loi sur les contraventions	14
20	Certificate of designation and oath	15	20	Serment et certificat de désignation	15
20.1	Right of passage	15	20.1	Droit de passage	15
20.2	Immunity	15	20.2	Immunité	15
21	Arrest without warrant	15	21	Arrestation sans mandat	15
22	Search and seizure	15	22	Perquisition et saisie	15
23	Custody of things seized	16	23	Garde des biens saisis	16
23.1	Liability for costs	17	23.1	Responsabilité pour frais	17

Section	Page	Article	Page
OFFENCES AND PUNISHMENT		INFRACTIONS ET PEINES	
24	17	24	17
25	17	25	17
26	20	26	20
27	21	27	21
27.1	25	27.1	25
27.2	26	27.2	26
27.3	26	27.3	26
27.4	26	27.4	26
27.5	27	27.5	27
27.6	27	27.6	27
27.7	27	27.7	27
28	29	28	29
29	29	29	29
29.1	29	29.1	29
30	30	30	30
31	33	31	33
31.01	33	31.01	33
31.1	34	31.1	34
31.2	34	31.2	34
31.3	34	31.3	34
31.4	34	31.4	34
MITIGATION OF ENVIRONMENTAL DAMAGE		ATTÉNUATION DES DOMMAGES À L'ENVIRONNEMENT	
32	35	32	35
PARK COMMUNITIES		COLLECTIVITÉS	
33	35	33	35
34	36	34	36
PROVISIONS FOR PARTICULAR PARKS		DISPOSITIONS APPLICABLES À CERTAINS PARCS	
35	37	35	37
36	37	36	37
37	37	37	37
38	38	38	38
PARK RESERVES		RÉSERVES	
39	39	39	39
40	39	40	39
41	39	41	39

Parcs nationaux du Canada — 6 février 2013

Section	Page	Article	Page		
41.1	Definition of expansion area	40	41.1	Définition de aire d'agrandissement	40
	NATIONAL HISTORIC SITES OF CANADA	43		LIEUX HISTORIQUES NATIONAUX DU CANADA	43
42	Lands set apart	43	42	Lieux historiques nationaux du Canada	43
	REPEALS	43		ABROGATIONS	43
	CONSEQUENTIAL AMENDMENTS	43		MODIFICATIONS CORRÉLATIVES	43
	CONDITIONAL AMENDMENTS	43		MODIFICATIONS CONDITIONNELLES	43
	COMING INTO FORCE	43		ENTRÉE EN VIGUEUR	43
*71	Coming into force	43	*71	Entrée en vigueur	43
	SCHEDULE 1			ANNEXE 1	
	NATIONAL PARKS OF CANADA	45		PARCS NATIONAUX DU CANADA	45
	SCHEDULE 2			ANNEXE 2	
	NATIONAL PARK RESERVES OF CANADA	117		RÉSERVES À VOCATION DE PARC NATIONAL DU CANADA	117
	SCHEDULE 3			ANNEXE 3	
	PROTECTED SPECIES	154		ESPÈCES PROTÉGÉES	154
	SCHEDULE 4			ANNEXE 4	
	PARK COMMUNITIES	155		COLLECTIVITÉS	158
	SCHEDULE 5			ANNEXE 5	
	COMMERCIAL SKI AREAS	161		STATIONS COMMERCIALES DE SKI	161
	RELATED PROVISIONS	162		DISPOSITIONS CONNEXES	162
	AMENDMENTS NOT IN FORCE	163		MODIFICATIONS NON EN VIGUEUR	163



S.C. 2000, c. 32

L.C. 2000, ch. 32

An Act respecting the national parks of Canada

Loi concernant les parcs nationaux du Canada

[Assented to 20th October 2000]

[Sanctionnée le 20 octobre 2000]

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

Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :

SHORT TITLE

TITRE ABRÉGÉ

Short title

1. This Act may be cited as the *Canada National Parks Act*.

1. *Loi sur les parcs nationaux du Canada.*

Titre abrégé

INTERPRETATION

DÉFINITIONS

Definitions

2. (1) The definitions in this subsection apply in this Act.

2. (1) Les définitions qui suivent s'appliquent à la présente loi.

Définitions

"community plan"
« plan communautaire »

"community plan" means a land use plan for a park community.

« agent de l'autorité » Toute personne désignée, individuellement ou au titre de son appartenance à une catégorie, en vertu de l'article 19.

« agent de l'autorité »
"enforcement officer"

"ecological integrity"
« intégrité écologique »

"ecological integrity" means, with respect to a park, a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes.

« collectivité » L'une des collectivités suivantes :

« collectivité »
"park community"

a) le centre d'accueil de Field situé dans le parc national Yoho du Canada;

b) la ville de Banff située dans le parc national Banff du Canada;

c) le centre d'accueil du Lac Louise situé dans le parc national Banff du Canada;

d) le centre d'accueil du parc des Lacs-Waterton situé dans le parc national des Lacs-Waterton du Canada;

e) la ville de Jasper située dans le parc national Jasper du Canada;

f) le centre d'accueil de Waskesiu situé dans le parc national de Prince Albert du Canada;

g) le centre d'accueil de Wasagaming situé dans le parc national du Mont-Riding du Canada.

"enforcement officer"
« agent de l'autorité »

"enforcement officer" means a person designated under section 19 or belonging to a class of persons so designated.

"Minister"
« ministre »

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

"park"
« parc »

"park" means a national park of Canada named and described in Schedule 1.

"park community"
« collectivité »

"park community" means any of the following communities:

(a) the visitor centre of Field in Yoho National Park of Canada;

	(b) the town of Banff in Banff National Park of Canada;	« directeur » Fonctionnaire nommé, en vertu de la <i>Loi sur l'Agence Parcs Canada</i> , directeur d'un parc ou d'un lieu historique national du Canada régi par la présente loi. Y est assimilée toute personne nommée en vertu de cette loi qu'il autorise à agir en son nom.	« directeur » "superintendent"
	(c) the visitor centre of Lake Louise in Banff National Park of Canada;		
	(d) the visitor centre of Waterton Lakes Park in Waterton Lakes National Park of Canada;		
	(e) the town of Jasper in Jasper National Park of Canada;	« garde de parc » Toute personne désignée en vertu de l'article 18.	« garde de parc » "park warden"
	(f) the visitor centre of Waskesiu in Prince Albert National Park of Canada; or	« intégrité écologique » L'état d'un parc jugé caractéristique de la région naturelle dont il fait partie et qui sera vraisemblablement maintenu, notamment les éléments abiotiques, la composition et l'abondance des espèces indigènes et des communautés biologiques ainsi que le rythme des changements et le maintien des processus écologiques.	« intégrité écologique » "ecological integrity"
	(g) the visitor centre of Wasagaming in Riding Mountain National Park of Canada.		
"park reserve" « réserve »	"park reserve" means a national park reserve of Canada named and described in Schedule 2.		
"park warden" « garde de parc »	"park warden" means a person designated under section 18.	« ministre » Le ministre responsable de l'Agence Parcs Canada.	« ministre » "Minister"
"public lands" « terres domaniales »	"public lands" means lands, including submerged lands, that belong to Her Majesty in right of Canada or that the Government of Canada has the power to dispose of, whether or not such disposal is subject to the terms of any agreement between the Government of Canada and the government of a province.	« parc » Parc national du Canada dénommé et décrit à l'annexe 1.	« parc » "park"
		« plan communautaire » Le plan d'aménagement d'une collectivité.	« plan communautaire » "community plan"
"superintendent" « directeur »	"superintendent" means an officer appointed under the <i>Parks Canada Agency Act</i> who holds the office of superintendent of a park or of a national historic site of Canada to which this Act applies, and includes any person appointed under that Act who is authorized by such an officer to act on the officer's behalf.	« réserve » Réserve à vocation de parc national du Canada dénommée et décrite à l'annexe 2.	« réserve » "park reserve"
		« terres domaniales » Terres — y compris celles qui sont immergées — appartenant à Sa Majesté du chef du Canada ou que le gouvernement du Canada peut aliéner, sous réserve des éventuels accords conclus avec un gouvernement provincial.	« terres domaniales » "public lands"
Aboriginal rights	(2) For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protection provided for existing aboriginal or treaty rights of the aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the <i>Constitution Act, 1982</i> . 2000, c. 32, s. 2; 2002, c. 18, s. 30; 2005, c. 2, s. 7.	(2) Il est entendu que la présente loi ne porte pas atteinte à la protection des droits existants — ancestraux ou issus de traités — des peuples autochtones du Canada découlant de leur reconnaissance et de leur confirmation au titre de l'article 35 de la <i>Loi constitutionnelle de 1982</i> . 2000, ch. 32, art. 2; 2002, ch. 18, art. 30; 2005, ch. 2, art. 7.	Droits des autochtones
	HER MAJESTY	SA MAJESTÉ	
Binding on Her Majesty	3. This Act is binding on Her Majesty in right of Canada or a province.	3. La présente loi lie Sa Majesté du chef du Canada ou d'une province.	Obligation de Sa Majesté
	NATIONAL PARKS OF CANADA	PARCS NATIONAUX DU CANADA	
Parks dedicated to public	4. (1) The national parks of Canada are hereby dedicated to the people of Canada for their benefit, education and enjoyment, subject	4. (1) Les parcs sont créés à l'intention du peuple canadien pour son agrément et l'enrichissement de ses connaissances; ils doivent	Usage public des parcs

to this Act and the regulations, and the parks shall be maintained and made use of so as to leave them unimpaired for the enjoyment of future generations.

être entretenus et utilisés conformément à la présente loi et aux règlements de façon à rester intacts pour les générations futures.

Purpose of reserves

(2) Park reserves are established in accordance with this Act for the purpose referred to in subsection (1) where an area or a portion of an area proposed for a park is subject to a claim in respect of aboriginal rights that has been accepted for negotiation by the Government of Canada.

(2) Sont également créées, aux fins énoncées au paragraphe (1), des réserves à vocation de parc lorsqu'un peuple autochtone revendique des droits ancestraux sur tout ou partie du territoire d'un projet de parc et que le gouvernement fédéral a accepté d'engager des négociations à cet égard.

Objectifs des réserves

2000, c. 32, s. 4; 2002, c. 18, s. 31.

2000, ch. 32, art. 4; 2002, ch. 18, art. 31.

National parks of Canada

5. (1) Subject to section 7, the Governor in Council may, by order, for the purpose of establishing or enlarging a park, amend Schedule 1 by adding the name and a description of the park, or by altering the description of the park, if the Governor in Council is satisfied that

5. (1) Sous réserve de l'article 7, le gouverneur en conseil peut, par décret, en vue de créer ou d'agrandir un parc, modifier l'annexe 1 en y ajoutant le nom et la description de celui-ci ou en changeant cette description, s'il est convaincu que les conditions suivantes sont réunies :

Parcs nationaux du Canada

(a) Her Majesty in right of Canada has clear title to or an unencumbered right of ownership in the lands to be included in the park; and

a) Sa Majesté du chef du Canada a un droit de propriété non grevé de charge sur les terres en cause;

(b) the government of the province in which those lands are situated has agreed to their use for that purpose.

b) le gouvernement de la province où sont situées les terres consent à leur utilisation à cette fin.

Judicial finding as to title

(2) If a court of competent jurisdiction finds that Her Majesty in right of Canada does not have clear title to or an unencumbered right of ownership in lands within a park, the Governor in Council may, by order, amend Schedule 1 by removing the name and description of the park or by altering that description.

(2) Si un tribunal compétent conclut que Sa Majesté du chef du Canada n'a pas un titre incontestable ou un droit de propriété non grevé de charge sur les terres situées dans un parc, le gouverneur en conseil peut, par décret, modifier l'annexe 1 en en retranchant le nom et la description du parc ou en changeant cette description.

Décision judiciaire sur le titre ou le droit de propriété

No reduction of park area

(3) Except as provided by subsection (2), no amendment may be made by the Governor in Council to Schedule 1 for the purpose of removing any portion of a park.

(3) Sauf dans les cas prévus au paragraphe (2), le gouverneur en conseil ne peut modifier l'annexe 1 en vue de réduire la superficie d'un parc.

Interdiction

2000, c. 32, s. 5; 2002, c. 18, s. 31.1.

2000, ch. 32, art. 5; 2002, ch. 18, art. 31.1.

Reserves for parks

6. (1) Subject to section 7, the Governor in Council may, by order, for the purpose of establishing or enlarging a park reserve, amend Schedule 2 by adding the name and a description of the reserve, or by altering the description of the reserve, if the Governor in Council is satisfied that the government of the province in which the lands to be included in the reserve are situated has agreed to their use for that purpose.

6. (1) Sous réserve de l'article 7, le gouverneur en conseil peut, par décret, en vue de créer ou d'agrandir une réserve, modifier l'annexe 2 en y ajoutant le nom de la réserve et la description de celle-ci ou en changeant cette description, s'il est convaincu que le gouvernement de la province où sont situées les terres consent à leur utilisation à cette fin.

Réserves à vocation de parc

Reserve lands becoming park	<p>(2) Where a claim referred to in subsection 4(2) is settled, the Governor in Council may, by order,</p> <p>(a) amend Schedule 2 by removing the name and description of the park reserve or by altering that description; and</p> <p>(b) if the settlement provides that the park reserve or part of it is to become a park or part of one, amend Schedule 1 by adding the name and a description of the park or by altering the description of the park, if the Governor in Council is satisfied that Her Majesty in right of Canada has clear title to or an unencumbered right of ownership in the lands to be included in the park.</p>	<p>(2) À la suite du règlement de toute revendication visée au paragraphe 4(2), le gouverneur en conseil peut, par décret :</p> <p>a) modifier l'annexe 2 en en retranchant le nom de la réserve et la description de celle-ci ou en changeant cette description;</p> <p>b) dans le cas où, d'une part, dans le cadre de ce règlement, tout ou partie de la réserve devient un parc ou est intégrée à un parc existant et, d'autre part, Sa Majesté du chef du Canada a un droit de propriété non grevé de charge sur les terres en cause, modifier l'annexe 1 en y ajoutant le nom et la description du nouveau parc ou en changeant la description du parc agrandi.</p>	Règlement des revendications
Judicial finding as to title	<p>(3) If a court of competent jurisdiction finds that Her Majesty in right of Canada does not have clear title to or an unencumbered right of ownership in lands within a park reserve, the Governor in Council may, by order, amend Schedule 2 by removing the name and description of the reserve or by altering that description.</p>	<p>(3) Si un tribunal compétent conclut que Sa Majesté du chef du Canada n'a pas un titre incontestable ou un droit de propriété non grevé de charge sur les terres situées dans une réserve, le gouverneur en conseil peut, par décret, modifier l'annexe 2 en en retranchant le nom et la description de la réserve ou en changeant cette description.</p>	Décision judiciaire sur le titre ou le droit de propriété
No reduction of reserve area	<p>(4) Except as provided by subsections (2) and (3), no amendment may be made by the Governor in Council to Schedule 2 for the purpose of removing any portion of a park reserve.</p> <p>2000, c. 32, s. 6; 2002, c. 18, s. 31.2.</p>	<p>(4) Sauf dans les cas prévus aux paragraphes (2) et (3), le gouverneur en conseil ne peut retrancher de l'annexe 2 aucune partie d'une réserve.</p> <p>2000, ch. 32, art. 6; 2002, ch. 18, art. 31.2.</p>	Interdiction
Amendment to be tabled and referred	<p>7. (1) Before an amendment is made to Schedule 1 or 2 for a purpose referred to in subsection 5(1) or 6(1), respectively, the proposed amendment shall be tabled in each House of Parliament, together with a report on the proposed park or park reserve that includes information on consultations undertaken and any agreements reached with respect to its establishment, and an amendment so tabled stands referred to the standing committee of each House that normally considers matters relating to parks or to any other committee that that House may designate for the purposes of this section.</p>	<p>7. (1) La proposition de toute modification des annexes 1 ou 2 dans le cadre des paragraphes 5(1) ou 6(1) est déposée devant chaque chambre du Parlement, de même qu'un rapport sur le projet de parc ou de réserve contenant des renseignements sur les consultations effectuées et sur les accords intervenus relativement à sa création; le comité permanent de chaque chambre habituellement chargé des questions concernant les parcs ou tout autre comité désigné par celle-ci pour l'application du présent article en est saisi d'office.</p>	Dépôt de la modification et renvoi en comité
Disapproval by committee	<p>(2) The committee of each House may, within 30 sitting days after the amendment is tabled, report to the House that it disapproves the amendment, in which case a motion to concur in the report shall be put to the House in accordance with its procedures.</p>	<p>(2) Le comité saisi peut présenter à la chambre, dans les trente jours de séance suivants, un rapport de rejet de la proposition; une motion visant l'approbation de celui-ci est alors mise aux voix en conformité avec la procédure de la chambre.</p>	Rejet du projet par le comité
Amendment allowed	<p>(3) A proposed amendment to Schedule 1 or 2 may be made if 31 sitting days have elapsed</p>	<p>(3) Les annexes 1 ou 2 peuvent faire l'objet de la modification si trente et un jours de</p>	Modification permise

after the tabling of the amendment in both Houses and no motion referred to in subsection (2) has been proposed in either House.

séance se sont écoulés depuis le dépôt de la proposition de modification devant chacune des chambres sans qu'aucune motion visée au paragraphe (2) n'y ait été présentée.

Amendment not allowed

(4) A proposed amendment to Schedule 1 or 2 may not be made if either House passes a motion referred to in subsection (2).

(4) Les annexes 1 ou 2 ne peuvent faire l'objet de la modification si l'une ou l'autre des chambres a adopté la motion visée au paragraphe (2).

Modification interdite

ADMINISTRATION

GESTION

Management by Minister

8. (1) The Minister is responsible for the administration, management and control of parks, including the administration of public lands in parks and, for that purpose, the Minister may use and occupy those lands.

8. (1) Les parcs, y compris les terres domaniales qui y sont situées, sont placés sous l'autorité du ministre; celui-ci peut, dans l'exercice de cette autorité, utiliser et occuper les terres domaniales situées dans les parcs.

Autorité compétente

Ecological integrity

(2) Maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority of the Minister when considering all aspects of the management of parks.

(2) La préservation ou le rétablissement de l'intégrité écologique par la protection des ressources naturelles et des processus écologiques sont la première priorité du ministre pour tous les aspects de la gestion des parcs.

Intégrité écologique

Park communities

9. Powers in relation to land use planning and development in park communities may not be exercised by a local government body, except as provided in the agreement referred to in section 35.

9. Une administration locale ne peut exercer de pouvoirs relativement à l'aménagement des terres et au développement dans les collectivités, sous réserve de l'accord visé à l'article 35.

Collectivités

Agreements — general

10. (1) The Minister may enter into agreements with federal and provincial ministers and agencies, local and aboriginal governments, bodies established under land claims agreements and other persons and organizations for carrying out the purposes of this Act.

10. (1) Le ministre peut, pour l'application de la présente loi, conclure des accords avec des ministres ou organismes fédéraux ou provinciaux ainsi qu'avec des administrations locales ou autochtones, des organismes constitués dans le cadre d'accords sur des revendications territoriales, d'autres personnes ou des organisations non gouvernementales.

Accords généraux

Agreements — particular

(2) The Minister may enter into agreements

(a) with any person for the development, operation and maintenance in a park of hydro-electric power pursuant to the *Dominion Water Power Act* for use in a park;

(b) with a local or aboriginal government having jurisdiction on lands adjacent to a park for the supply of water from the park to any place on those adjacent lands; and

(c) with any person located on lands in or adjacent to a park for the supply of water from the park to those lands for domestic purposes or for use in establishments providing services to park visitors.

(2) Le ministre peut conclure des accords avec :

a) toute personne en vue de l'installation, l'exploitation et l'entretien de services d'énergie hydro-électrique dans un parc, en application de la *Loi sur les forces hydrauliques du Canada*, pour utilisation dans le parc;

b) une administration locale ou autochtone dont relèvent des terrains contigus à un parc en vue de l'approvisionnement en eau, à partir du parc, de tout lieu situé sur ces terrains;

c) une personne résidant sur un terrain situé dans un parc ou contigu à un parc en vue de l'approvisionnement en eau, à partir du parc, de ces terrains pour usage domestique ou

Accords particuliers

		pour usage dans les établissements qui fournissent des services aux visiteurs du parc.	
Traditional water supply	(2.1) An agreement entered into pursuant to paragraph (2)(b) must take into account any traditional supply of water from the park.	(2.1) Tout accord conclu au titre de l'alinéa (2)b) tient compte de l'approvisionnement en eau traditionnel à partir du parc.	Approvisionnement en eau traditionnel
Use of land	(3) An agreement entered into by the Minister with a provincial minister or agency may authorize the use of public lands in a park, but the Minister may terminate the agreement if those lands cease to be used as authorized.	(3) Les accords conclus par le ministre avec les ministres ou organismes provinciaux peuvent prévoir l'utilisation des terres domaniales situées dans un parc. Le ministre peut mettre fin aux accords si les terres visées cessent d'être utilisées aux fins prévues par ceux-ci.	Utilisation des terres domaniales
Management plans	11. (1) The Minister shall, within five years after a park is established, prepare a management plan for the park containing a long-term ecological vision for the park, a set of ecological integrity objectives and indicators and provisions for resource protection and restoration, zoning, visitor use, public awareness and performance evaluation, which shall be tabled in each House of Parliament.	11. (1) Dans les cinq ans suivant la création d'un parc, le ministre établit un plan directeur de celui-ci qui présente des vues à long terme sur l'écologie du parc et prévoit un ensemble d'objectifs et d'indicateurs relatifs à l'intégrité écologique, et des dispositions visant la protection et le rétablissement des ressources, les modalités d'utilisation du parc par les visiteurs, le zonage, la sensibilisation du public et l'évaluation du rendement; il le fait déposer devant chaque chambre du Parlement.	Plan directeur
Review of management plans by Minister	(2) The Minister shall review the management plan for each park at least every 10 years and shall cause any amendments to the plan to be tabled in each House of Parliament. 2000, c. 32, s. 11; 2012, c. 19, s. 324.	(2) Le ministre procède à l'examen du plan au moins tous les dix ans par la suite et, le cas échéant, fait déposer ses modifications devant chacune de ces chambres. 2000, ch. 32, art. 11; 2012, ch. 19, art. 324.	Examen du plan directeur par le ministre
Public consultation	12. (1) The Minister shall, where applicable, provide opportunities for public participation at the national, regional and local levels, including participation by aboriginal organizations, bodies established under land claims agreements and representatives of park communities, in the development of parks policy and regulations, the establishment of parks, the formulation of management plans, land use planning and development in relation to park communities and any other matters that the Minister considers relevant.	12. (1) Le ministre favorise, le cas échéant, la participation du public à l'échelle nationale, régionale et locale — notamment la participation des organisations autochtones, des organismes constitués dans le cadre d'accords sur des revendications territoriales et des représentants des collectivités —, tant à la création des parcs qu'à l'élaboration de la politique et des règlements à leur égard, des plans de gestion, de l'aménagement des terres et du développement des collectivités et des autres mesures qu'il juge utiles.	Consultation du public
Progress reports	(2) At least every two years, the Minister shall cause to be tabled in each House of Parliament a report on the state of the parks and on progress made towards the establishment of new parks.	(2) Au moins tous les deux ans, le ministre fait déposer devant chaque chambre du Parlement un rapport sur la situation des parcs existants et les mesures prises en vue de la création de parcs.	Suivi
	PARK LANDS	TERRAINS	
No disposition or use without authority	13. Except as permitted by this Act or the regulations,	13. Sauf dans la mesure permise par les autres dispositions de la présente loi ou ses règlements, il est interdit d'aliéner les terres do-	Aliénation ou utilisation des terres domaniales

	<p>(a) no public lands or right or interest in public lands in a park may be disposed of; and</p> <p>(b) no person shall use or occupy public lands in a park.</p>	<p>maniales situées dans un parc, de concéder un droit réel ou un intérêt sur celles-ci, de les utiliser ou de les occuper.</p>	
Wilderness areas	<p>14. (1) The Governor in Council may, by regulation, declare any area of a park that exists in a natural state or that is capable of returning to a natural state to be a wilderness area.</p>	<p>14. (1) Le gouverneur en conseil peut, par règlement, constituer en réserve intégrale toute zone à l'état sauvage — ou susceptible d'être ramenée à l'état sauvage — d'un parc.</p>	Création de réserves intégrales
Maintaining character	<p>(2) The Minister may not authorize any activity to be carried on in a wilderness area that is likely to impair the wilderness character of the area.</p>	<p>(2) Le ministre ne peut autoriser, dans les réserves intégrales, les activités susceptibles de compromettre leur caractère distinctif.</p>	Activités interdites
Exceptions	<p>(3) Notwithstanding subsection (2) but subject to any conditions that the Minister considers necessary, the Minister may authorize activities to be carried on in a wilderness area for purposes of</p> <p>(a) park administration;</p> <p>(b) public safety;</p> <p>(c) the provision of basic user facilities including trails and rudimentary campsites;</p> <p>(d) the carrying on of activities in accordance with regulations made under section 17; or</p> <p>(e) access by air to remote parts of the wilderness area.</p>	<p>(3) Il peut toutefois y autoriser, aux conditions qu'il juge nécessaires, l'exercice d'activités à l'une ou l'autre des fins suivantes :</p> <p>a) l'administration du parc;</p> <p>b) la sécurité publique;</p> <p>c) la fourniture de services élémentaires aux usagers, notamment l'aménagement de sentiers et d'aires rudimentaires de campement;</p> <p>d) l'exercice, en conformité avec les règlements pris sous le régime de l'article 17, de toute activité;</p> <p>e) l'accès par air des régions éloignées faisant partie de ces réserves intégrales.</p>	Exception
Time limit for declaration	<p>(4) Where a new or amended management plan sets out an area of a park for declaration as a wilderness area, the Minister shall recommend such declaration to the Governor in Council within one year after the plan or amendment is tabled under section 11.</p>	<p>(4) S'il est recommandé dans un plan directeur — original ou modifié — qu'une zone d'un parc soit constituée en réserve intégrale, le ministre fait cette recommandation au gouverneur en conseil dans l'année suivant le dépôt du plan ou de la modification de celui-ci au titre de l'article 11.</p>	Délai : recommandation
Disposition of public lands	<p>15. (1) The Minister may</p> <p>(a) enter into leases of, and easements or servitudes over, public lands in a park that are used for</p> <p>(i) the right-of-way of an existing railway line or the site of a railway station,</p> <p>(ii) the right-of-way of an existing oil or gas pipeline or the site of a tank, reservoir, pump, rack, loading facility or other installation connected with such a pipeline, or</p>	<p>15. (1) Le ministre peut :</p> <p>a) louer ou assujettir à des servitudes des terres domaniales situées dans un parc qui servent déjà :</p> <p>(i) soit d'emprise aux voies ferrées ou d'emplacement pour des gares ferroviaires,</p> <p>(ii) soit d'emprise à un oléoduc ou un gazoduc ou d'emplacement pour des citernes, réservoirs, pompes, montures, installations de chargement ou autres s'y rapportant,</p>	Aliénation des terres domaniales

	(iii) the right-of-way of an existing telecommunication or electrical transmission line or the site of an exchange, office, substation or other installation connected with such a transmission line;	(iii) soit d'emprise à des lignes de télécommunication ou de transport d'électricité ou d'emplacement pour tout central, bureau, sous-station ou autre installation s'y rattachant;	
	(b) enter into leases of, and easements or servitudes over, public lands in a park that are required for any alteration to or deviation from a right-of-way referred to in paragraph (a) or for the relocation of any station or installation referred to in that paragraph; or	b) louer ou assujettir à des servitudes des terres domaniales situées dans un parc qui sont nécessaires à la modification des emprises, gares ou autres installations existantes ou pour le changement de tracé de ces emprises ou le déplacement de ces installations;	
	(c) enter into leases or licences of occupation of, and easements or servitudes over, public lands in a park for the installation and operation of radio and television repeater stations, microwave towers, weather and telemetry stations and cosmic ray and other scientific monitoring stations.	c) louer des terres domaniales situées dans un parc — ou délivrer des permis d'occupation de celles-ci ou des servitudes à leur égard — pour l'installation et l'exploitation de stations d'amplification des ondes de télévision ou de radio, de tours à hyperfréquences, de stations météorologiques ou téléométriques, de stations d'observation des rayons cosmiques ou d'autres stations scientifiques.	
Use of lands	(2) Public lands in a park in which a right or interest is held for any purpose under this Act remain part of the park and, if those lands cease to be used for that purpose, the right or interest reverts to the Crown.	(2) Les terres domaniales situées dans un parc sur lesquelles des droits réels ou intérêts ont été concédés en vertu de la présente loi continuent à faire partie du parc et, dès qu'elles cessent de servir aux fins visées par la concession, ces terres — ou les droits réels ou intérêts concédés sur elles — retournent à la Couronne.	Non-exclusion des parcs
Termination, etc.	(3) The Minister may terminate, or accept the surrender or resiliation of, a lease of public lands in a park and may terminate, or accept the relinquishment of, a licence of occupation of such lands or an easement or servitude over such lands.	(3) Le ministre peut résilier un bail, une servitude portant sur des terres domaniales situées dans un parc ou un permis d'occupation de telles terres et accepter la rétrocession du bail ou la renonciation à la servitude ou au permis.	Résiliation, etc.
Expropriation if interests	(4) The <i>Expropriation Act</i> applies in respect of the taking or acquisition of an interest in public lands in a park for the purposes of this Act where the holder of the interest does not consent and there is no cause for termination under subsection (3).	(4) La <i>Loi sur l'expropriation</i> s'applique à l'acquisition, pour l'application de la présente loi, des droits réels afférents aux terres domaniales situées dans les parcs lorsque le titulaire des droits ne consent pas à l'acquisition et qu'il n'existe pas de motif de résiliation au titre du paragraphe (3).	Expropriation
Meaning of terms	(5) For the purposes of subsection (4), the Minister is deemed to be a minister referred to in paragraph (b) of the definition "Minister" in section 2 of that Act and the Parks Canada Agency is deemed to be a department named in Schedule I to the <i>Financial Administration Act</i> .	(5) Pour l'application du paragraphe (4), le ministre est réputé être le ministre visé à l'alinéa b) de la définition de « ministre », à l'article 2 de la <i>Loi sur l'expropriation</i> , et l'Agence Parcs Canada est réputée être un ministère mentionné à l'annexe I de la <i>Loi sur la gestion des finances publiques</i> .	Assimilation
No other expropriation	(6) Notwithstanding the <i>Expropriation Act</i> , Her Majesty in right of Canada may not acquire	(6) Par dérogation à la <i>Loi sur l'expropriation</i> , Sa Majesté du chef du Canada ne peut ex-	Expropriation interdite

any interest in land by expropriation for the purpose of enlarging a park or establishing a new park.

2000, c. 32, s. 15; 2009, c. 17, s. 2.

REGULATIONS

Regulations

16. (1) The Governor in Council may make regulations respecting

(a) the preservation, control and management of parks;

(b) the protection of flora, soil, waters, fossils, natural features, air quality, and cultural, historical and archaeological resources;

(c) the protection of fauna, the taking of specimens of fauna for scientific or propagation purposes, and the destruction or removal of dangerous or superabundant fauna;

(d) the management and regulation of fishing;

(e) the prevention and remedying of any obstruction or pollution of waterways;

(f) the prevention and extinguishment of fire on park lands or threatening park lands;

(g) the issuance, amendment and termination of leases, licences of occupation and easements or servitudes, and the acceptance of the surrender or resiliation of leases and the relinquishment of licences of occupation and easements or servitudes, of or over public lands

(i) in park communities, for the purposes of residence, schools, churches, hospitals, trade, tourism and places of recreation or entertainment,

(ii) in existing resort subdivisions, for the purpose of residence,

(iii) outside park communities and existing resort subdivisions, for the purposes of schools, churches, hospitals, service stations, tourism and places for the accommodation, recreation or education of visitors to parks, and

(iv) in the town of Banff, for the purpose of the exercise by a local government body of functions specified in the agreement referred to in section 35;

proprietary rights or interests in land for the purpose of enlarging a park or establishing a new park.

2000, ch. 32, art. 15; 2009, ch. 17, art. 2.

RÈGLEMENTS

Règlements

16. (1) Le gouverneur en conseil peut prendre des règlements concernant :

a) la préservation, la gestion et l'administration des parcs;

b) la protection de la flore, du sol, des eaux, des fossiles, de la topographie, de la qualité de l'air et des ressources culturelles, historiques et archéologiques;

c) la protection de la faune et la destruction ou l'enlèvement d'animaux sauvages dangereux ou en surnombre, ainsi que la capture d'animaux sauvages à des fins scientifiques ou de reproduction;

d) la gestion et la réglementation de la pêche;

e) l'adoption de mesures préventives et curatives concernant l'obstruction et la pollution des cours d'eau;

f) la prévention des incendies et leur extinction, dans les parcs et à leurs abords;

g) la délivrance, la modification et la résiliation de baux, de permis d'occupation ou de servitudes — ainsi que l'acceptation de la rétrocession des baux et de la renonciation aux servitudes et aux permis d'occupation — sur des terres domaniales situées :

(i) dans les collectivités, pour des habitations, écoles, églises, hôpitaux, commerces, activités de tourisme et lieux de divertissement ou de récréation,

(ii) dans les centres de villégiature existants aux fins de logement,

(iii) à l'extérieur des collectivités, des centres de villégiature existants pour des écoles, églises, hôpitaux, stations-service, activités de tourisme et lieux d'hébergement, de récréation ou d'éducation destinés aux visiteurs,

(iv) dans le périmètre urbain de Banff pour qu'une administration locale puisse exercer les fonctions précisées dans l'accord visé à l'article 35;

- (h) the restriction or prohibition of activities and the control of the use of park resources and facilities;
- (i) the establishment, operation, maintenance and administration of works and services of a public character, such as water, sewage, electricity, telephone, gas, fire protection, garbage removal and disposal and cemeteries, including the designation, granting and maintenance of plots in cemeteries, and respecting the use of those works and services;
- (j) the establishment, maintenance, administration and use of roads, streets, highways, parking areas, sidewalks, streetworks, trails, wharves, docks, bridges and other improvements, and the circumstances under which they must be open or may be closed to public traffic or use;
- (k) the control of traffic on roads, streets and highways and elsewhere in parks, including the regulation of the speed, operation and parking of vehicles;
- (l) the surveying of public lands, the making of plans of surveyed lands, the delimitation in such plans of the boundaries of park communities, existing resort subdivisions and cemeteries, their designation as towns, visitor centres, resort subdivisions or cemeteries and the subdividing of lands so designated;
- (m) the control of the location, standards, design, materials, construction, maintenance, removal and demolition of buildings, structures, facilities, signs and other improvements and the establishment of zones governing uses of land and buildings;
- (n) the control of businesses, trades, occupations, amusements, sports and other activities or undertakings, including activities related to commercial ski facilities referred to in section 36, and the places where such activities and undertakings may be carried on;
- (o) the preservation of public health and the prevention of disease;
- (p) the inspection of buildings, structures, facilities and other improvements for the purpose of the enforcement of regulations made under paragraphs (m), (n) and (o);
- h) le contrôle des activités dans les parcs, ou leur interdiction, et la réglementation de l'utilisation des ressources et des installations qui s'y trouvent;
- i) la mise sur pied, l'exploitation, l'entretien, l'administration ainsi que l'usage d'ouvrages et de services publics, notamment pour l'approvisionnement en eau, les égouts, le téléphone, l'électricité, l'alimentation en gaz, la protection contre l'incendie, l'enlèvement et l'élimination des ordures ménagères ainsi que les cimetières, y compris la délimitation, la concession et l'entretien de terrains dans ces derniers;
- j) la mise sur pied, l'entretien, la gestion ainsi que l'usage des voies routières et autres infrastructures, y compris les trottoirs, sentiers, aires de stationnement, quais, docks et ponts, et les circonstances dans lesquelles elles doivent être ouvertes ou peuvent être fermées au public, sans que cela ait pour effet d'exclure des terres d'un parc;
- k) la réglementation de la circulation sur le réseau routier et ailleurs dans les parcs, notamment pour la vitesse, la conduite et le stationnement des véhicules;
- l) l'arpentage des terres domaniales, l'établissement des levés, la délimitation sur ceux-ci des collectivités, centres de villégiature et cimetières existants, la désignation des terres arpentées comme collectivité, centre de villégiature ou cimetière, la désignation des terres arpentées comme périmètre urbain, centre d'accueil ou de villégiature ou cimetière et la subdivision des terres ainsi désignées;
- m) la réglementation de l'emplacement, de la conception, de la construction, de l'entretien, de l'amélioration, de l'enlèvement et de la démolition de bâtiments, installations, pancartes et autres structures, des normes à appliquer et des matériaux à utiliser ainsi que le zonage en vue de l'utilisation des terres ou des bâtiments;
- n) la réglementation des activités — notamment en matière de métiers, commerces, affaires, sports et divertissements —, telles que, entre autres, les activités relatives aux installations commerciales de ski visées à

- (q) the abatement and prevention of nuisances;
- (r) the determination of fees, rates, rents and other charges for the use of park resources and facilities, the provision of works and services referred to in paragraph (i) and improvements referred to in paragraph (j), and the issuance and amendment of permits, licences and other authorizing instruments pursuant to subsection (3);
- (s) public safety, including the control of firearms;
- (t) the use, transportation and temporary storage of pesticides and other toxic substances;
- (u) the control of domestic animals, including the impounding or destruction of such animals found at large;
- (v) the acquisition or disposition of prehistoric and historic objects and reproductions of them and the sale of souvenirs, consumer articles and publications;
- (w) the authorization of the use of park lands, and the use or removal of flora and other natural objects, by aboriginal people for traditional spiritual and ceremonial purposes;
- (x) the control of access to parks by air;
- (y) designating provisions of the regulations for the purpose of subsection 24(1); and
- (z) the summary removal from a park, by park wardens or enforcement officers, of persons found contravening specified provisions of this Act, the regulations or the *Criminal Code*, and the exclusion from a park for prescribed periods of those persons or persons convicted of offences under those provisions.
- l'article 36, y compris en ce qui touche le lieu de leur exercice;
- o) la protection de la santé publique et la lutte contre la maladie;
- p) l'inspection de bâtiments, installations et autres structures pour l'application des règlements pris en vertu des alinéas m), n) et o);
- q) la suppression et la prévention des nuisances;
- r) la fixation des droits à percevoir pour l'utilisation des installations et des ressources se trouvant dans les parcs, pour la fourniture des ouvrages et des services visés à l'alinéa i) et des infrastructures visées à l'alinéa j) et pour la délivrance ou la modification des licences, permis et autres autorisations visés au paragraphe (3);
- s) la protection de la sécurité publique, y compris la réglementation des armes à feu;
- t) l'utilisation, le transport et l'entreposage temporaire des produits antiparasitaires et autres matières toxiques;
- u) la réglementation des animaux domestiques, y compris la destruction ou la mise en fourrière de ceux qui errent;
- v) l'acquisition ou l'aliénation d'objets préhistoriques ou historiques ou de reproductions de ceux-ci, et la vente de publications, de souvenirs et d'articles utilitaires;
- w) l'autorisation de l'utilisation, par les peuples autochtones à des fins spirituelles ou cérémoniales traditionnelles, des terres situées dans les parcs ainsi que de la flore et des autres objets naturels, notamment par prélèvement;
- x) la réglementation de l'accès aux parcs par aéronef;
- y) la désignation des dispositions des règlements pour l'application du paragraphe 24(1);
- z) l'expulsion sans formalité par les gardes de parc et les agents de l'autorité des personnes prises en flagrant délit de contravention à certaines dispositions de la présente loi, des règlements ou du *Code criminel*, et l'interdiction d'accès pour une période déterminée prononcée à l'encontre de ces per-

Roads and other improvements	(2) The establishment or use of any improvement referred to in paragraph (1)(j) does not operate to withdraw lands from a park.	sonnes ou de celles qui ont été déclarées coupables d'une infraction à ces dispositions.	Voies routières et autres infrastructures
Powers of superintendents	(3) Regulations made under this section may authorize the superintendent of a park, in the circumstances and subject to the limits that may be specified in the regulations, (a) to vary any requirement of the regulations for purposes of public safety or the conservation of natural resources in the park; (b) to issue, amend, suspend and revoke permits, licences and other authorizations in relation to any matter that is the subject of regulations and to set their terms and conditions; and (c) to order the taking of any action to counter any threat to public health or to remedy the consequences of any breach of the regulations in the park.	(2) La mise sur pied et l'usage des voies routières et autres infrastructures visées à l'alinéa (1)j) n'ont pas pour effet d'exclure des terres du parc. (3) Les règlements pris sous le régime du présent article peuvent habiliter le directeur d'un parc, dans les circonstances et sous réserve des limites qu'ils prévoient, à : a) en modifier les exigences à l'égard du parc en vue de la protection du public ou de la préservation de ses ressources naturelles; b) délivrer, modifier, suspendre ou révoquer des licences, permis ou autres autorisations relativement à ces matières et en fixer les conditions; c) ordonner la prise de mesures afin de parer aux menaces pour la santé publique ou de remédier aux conséquences des contraventions aux règlements dans le parc.	Pouvoirs du directeur
No new establishments	(4) No lease, licence of occupation, easement or servitude may be issued or amended pursuant to regulations made under subparagraph (1)(g)(iii) for the purpose of the establishment of a new park community, resort subdivision, school, church or hospital. 2000, c. 32, s. 16; 2009, c. 14, s. 29.	(4) Les règlements pris en vertu du sous-alinéa (1)g)(iii) ne peuvent autoriser la délivrance ou la modification de baux, de permis d'occupation ou de servitudes en vue de la création de collectivités, de centres de villégiature, d'écoles, d'églises ou d'hôpitaux. 2000, ch. 32, art. 16; 2009, ch. 14, art. 29.	Nouveaux établissements interdits
Resource harvesting in certain parks	17. (1) The Governor in Council may make regulations respecting the exercise of traditional renewable resource harvesting activities in (a) Wood Buffalo National Park of Canada; (b) Wapusk National Park of Canada; (c) Gros Morne National Park of Canada; (d) any national park of Canada established in the District of Thunder Bay in the Province of Ontario; (e) Mingan Archipelago National Park Reserve of Canada; and (f) any national park of Canada established in an area where the continuation of such activities is provided for by an agreement between the Government of Canada and the government of a province respecting the establishment of the park.	17. (1) Le gouverneur en conseil peut, par règlement, régir l'exercice des activités traditionnelles en matière de ressources renouvelables dans les parcs suivants : a) le parc national Wood Buffalo du Canada; b) le parc national Wapusk du Canada; c) le parc national du Gros-Morne du Canada; d) tout parc national du Canada créé dans le district de Thunder Bay, en Ontario; e) la réserve à vocation de parc national de l'Archipel-de-Mingan du Canada; f) tout parc national du Canada créé sur un territoire où le maintien de ces activités est prévu par un accord relatif à sa création conclu entre le gouvernement du Canada et celui d'une province.	Activités traditionnelles en matière de ressources renouvelables

Land claims agreements

(2) Where an agreement for the settlement of an aboriginal land claim that is given effect by an Act of Parliament makes provision for traditional renewable resource harvesting activities or stone removal activities for carving purposes within any area of a park, or where aboriginal people have existing aboriginal or treaty rights to traditional renewable resource harvesting activities within any area of a park, the Governor in Council may make regulations respecting the carrying on of those activities in that area.

(2) Dans le cas où un accord de règlement de revendications territoriales autochtones mis en oeuvre par une loi fédérale prévoit l'exercice dans une zone d'un parc d'activités traditionnelles en matière de ressources renouvelables ou d'activités d'extraction de pierre à sculpter ou que des peuples autochtones détiennent des droits — ancestraux ou issus de traités — les autorisant à exercer des activités traditionnelles en matière de ressources renouvelables dans une telle zone, le gouverneur en conseil peut prendre des règlements concernant l'exercice de ces activités dans cette zone.

Accord de règlement des revendications territoriales

Regulations respecting resource harvesting

(3) Regulations made under subsection (1) or (2) may

(a) specify what are traditional renewable resource harvesting activities;

(b) designate categories of persons authorized to engage in those activities and prescribe the conditions under which they may engage in them;

(c) prohibit the use of renewable resources harvested in parks for other than traditional purposes;

(d) control traditional renewable resource harvesting activities;

(e) authorize the removal and disposal of any equipment or harvested resources left in a park in contravention of the regulations, and provide for the recovery of expenses incurred in their removal and disposal; and

(f) notwithstanding anything in this subsection, authorize the superintendent of a park

(i) to close areas of the park to traditional renewable resource harvesting activities for purposes of park management, public safety or the conservation of natural resources,

(ii) to establish limits on the renewable resources that may be harvested in any period, or to vary any such limits established by the regulations, for purposes of conservation, and

(iii) to prohibit or restrict the use of equipment in the park for the purpose of protecting natural resources.

(3) Les règlements pris en application des paragraphes (1) et (2) peuvent :

a) préciser ce que sont les activités traditionnelles en matière de ressources renouvelables;

b) désigner les catégories de personnes qui sont autorisées à exercer ces activités et en fixer les conditions d'exercice;

c) interdire l'utilisation des ressources renouvelables prélevées dans les parcs à d'autres fins que dans le cadre de ces activités traditionnelles;

d) régir l'exercice de ces activités;

e) autoriser l'enlèvement et le mode de disposition de l'équipement ou des ressources renouvelables laissés dans un parc en contravention des règlements et le recouvrement des dépenses en découlant;

f) autoriser le directeur d'un parc, malgré toute autre disposition du présent paragraphe :

(i) à interdire toute activité traditionnelle en matière de ressources renouvelables dans des zones du parc à des fins de gestion du parc, de sécurité publique ou de préservation des ressources naturelles,

(ii) à contingenter les ressources renouvelables pouvant faire l'objet d'une telle activité au cours d'une période donnée, ou à modifier les contingents réglementaires, pour la préservation des ressources,

(iii) à restreindre ou interdire l'utilisation d'équipement dans le parc pour la protection de ses ressources naturelles.

Teneur des règlements

Removal of carving stone

(4) In regulations made under subsection (2), subsection (3) may be applied to the removal of stone for carving purposes.

(4) Le paragraphe (3) s'applique aux règlements sur l'extraction de pierre à sculpter pris en application du paragraphe (2).

Extraction de pierre à sculpter

Variations by superintendent

(5) Regulations made under this section may authorize the superintendent of a park, in the circumstances described and to the extent provided in the regulations, to vary any requirement of the regulations for purposes of public safety or the conservation of natural resources in the park.

(5) Les règlements pris en application du présent article peuvent autoriser le directeur d'un parc à en modifier les exigences à l'égard du parc, dans les circonstances et la mesure qu'ils précisent, en vue de la protection du public ou de la préservation de ses ressources naturelles.

Modification par le directeur

ENFORCEMENT

APPLICATION DE LA LOI

Designation of park wardens

18. The Minister may designate persons appointed under the *Parks Canada Agency Act*, whose duties include the enforcement of this Act, to be park wardens for the enforcement of this Act and the regulations in any part of Canada and for the preservation and maintenance of the public peace in parks, and for those purposes park wardens are peace officers within the meaning of the *Criminal Code*.

18. Le ministre peut désigner à titre de garde de parc toute personne nommée sous le régime de la *Loi sur l'Agence Parcs Canada* dont les fonctions comportent le contrôle d'application de la présente loi, pour faire respecter la présente loi et ses règlements au Canada et pour maintenir l'ordre public dans les parcs. Les gardes de parc sont, pour l'exercice de ces fonctions, des agents de la paix au sens du *Code criminel*.

Désignation des gardes de parc

Designation of enforcement officers

19. The Minister may designate persons or classes of persons employed in the federal public administration or by a provincial, municipal or local authority or an aboriginal government, whose duties include law enforcement, to be enforcement officers for the purpose of the enforcement of specified provisions of this Act or the regulations in relation to specified parks, and for that purpose enforcement officers have the powers and are entitled to the protection provided by law to peace officers within the meaning of the *Criminal Code*.

19. Le ministre peut désigner comme agent de l'autorité, à titre individuel ou au titre de son appartenance à une catégorie déterminée, tout fonctionnaire de l'administration publique fédérale ou tout employé d'une autorité provinciale, municipale ou locale ou d'un gouvernement autochtone dont les fonctions comportent le contrôle d'application de lois. Pour l'exécution de leur mission, qui est de faire respecter certaines dispositions de la présente loi et de ses règlements qui visent des parcs précis, ces agents de l'autorité jouissent des pouvoirs et de la protection que la loi accorde aux agents de la paix au sens du *Code criminel*.

Désignation des agents de l'autorité

2000, c. 32, s. 19; 2002, c. 18, s. 31.3; 2003, c. 22, s. 224(E).

2000, ch. 32, art. 19; 2002, ch. 18, art. 31.3; 2003, ch. 22, art. 224(A).

Contraventions Act

19.1 (1) The Minister may designate persons or classes of persons employed in the federal public administration or by a provincial, municipal or local authority or by an aboriginal government for the purpose of the enforcement of this Act or the regulations with respect to offences that have been designated as contraventions under the *Contraventions Act*.

19.1 (1) Le ministre peut désigner, individuellement ou au titre de son appartenance à une catégorie déterminée, tout fonctionnaire de l'administration publique fédérale ou tout employé d'une autorité provinciale, municipale ou locale ou d'un gouvernement autochtone pour le contrôle de l'application de la présente loi ou des règlements en ce qui a trait aux infractions qualifiées de contraventions en vertu de la *Loi sur les contraventions*.

Loi sur les contraventions

Limitations regarding designations

(2) The Minister may specify that a designation is in respect of one or more parks or in respect of all or specified offences under this Act

(2) Le ministre peut préciser la portée de la désignation, laquelle peut viser soit un ou plusieurs parcs, soit une ou plusieurs infractions à

Limitations quant à la désignation

	that have been designated as contraventions under the <i>Contraventions Act</i> . 2009, c. 14, s. 30.	la présente loi qualifiées de contraventions en vertu de la <i>Loi sur les contraventions</i> . 2009, ch. 14, art. 30.	
Certificate of designation and oath	20. (1) Every park warden, enforcement officer and person designated under section 19.1 shall be provided with a certificate of designation in a form approved by the Minister and shall take and subscribe an oath prescribed by the Minister.	20. (1) Les gardes de parc, les agents de l'autorité et les personnes désignées en vertu de l'article 19.1 prêtent individuellement le serment prescrit par le ministre et reçoivent un certificat, établi en la forme approuvée par celui-ci, attestant leur qualité.	Serment et certificat de désignation
Limitations must be specified	(2) The certificate must specify the limitations, if any, to which the designation is subject. 2000, c. 32, s. 20; 2009, c. 14, s. 30.	(2) Le certificat de désignation précise les limitations, le cas échéant, auxquelles la désignation est assujettie. 2000, ch. 32, art. 20; 2009, ch. 14, art. 30.	Limitations
Right of passage	20.1 In the discharge of their duties, park wardens and enforcement officers and any persons accompanying them may enter on and pass through or over private property without being liable for doing so and without any person having the right to object to that use of the property. 2009, c. 14, s. 30.	20.1 Dans l'exercice de leurs fonctions, les gardes de parc, les agents de l'autorité et les personnes qui les accompagnent peuvent entrer sur une propriété privée et y circuler sans engager de responsabilité à cet égard et sans que personne ne puisse s'y opposer. 2009, ch. 14, art. 30.	Droit de passage
Immunity	20.2 Park wardens and enforcement officers are not personally liable for anything they do or omit to do in good faith under this Act. 2009, c. 14, s. 30.	20.2 Les gardes de parc et les agents de l'autorité sont dégagés de toute responsabilité personnelle en ce qui concerne les faits — actes ou omissions — accomplis de bonne foi en application de la présente loi. 2009, ch. 14, art. 30.	Immunité
Arrest without warrant	21. A park warden or enforcement officer may, in accordance with the <i>Criminal Code</i> , arrest without warrant any person (a) whom the warden or officer finds committing an offence under this Act; or (b) who the warden or officer believes, on reasonable grounds, has committed or is about to commit an offence under this Act. 2000, c. 32, s. 21; 2009, c. 14, s. 30.	21. Le garde de parc ou l'agent de l'autorité peut, en conformité avec les dispositions du <i>Code criminel</i> , arrêter sans mandat toute personne qu'il trouve en train de commettre une infraction à la présente loi ou dont il a des motifs raisonnables de croire qu'elle a commis ou est sur le point de commettre une infraction à la présente loi. 2000, ch. 32, art. 21; 2009, ch. 14, art. 30.	Arrestation sans mandat
Search and seizure	22. (1) A park warden 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 any thing that the warden or officer believes on reasonable grounds is a thing described in subsection (2).	22. (1) Le garde de parc ou l'agent de l'autorité peut : a) en conformité avec le mandat délivré aux termes du paragraphe (2), visiter un lieu, à toute heure du jour ou, si le mandat le précise, à toute heure de la nuit, y procéder à des perquisitions et, en outre, ouvrir et examiner tout contenant; b) saisir toute chose qu'il croit être, pour des motifs raisonnables, l'une des choses visées au paragraphe (2).	Perquisition et saisie

Authority to issue warrant

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

(a) any thing in relation to which there are reasonable grounds to believe an offence under this Act or the regulations has been committed, or

(b) any thing that there are reasonable grounds to believe will afford evidence with respect to the commission of such an offence,

the justice of the peace may issue a warrant authorizing a 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 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 practical to obtain one.

Custody of things seized

23. (1) Subject to subsections (2) and (3) and sections 28 and 29, where a park warden or enforcement officer seizes a thing under this Act or under a warrant issued pursuant to the *Criminal Code*,

(a) sections 489.1 and 490 of the *Criminal Code* apply; and

(b) the warden or officer, or any person that the warden or officer may designate, shall retain custody of the thing, subject to any order made under section 490 of the *Criminal Code*.

Forfeiture where ownership not ascertainable

(2) If the lawful ownership of or entitlement to a seized thing cannot be ascertained within 30 days after its seizure, the thing or any proceeds of its disposition are forfeited to Her Majesty in right of Canada, if the thing was seized by a park warden or by an enforcement officer employed in the federal public administration, or to Her Majesty in right of a province, if the thing was seized by an enforcement officer employed by a provincial, municipal or local authority or an aboriginal government.

Délivrance du mandat

(2) S'il est convaincu, sur la foi d'une dénonciation sous serment, qu'il y a des motifs raisonnables de croire à la présence d'une chose qu'il croit, pour des motifs raisonnables, soit avoir servi ou donné lieu à une infraction à la présente loi ou à ses règlements, soit pouvoir servir à prouver la perpétration d'une telle infraction, le juge de paix peut, sur demande *ex parte*, signer un mandat autorisant, sous réserve des conditions qui y sont prévues, le garde de parc ou l'agent de l'autorité à visiter tout bâtiment ou tout autre lieu, y compris les véhicules, bateaux et autres moyens de transport, et à y procéder à des perquisitions ou à ouvrir et examiner tout contenant.

Perquisition sans mandat

(3) Le garde de parc ou l'agent de l'autorité peut exercer sans mandat les pouvoirs mentionnés au paragraphe (1) lorsque l'urgence de la situation rend difficilement réalisable l'obtention du mandat, sous réserve que les conditions de délivrance de celui-ci soient réunies.

Garde des biens saisis

23. (1) Sous réserve des paragraphes (2) et (3) et des articles 28 et 29 :

a) les articles 489.1 et 490 du *Code criminel* s'appliquent en cas de saisie d'objets effectuée par un garde de parc ou un agent de l'autorité en vertu de la présente loi ou d'un mandat délivré au titre du *Code criminel*;

b) la responsabilité de ces objets incombe, sous réserve d'une ordonnance rendue aux termes de l'article 490 du *Code criminel*, au garde ou à l'agent ou à la personne qu'il désigne.

Confiscation de plein droit

(2) Dans le cas où leur propriétaire — ou la personne qui a droit à leur possession — ne peut être identifié dans les trente jours suivant la saisie, les objets, ou le produit de leur disposition, sont confisqués au profit de Sa Majesté du chef du Canada, si le garde ou l'agent saisissant est un fonctionnaire de l'administration publique fédérale, ou au profit de Sa Majesté du chef d'une province, si l'agent saisissant est un employé d'une autorité provinciale, municipi-

Perishable things

(3) If a seized thing is perishable, the park warden or enforcement officer may dispose of it or destroy it, and any proceeds of its disposition shall be paid to the lawful owner or person lawfully entitled to possession of the thing, unless proceedings under this Act are commenced within 90 days after its seizure, or shall be retained by the warden or officer pending the outcome of those proceedings.

2000, c. 32, s. 23; 2002, c. 18, s. 31.4; 2003, c. 22, s. 224(E); 2009, c. 14, s. 31(F).

Liability for costs

23.1 If a thing is seized under this Act, the person who owned the thing at the time that it was seized, the person who had charge or control of the thing immediately before it was seized and the person who possessed it immediately before it was seized are jointly and severally, or solidarily, liable for all the costs of seizure, detention, maintenance and forfeiture, including any destruction or disposal costs, incurred by Her Majesty in right of Canada in relation to the thing in excess of any proceeds of its disposition, if any.

2009, c. 14, s. 32.

OFFENCES AND PUNISHMENT

Offence

24. (1) Every person who contravenes section 13, subsection 32(1) or a provision of the regulations designated by regulations made under paragraph 16(1)(y) is guilty of an offence and liable

- (a) on conviction on indictment,
 - (i) in the case of an individual,

(A) for a first offence, to a fine of not less than \$15,000 and not more than \$1,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$30,000 and not more than \$2,000,000,

- (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),

(A) for a first offence, to a fine of not less than \$500,000 and not more than \$6,000,000, and

pale ou locale ou d'un gouvernement autochtone.

(3) Le garde ou l'agent peut disposer, notamment par destruction, des objets saisis périssables; le produit de leur disposition est soit remis à leur propriétaire ou à la personne qui a droit à leur possession, soit, lorsque des poursuites fondées sur la présente loi ont été intentées dans les quatre-vingt-dix jours suivant la saisie, retenu par le garde ou l'agent jusqu'au règlement de l'affaire.

2000, ch. 32, art. 23; 2002, ch. 18, art. 31.4; 2003, ch. 22, art. 224(A); 2009, ch. 14, art. 31(F).

Biens périssables

23.1 Le propriétaire des objets saisis en vertu de la présente loi, toute personne en ayant la possession ainsi que toute personne en ayant la charge ou le contrôle, avant la saisie, sont solidairement responsables des frais liés à leur saisie, rétention, entretien ou confiscation — y compris les frais liés à leur disposition, notamment par destruction — exposés par Sa Majesté du chef du Canada lorsque ceux-ci excèdent le produit de leur disposition.

2009, ch. 14, art. 32.

Responsabilité pour frais

INFRACTIONS ET PEINES

24. (1) Quiconque contrevient à l'article 13, au paragraphe 32(1) ou à toute disposition des règlements désignée par les règlements pris en vertu de l'alinéa 16(1)(y) commet une infraction et est passible :

- a) sur déclaration de culpabilité par mise en accusation :

- (i) s'il s'agit d'une personne physique :

(A) pour une première infraction, d'une amende d'au moins 15 000 \$ et d'au plus 1 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 30 000 \$ et d'au plus 2 000 000 \$,

- (ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :

(A) pour une première infraction, d'une amende d'au moins 500 000 \$ et d'au plus 6 000 000 \$,

Infraction

(B) for a second or subsequent offence, to a fine of not less than \$1,000,000 and not more than \$12,000,000, and

(iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,

(A) for a first offence, to a fine of not less than \$75,000 and not more than \$4,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$150,000 and not more than \$8,000,000; or

(b) on summary conviction,

(i) in the case of an individual,

(A) for a first offence, to a fine of not less than \$5,000 and not more than \$300,000, and

(B) for a second or subsequent offence, to a fine of not less than \$10,000 and not more than \$600,000,

(ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),

(A) for a first offence, to a fine of not less than \$100,000 and not more than \$4,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$200,000 and not more than \$8,000,000, and

(iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,

(A) for a first offence, to a fine of not less than \$25,000 and not more than \$2,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$50,000 and not more than \$4,000,000.

(B) en cas de récidive, d'une amende d'au moins 1 000 000 \$ et d'au plus 12 000 000 \$,

(iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :

(A) pour une première infraction, d'une amende d'au moins 75 000 \$ et d'au plus 4 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 150 000 \$ et d'au plus 8 000 000 \$;

b) sur déclaration de culpabilité par procédure sommaire :

(i) s'il s'agit d'une personne physique :

(A) pour une première infraction, d'une amende d'au moins 5 000 \$ et d'au plus 300 000 \$,

(B) en cas de récidive, d'une amende d'au moins 10 000 \$ et d'au plus 600 000 \$,

(ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :

(A) pour une première infraction, d'une amende d'au moins 100 000 \$ et d'au plus 4 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 200 000 \$ et d'au plus 8 000 000 \$,

(iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :

(A) pour une première infraction, d'une amende d'au moins 25 000 \$ et d'au plus 2 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 50 000 \$ et d'au plus 4 000 000 \$.

Offence

(2) Every person who contravenes any provision of the regulations, other than a provision designated by regulations made under paragraph 16(1)(y), any condition of a permit, licence or other authorizing instrument issued under the regulations or under subsection 41.1(3) and (4), or any order or direction given by a superintendent, park warden or enforce-

Infraction

(2) Quiconque contrevient à toute disposition des règlements — sauf une disposition désignée par les règlements pris en vertu de l'alinéa 16(1)y) —, à toute condition d'une licence, d'un permis ou d'une autre autorisation octroyés en vertu des règlements ou des paragraphes 41.1(3) et (4) ou à tout ordre donné par le directeur, les gardes de parc ou les agents de

ment officer under subsection 41.1(3) or (4), is guilty of an offence and liable

- (a) on conviction on indictment,
 - (i) in the case of an individual,
 - (A) for a first offence, to a fine of not more than \$100,000, and
 - (B) for a second or subsequent offence, to a fine of not more than \$200,000,
 - (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
 - (A) for a first offence, to a fine of not more than \$500,000, and
 - (B) for a second or subsequent offence, to a fine of not more than \$1,000,000, and
 - (iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,
 - (A) for a first offence, to a fine of not more than \$250,000, and
 - (B) for a second or subsequent offence, to a fine of not more than \$500,000; or
- (b) on summary conviction,
 - (i) in the case of an individual,
 - (A) for a first offence, to a fine of not more than \$25,000, and
 - (B) for a second or subsequent offence, to a fine of not more than \$50,000,
 - (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
 - (A) for a first offence, to a fine of not more than \$250,000, and
 - (B) for a second or subsequent offence, to a fine of not more than \$500,000, and
 - (iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,
 - (A) for a first offence, to a fine of not more than \$50,000, and
 - (B) for a second or subsequent offence, to a fine of not more than \$100,000.

l'autorité en vertu de ces mêmes paragraphes, commet une infraction et est passible :

- a) sur déclaration de culpabilité par mise en accusation :
 - (i) s'il s'agit d'une personne physique :
 - (A) pour une première infraction, d'une amende maximale de 100 000 \$,
 - (B) en cas de récidive, d'une amende maximale de 200 000 \$,
 - (ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :
 - (A) pour une première infraction, d'une amende maximale de 500 000 \$,
 - (B) en cas de récidive, d'une amende maximale de 1 000 000 \$,
 - (iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :
 - (A) pour une première infraction, d'une amende maximale de 250 000 \$,
 - (B) en cas de récidive, d'une amende maximale de 500 000 \$;
- b) sur déclaration de culpabilité par procédure sommaire :
 - (i) s'il s'agit d'une personne physique :
 - (A) pour une première infraction, d'une amende maximale de 25 000 \$,
 - (B) en cas de récidive, d'une amende maximale de 50 000 \$,
 - (ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :
 - (A) pour une première infraction, d'une amende maximale de 250 000 \$,
 - (B) en cas de récidive, d'une amende maximale de 500 000 \$,
 - (iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :
 - (A) pour une première infraction, d'une amende maximale de 50 000 \$,

Trafficking in wild animals, etc.

25. (1) Except as permitted by this Act or the regulations, no person shall traffic in any wild animal, whether living or dead, at any developmental stage, in any part of or any derivative of, or in any egg or embryo of, a wild animal — or in any plant or part of a plant or in any other naturally occurring object or product of natural phenomena — taken in or from a park.

Offence

(2) Every person who contravenes subsection (1) is guilty of an offence and liable

- (a) on conviction on indictment,
(i) in the case of an individual,

(A) for a first offence, to a fine of not less than \$7,500 and not more than \$500,000 or to imprisonment for a term of not more than one year, or to both, and

(B) for a second or subsequent offence, to a fine of not less than \$15,000 and not more than \$1,000,000 or to imprisonment for a term of not more than one year, or to both,

- (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),

(A) for a first offence, to a fine of not less than \$400,000 and not more than \$5,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$800,000 and not more than \$10,000,000, and

- (iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,

(A) for a first offence, to a fine of not less than \$25,000 and not more than \$3,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$50,000 and not more than \$6,000,000; or

- (b) on summary conviction,
(i) in the case of an individual,

(B) en cas de récidive, d'une amende maximale de 100 000 \$.

2000, ch. 32, art. 24; 2009, ch. 14, art. 33, ch. 17, art. 3 et 12.

25. (1) Sauf dans les cas permis par la présente loi ou les règlements, il est interdit de faire le trafic de tout animal sauvage — vivant ou mort, à toute étape de son développement — de toute partie ou de tout produit qui en provient, de ses embryons ou de ses oeufs, ou de tout ou partie d'un végétal ou de tout objet à l'état naturel ou résultant d'un phénomène naturel, pris dans un parc ou provenant d'un parc.

Trafic d'animaux sauvages, etc.

(2) Quiconque contrevient au paragraphe (1) commet une infraction et est passible :

Infraction

a) sur déclaration de culpabilité par mise en accusation :

- (i) s'il s'agit d'une personne physique :

(A) pour une première infraction, d'une amende d'au moins 7 500 \$ et d'au plus 500 000 \$ et d'un emprisonnement maximal d'un an, ou de l'une de ces peines,

(B) en cas de récidive, d'une amende d'au moins 15 000 \$ et d'au plus 1 000 000 \$ et d'un emprisonnement maximal d'un an, ou de l'une de ces peines,

- (ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :

(A) pour une première infraction, d'une amende d'au moins 400 000 \$ et d'au plus 5 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 800 000 \$ et d'au plus 10 000 000 \$,

- (iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :

(A) pour une première infraction, d'une amende d'au moins 25 000 \$ et d'au plus 3 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 50 000 \$ et d'au plus 6 000 000 \$;

b) sur déclaration de culpabilité par procédure sommaire :

(A) for a first offence, to a fine of not less than \$4,000 and not more than \$225,000 or to imprisonment for a term of not more than six months, or to both, and

(B) for a second or subsequent offence, to a fine of not less than \$8,000 and not more than \$450,000 or to imprisonment for a term of not more than six months, or to both,

(ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),

(A) for a first offence, to a fine of not less than \$50,000 and not more than \$3,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$100,000 and not more than \$6,000,000, and

(iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,

(A) for a first offence, to a fine of not less than \$15,000 and not more than \$1,250,000, and

(B) for a second or subsequent offence, to a fine of not less than \$30,000 and not more than \$2,500,000.

(i) s'il s'agit d'une personne physique :

(A) pour une première infraction, d'une amende d'au moins 4 000 \$ et d'au plus 225 000 \$ et d'un emprisonnement maximal de six mois, ou de l'une de ces peines,

(B) en cas de récidive, d'une amende d'au moins 8 000 \$ et d'au plus 450 000 \$ et d'un emprisonnement maximal de six mois, ou de l'une de ces peines,

(ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :

(A) pour une première infraction, d'une amende d'au moins 50 000 \$ et d'au plus 3 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 100 000 \$ et d'au plus 6 000 000 \$,

(iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :

(A) pour une première infraction, d'une amende d'au moins 15 000 \$ et d'au plus 1 250 000 \$,

(B) en cas de récidive, d'une amende d'au moins 30 000 \$ et d'au plus 2 500 000 \$.

Definition of "traffic"

(3) In this section and section 26, "traffic" means to sell, offer for sale, expose for sale, buy, offer to buy, solicit, barter, exchange, give, send, transport or deliver.

2000, c. 32, s. 25; 2009, c. 14, s. 34, c. 17, ss. 4, 12.

Définition de « trafic »

(3) Pour l'application du présent article et de l'article 26, « trafic » s'entend du fait de vendre, de mettre en vente, d'exposer pour la vente, d'acheter, d'offrir d'acheter, de faire le troc, d'échanger, de donner, d'envoyer, de transporter ou de livrer.

2000, ch. 32, art. 25; 2009, ch. 14, art. 34, ch. 17, art. 4 et 12.

Hunting, trafficking or possessing

26. (1) Except as permitted by this Act or the regulations, no person shall

(a) hunt, in a park, any wild animal of a species named in Part 1 of Schedule 3;

(b) traffic in or possess, in a park, any wild animal of a species named in Part 1 of Schedule 3, whether living or dead, at any developmental stage, or any egg or embryo, or any part or derivative, of any such animal; or

Chasse, trafic et possession

26. (1) Sauf dans les cas permis par la présente loi ou les règlements, il est interdit :

a) de chasser dans un parc un animal sauvage d'une espèce mentionnée à la partie 1 de l'annexe 3;

b) d'avoir en sa possession dans un parc un animal sauvage d'une espèce mentionnée à la partie 1 de l'annexe 3 — vivant ou mort, à toute étape de son développement —, tout embryon, oeuf, partie ou produit qui provient d'un tel animal, ou d'y en faire le trafic;

(c) traffic in or possess any wild animal of a species named in Part 1 of Schedule 3, whether living or dead, at any developmental stage, taken from a park, or any egg or embryo, or any part or derivative, of any such animal that was taken from a park.

Offence

(2) Every person who contravenes subsection (1) is guilty of an offence and liable

(a) on conviction on indictment,

(i) in the case of an individual,

(A) for a first offence, to a fine of not less than \$15,000 and not more than \$1,000,000 or to imprisonment for a term of not more than five years, or to both, and

(B) for a second or subsequent offence, to a fine of not less than \$30,000 and not more than \$2,000,000 or to imprisonment for a term of not more than five years, or to both,

(ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),

(A) for a first offence, to a fine of not less than \$500,000 and not more than \$6,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$1,000,000 and not more than \$12,000,000, and

(iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,

(A) for a first offence, to a fine of not less than \$75,000 and not more than \$4,000,000, and

(B) for a second or subsequent offence, to a fine of not less than \$150,000 and not more than \$8,000,000; or

(b) on summary conviction,

(i) in the case of an individual,

(A) for a first offence, to a fine of not less than \$5,000 and not more than \$300,000 or to imprisonment for a term of not more than six months, or to both, and

c) d'avoir en sa possession un animal sauvage d'une espèce mentionnée à la partie 1 de l'annexe 3 — vivant ou mort, à toute étape de son développement — pris dans un parc ou tout embryon, oeuf, partie ou produit qui provient d'un tel animal pris dans un parc, ou d'en faire le trafic.

Infraction

(2) Quiconque contrevient au paragraphe (1) commet une infraction et est passible :

a) sur déclaration de culpabilité par mise en accusation :

(i) s'il s'agit d'une personne physique :

(A) pour une première infraction, d'une amende d'au moins 15 000 \$ et d'au plus 1 000 000 \$ et d'un emprisonnement maximal de cinq ans, ou de l'une de ces peines,

(B) en cas de récidive, d'une amende d'au moins 30 000 \$ et d'au plus 2 000 000 \$ et d'un emprisonnement maximal de cinq ans, ou de l'une de ces peines,

(ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :

(A) pour une première infraction, d'une amende d'au moins 500 000 \$ et d'au plus 6 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 1 000 000 \$ et d'au plus 12 000 000 \$,

(iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :

(A) pour une première infraction, d'une amende d'au moins 75 000 \$ et d'au plus 4 000 000 \$,

(B) en cas de récidive, d'une amende d'au moins 150 000 \$ et d'au plus 8 000 000 \$;

b) sur déclaration de culpabilité par procédure sommaire :

(i) s'il s'agit d'une personne physique :

(A) pour une première infraction, d'une amende d'au moins 5 000 \$ et d'au plus 300 000 \$ et d'un emprisonnement maximal de six mois, ou de l'une de ces peines,

	<p>(B) for a second or subsequent offence, to a fine of not less than \$10,000 and not more than \$600,000 or to imprisonment for a term of not more than six months, or to both,</p> <p>(ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),</p> <p>(A) for a first offence, to a fine of not less than \$100,000 and not more than \$4,000,000, and</p> <p>(B) for a second or subsequent offence, to a fine of not less than \$200,000 and not more than \$8,000,000, and</p> <p>(iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,</p> <p>(A) for a first offence, to a fine of not less than \$25,000 and not more than \$2,000,000, and</p> <p>(B) for a second or subsequent offence, to a fine of not less than \$50,000 and not more than \$4,000,000.</p>	<p>(B) en cas de récidive, d'une amende d'au moins 10 000 \$ et d'au plus 600 000 \$ et d'un emprisonnement maximal de six mois, ou de l'une de ces peines,</p> <p>(ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :</p> <p>(A) pour une première infraction, d'une amende d'au moins 100 000 \$ et d'au plus 4 000 000 \$,</p> <p>(B) en cas de récidive, d'une amende d'au moins 200 000 \$ et d'au plus 8 000 000 \$,</p> <p>(iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :</p> <p>(A) pour une première infraction, d'une amende d'au moins 25 000 \$ et d'au plus 2 000 000 \$,</p> <p>(B) en cas de récidive, d'une amende d'au moins 50 000 \$ et d'au plus 4 000 000 \$.</p>	
<p>Hunting, trafficking or possessing</p>	<p>(3) Except as permitted by this Act or the regulations, no person shall</p> <p>(a) hunt, in a park, any wild animal of a species named in Part 2 of Schedule 3;</p> <p>(b) traffic in or possess, in a park, any wild animal of a species named in Part 2 of Schedule 3, whether living or dead, at any developmental stage, or any egg or embryo, or any part or derivative, of any such animal; or</p> <p>(c) traffic in or possess any wild animal of a species named in Part 2 of Schedule 3, whether living or dead, at any developmental stage, taken from a park, or any egg or embryo, or any part or derivative, of any such animal that was taken from a park.</p>	<p>(3) Sauf dans les cas permis par la présente loi ou les règlements, il est interdit :</p> <p>a) de chasser dans un parc un animal sauvage d'une espèce mentionnée à la partie 2 de l'annexe 3;</p> <p>b) d'avoir en sa possession dans un parc un animal sauvage d'une espèce mentionnée à la partie 2 de l'annexe 3 — vivant ou mort, à toute étape de son développement —, tout embryon, oeuf, partie ou produit qui provient d'un tel animal, ou d'y en faire le trafic;</p> <p>c) d'avoir en sa possession un animal sauvage d'une espèce mentionnée à la partie 2 de l'annexe 3 — vivant ou mort, à toute étape de son développement — pris dans un parc ou tout embryon, oeuf, partie ou produit qui provient d'un tel animal pris dans un parc, ou d'en faire le trafic.</p>	<p>Chasse, trafic et possession</p>
<p>Offence</p>	<p>(4) Every person who contravenes subsection (3) is guilty of an offence and liable</p> <p>(a) on conviction on indictment,</p> <p>(i) in the case of an individual,</p> <p>(A) for a first offence, to a fine of not less than \$10,000 and not more than</p>	<p>(4) Quiconque contrevient au paragraphe (3) commet une infraction et est passible :</p> <p>a) sur déclaration de culpabilité par mise en accusation :</p> <p>(i) s'il s'agit d'une personne physique :</p>	<p>Infraction</p>

- \$750,000 or to imprisonment for a term of not more than five years, or to both, and
- (B) for a second or subsequent offence, to a fine of not less than \$20,000 and not more than \$1,500,000 or to imprisonment for a term of not more than five years, or to both,
- (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
- (A) for a first offence, to a fine of not less than \$450,000 and not more than \$5,500,000, and
- (B) for a second or subsequent offence, to a fine of not less than \$900,000 and not more than \$11,000,000, and
- (iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,
- (A) for a first offence, to a fine of not less than \$50,000 and not more than \$3,500,000, and
- (B) for a second or subsequent offence, to a fine of not less than \$100,000 and not more than \$7,000,000; or
- (b) on summary conviction,
- (i) in the case of an individual,
- (A) for a first offence, to a fine of not less than \$4,500 and not more than \$250,000 or to imprisonment for a term of not more than six months, or to both, and
- (B) for a second or subsequent offence, to a fine of not less than \$9,000 and not more than \$500,000 or to imprisonment for a term of not more than six months, or to both,
- (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
- (A) for a first offence, to a fine of not less than \$75,000 and not more than \$3,500,000, and
- (B) for a second or subsequent offence, to a fine of not less than \$150,000 and not more than \$7,000,000, and
- (A) pour une première infraction, d'une amende d'au moins 10 000 \$ et d'au plus 750 000 \$ et d'un emprisonnement maximal de cinq ans, ou de l'une de ces peines,
- (B) en cas de récidive, d'une amende d'au moins 20 000 \$ et d'au plus 1 500 000 \$ et d'un emprisonnement maximal de cinq ans, ou de l'une de ces peines,
- (ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :
- (A) pour une première infraction, d'une amende d'au moins 450 000 \$ et d'au plus 5 500 000 \$,
- (B) en cas de récidive, d'une amende d'au moins 900 000 \$ et d'au plus 11 000 000 \$,
- (iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :
- (A) pour une première infraction, d'une amende d'au moins 50 000 \$ et d'au plus 3 500 000 \$,
- (B) en cas de récidive, d'une amende d'au moins 100 000 \$ et d'au plus 7 000 000 \$;
- b) sur déclaration de culpabilité par procédure sommaire :
- (i) s'il s'agit d'une personne physique :
- (A) pour une première infraction, d'une amende d'au moins 4 500 \$ et d'au plus 250 000 \$ et d'un emprisonnement maximal de six mois, ou de l'une de ces peines,
- (B) en cas de récidive, d'une amende d'au moins 9 000 \$ et d'au plus 500 000 \$ et d'un emprisonnement maximal de six mois, ou de l'une de ces peines,
- (ii) s'il s'agit d'une personne, à l'exception d'une personne physique et de la personne morale visée au sous-alinéa (iii) :
- (A) pour une première infraction, d'une amende d'au moins 75 000 \$ et d'au plus 3 500 000 \$,

(iii) in the case of a corporation that the court has determined under section 27.1 to be a small revenue corporation,

(A) for a first offence, to a fine of not less than \$20,000 and not more than \$1,500,000, and

(B) for a second or subsequent offence, to a fine of not less than \$40,000 and not more than \$3,000,000.

(B) en cas de récidive, d'une amende d'au moins 150 000 \$ et d'au plus 7 000 000 \$,

(iii) s'il s'agit d'une personne morale que le tribunal déclare personne morale à revenus modestes en vertu de l'article 27.1 :

(A) pour une première infraction, d'une amende d'au moins 20 000 \$ et d'au plus 1 500 000 \$,

(B) en cas de récidive, d'une amende d'au moins 40 000 \$ et d'au plus 3 000 000 \$.

Definitions

(5) The definitions in this subsection apply in this section.

“hunt”
« chasser »

“hunt” means to kill, injure, seize, capture or trap, or to attempt to do so, and includes to pursue, stalk, track, search for, lie in wait for or shoot at for any of those purposes.

“possess”
« possession »

“possess”, in relation to any person, includes knowingly having any thing in any place, whether or not that place belongs to or is occupied by the person, for his or her own use or benefit or for that of another person.

“wildlife” [Repealed, 2009, c. 14, s. 35]

(5) Les définitions qui suivent s'appliquent au présent article.

« animal sauvage » [Abrogée, 2009, ch. 14, art. 35]

« chasser » Sont assimilés à l'acte de chasser le fait de tuer, de blesser ou de capturer — notamment par piège — , ou de tenter de tuer, de blesser ou de capturer un animal sauvage ou encore de faire feu sur un animal sauvage ou de traquer, de suivre à la trace, de chercher ou d'être à l'affût d'un tel animal en vue de le tuer, de le blesser ou de le capturer.

« possession » S'entend notamment du fait pour une personne d'avoir sciemment une chose en un lieu qui lui appartient ou non ou qu'elle occupe ou non, pour son propre usage ou avantage ou celui d'une autre personne.

Définitions

« chasser »
“hunt”

« possession »
“possess”

Amendments to
Schedule 3

(6) The Governor in Council may, by regulation, amend Part 1 or 2 of Schedule 3 by adding the name of any species of wild animal or by deleting the name of any species of wild animal.

2000, c. 32, s. 26; 2009, c. 14, s. 35, c. 17, ss. 5, 12.

(6) Le gouverneur en conseil peut, par règlement, modifier les parties 1 ou 2 de l'annexe 3 pour y ajouter ou en retrancher le nom de toute espèce d'animal sauvage.

2000, ch. 32, art. 26; 2009, ch. 14, art. 35, ch. 17, art. 5 et 12.

Modification de
l'annexe 3

Offences
involving more
than one animal,
plant or object

27. (1) If an offence involves more than one animal, plant or object, the fine to be imposed in respect of that offence may, despite sections 24 to 26, be the total of the fines that would have been imposed if each of the animals, plants or objects had been the subject of a separate information.

27. (1) Malgré les articles 24 à 26, en cas de déclaration de culpabilité pour une infraction portant sur plus d'un animal, végétal ou objet, l'amende peut être calculée pour chacun d'eux comme s'ils avaient fait l'objet de dénonciations distinctes; l'amende totale infligée est alors la somme totale obtenue.

Amendes
cumulatives

Continuing
offences

(2) If 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.

(2) Il est compté une infraction distincte à la présente loi ou aux règlements pour chacun des jours au cours desquels se commet ou se continue l'infraction.

Infraction
continue

Deeming — second and subsequent offence	<p>(3) For the purposes of sections 24 to 26, a conviction for a particular offence under this Act is deemed to be a conviction for a second or subsequent offence if the court is satisfied that the offender has been previously convicted — under any Act of Parliament, or any Act of the legislature of a province, that relates to environmental or wildlife protection or conservation, or the protection of cultural, historical or archaeological resources — of a substantially similar offence.</p>	<p>(3) Pour l'application des articles 24 à 26, il y a récidive si le tribunal est convaincu que le contrevenant a déjà été déclaré coupable, sous le régime de toute loi fédérale ou provinciale visant la protection ou la conservation de l'environnement ou des espèces sauvages, ou la protection des ressources culturelles, historiques ou archéologiques, d'une infraction essentiellement semblable.</p>	Présomption — récidive
Application	<p>(4) Subsection (3) applies only to previous convictions on indictment and to previous convictions on summary conviction, and to previous convictions under any similar procedure under any Act of the legislature of a province.</p> <p>2000, c. 32, s. 27; 2009, c. 14, s. 36.</p>	<p>(4) Pour l'application du paragraphe (3), les infractions pour lesquelles le contrevenant a déjà été déclaré coupable doivent être des infractions qui ont été poursuivies par mise en accusation, par procédure sommaire ou par toute autre procédure semblable établie sous le régime d'une loi provinciale.</p> <p>2000, ch. 32, art. 27; 2009, ch. 14, art. 36.</p>	Limitation
Determination of small revenue corporation status	<p>27.1 For the purpose of sections 24 to 26, a court may determine a corporation to be a small revenue corporation if the court is satisfied that the corporation's gross revenues for the 12 months immediately before the day on which the subject matter of the proceedings arose — or, if it arose on more than one day, for the 12 months immediately before the first day on which the subject matter of the proceedings arose — were not more than \$5,000,000.</p> <p>2009, c. 14, s. 37.</p>	<p>27.1 Pour l'application des articles 24, 25 et 26, le tribunal peut déclarer qu'une personne morale est une personne morale à revenus modestes s'il est convaincu que ses revenus bruts, dans la période d'un an précédant immédiatement la date de l'infraction — ou si celle-ci a été commise sur plus d'un jour, dans la période d'un an précédant immédiatement le premier jour où elle a été commise —, n'excédaient pas 5 000 000 \$.</p> <p>2009, ch. 14, art. 37.</p>	Déclaration : personnes morales à revenus modestes
Relief from minimum fine	<p>27.2 The court may impose a fine that is less than the minimum amount provided for in section 24, 25 or 26 if it is satisfied, on the basis of evidence submitted to the court, that the minimum fine would cause undue financial hardship. The court shall provide reasons if it imposes a fine that is less than the minimum amount provided for in any of those sections.</p> <p>2009, c. 14, s. 37.</p>	<p>27.2 Le tribunal peut imposer une amende inférieure à l'amende minimale prévue aux articles 24, 25 ou 26 s'il est convaincu, sur le fondement de la preuve présentée, que l'amende minimale constituerait un fardeau financier excessif pour le contrevenant; le cas échéant, il motive sa décision.</p> <p>2009, ch. 14, art. 37.</p>	Allègement de l'amende minimale
Additional fine	<p>27.3 If a person is convicted of an offence under this Act and the court is satisfied that, as a result of the commission of the offence, the person acquired any property, benefit or advantage, the court shall order the person to pay an additional fine in an amount equal to the court's estimation of the value of that property, benefit or advantage. The additional fine may exceed the maximum amount of any fine that may otherwise be imposed under this Act.</p> <p>2009, c. 14, s. 37.</p>	<p>27.3 Le tribunal saisi d'une poursuite pour infraction à la présente loi, s'il est convaincu que la personne déclarée coupable a acquis des biens par suite de la perpétration de l'infraction ou en a tiré des avantages, lui inflige une amende supplémentaire correspondant à son évaluation de ces biens ou avantages. Le montant de l'amende supplémentaire peut être supérieur à celui de toute autre amende pouvant être imposée en vertu de la présente loi.</p> <p>2009, ch. 14, art. 37.</p>	Amende supplémentaire

Notice to shareholders	<p>27.4 If a corporation that has shareholders is convicted of an offence under this Act, the court shall make an order directing the corporation to notify its shareholders, in the manner and within the time directed by the court, of the facts relating to the commission of the offence and of the details of the punishment imposed.</p> <p>2009, c. 14, s. 37.</p>	<p>27.4 En cas de déclaration de culpabilité d'une personne morale ayant des actionnaires pour infraction à la présente loi, le tribunal lui ordonne d'aviser ceux-ci, de la façon et dans les délais qu'il précise, des faits liés à la perpétration de l'infraction et des détails de la peine imposée.</p> <p>2009, ch. 14, art. 37.</p>	Avis aux actionnaires
Liability of directors, officers, etc., of corporations	<p>27.5 (1) If a corporation commits an offence under this Act, any director, officer, agent or mandatary of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is a party to and guilty of the offence and is liable on conviction to the penalty provided for by this Act for an individual in respect of the offence committed by the corporation, whether or not the corporation has been prosecuted or convicted.</p>	<p>27.5 (1) En cas de perpétration d'une infraction à la présente loi par toute personne morale, ceux de ses dirigeants, administrateurs ou mandataires qui l'ont ordonnée ou autorisée, ou qui y ont consenti ou participé, sont considérés comme des coauteurs de l'infraction et encourrent la peine prévue pour une personne physique, que la personne morale ait été ou non poursuivie ou déclarée coupable.</p>	Responsabilité pénale : dirigeants, administrateurs et mandataires
Duties of directors and officers of corporations	<p>(2) Every director and officer of a corporation shall take all reasonable care to ensure that the corporation complies with</p> <p>(a) this Act and the regulations;</p> <p>(b) orders made by a court or the superintendent under this Act; and</p> <p>(c) directions of the superintendent, a park warden or an enforcement officer made under this Act.</p> <p>2009, c. 14, s. 37.</p>	<p>(2) Les dirigeants et administrateurs de la personne morale font preuve de la diligence voulue pour que celle-ci se conforme :</p> <p>a) à la présente loi et aux règlements;</p> <p>b) aux ordonnances rendues par le tribunal ou le directeur sous le régime de la présente loi;</p> <p>c) aux directives du directeur, du garde de parc ou de l'agent de l'autorité données sous le régime de la présente loi.</p> <p>2009, ch. 14, art. 37.</p>	Devoirs des dirigeants et administrateurs
Fundamental purpose of sentencing	<p>27.6 The fundamental purpose of sentencing for offences under this Act is to contribute to respect for the law establishing and protecting parks through the imposition of just sanctions that have as their objectives</p> <p>(a) to deter the offender and any other person from committing offences under this Act;</p> <p>(b) to denounce unlawful conduct that damages or creates a risk of damage to parks; and</p> <p>(c) to restore park resources.</p> <p>2009, c. 14, s. 37.</p>	<p>27.6 La détermination des peines relatives aux infractions à la présente loi a pour objectif premier de contribuer au respect des lois visant la création et la protection des parcs. Cet objectif est atteint par l'imposition de sanctions justes visant ce qui suit :</p> <p>a) dissuader le contrevenant et toute autre personne de commettre des infractions à la présente loi;</p> <p>b) dénoncer les comportements illégaux qui causent des dommages ou des risques de dommages aux parcs;</p> <p>c) rétablir les ressources des parcs.</p> <p>2009, ch. 14, art. 37.</p>	Objectif premier de la détermination de la peine
Sentencing principles	<p>27.7 (1) In addition to the principles and factors that the court is otherwise required to consider, including those set out in sections 718.1 to 718.21 of the <i>Criminal Code</i>, the court</p>	<p>27.7 (1) Pour la détermination de la peine à infliger au contrevenant, le tribunal, en sus des principes et facteurs qu'il est par ailleurs tenu de prendre en considération — y compris ceux</p>	Détermination de la peine — principes

shall consider the following principles when sentencing a person who is convicted of an offence under this Act:

- (a) the amount of the fine should be increased to account for every aggravating factor associated with the offence, including the aggravating factors set out in subsection (2); and
- (b) the amount of the fine should reflect the gravity of each aggravating factor associated with the offence.

Aggravating factors

(2) The aggravating factors are the following:

- (a) the offence caused damage or risk of damage to park resources;
- (b) the offence caused damage or risk of damage to any unique, rare, particularly important or vulnerable park resources;
- (c) the damage caused by the offence is extensive, persistent or irreparable;
- (d) the offender committed the offence intentionally or recklessly;
- (e) the offender failed to take reasonable steps to prevent the commission of the offence despite having the financial means to do so;
- (f) by committing the offence or failing to take action to prevent its commission, the offender increased revenue or decreased costs or intended to increase revenue or decrease costs;
- (g) the offender committed the offence despite having been warned by the superintendent, a park warden or an enforcement officer of the circumstances that subsequently became the subject of the offence;
- (h) the offender has a history of non-compliance with federal or provincial legislation that relates to environmental or wildlife protection or conservation or the protection of cultural, historical or archaeological resources; and
- (i) after the commission of the offence, the offender
 - (i) attempted to conceal its commission,
 - (ii) failed to take prompt action to prevent, mitigate or remediate its effects, or

énoncés aux articles 718.1 à 718.21 du *Code criminel* —, tient compte des principes suivants :

- a) le montant de l'amende devrait être majoré en fonction des circonstances aggravantes de l'infraction, notamment celles énoncées au paragraphe (2);
- b) le montant de l'amende devrait refléter la gravité de chacune des circonstances aggravantes de l'infraction.

(2) Les circonstances aggravantes dont le tribunal tient compte sont les suivantes :

- a) l'infraction a causé un dommage ou un risque de dommage aux ressources d'un parc;
- b) l'infraction a causé un dommage ou un risque de dommage aux ressources uniques, rares, particulièrement importantes ou vulnérables d'un parc;
- c) l'infraction a causé un dommage considérable, persistant ou irréparable;
- d) le contrevenant a agi de façon intentionnelle ou insouciance;
- e) le contrevenant a omis de prendre des mesures raisonnables pour empêcher la perpétration de l'infraction malgré sa capacité financière de le faire;
- f) le contrevenant, en commettant l'infraction ou en omettant de prendre des mesures pour empêcher sa perpétration, a accru ses revenus ou a réduit ses dépenses, ou avait l'intention de le faire;
- g) le contrevenant a commis l'infraction bien qu'il ait reçu un avertissement du directeur, du garde de parc ou de l'agent de l'autorité l'informant de la situation ayant par la suite donné lieu à l'infraction;
- h) le contrevenant a dans le passé accompli des actes contraires aux lois fédérales ou provinciales visant la protection ou la conservation de l'environnement ou des espèces sauvages, ou la protection des ressources culturelles, historiques ou archéologiques;
- i) le contrevenant, après avoir commis l'infraction :
 - (i) a tenté de dissimuler sa perpétration,

Détermination de la peine — circonstances aggravantes

	(iii) failed to take prompt action to reduce the risk of committing similar offences in the future.	(ii) a omis de prendre rapidement des mesures afin d'empêcher ou d'atténuer les conséquences de l'infraction, ou encore d'y remédier,	
		(iii) a omis de prendre rapidement des mesures pour réduire le risque que des infractions semblables soient commises.	
Absence of aggravating factor	(3) The absence of an aggravating factor set out in subsection (2) is not a mitigating factor.	(3) L'absence de circonstances aggravantes mentionnées au paragraphe (2) n'est pas une circonstance atténuante.	Absence de circonstances aggravantes
Meaning of "damage"	(4) For the purposes of paragraphs (2)(a) to (c), "damage" includes loss of use value and non-use value.	(4) Pour l'application des alinéas (2)a) à c), le dommage comprend la perte des valeurs d'usage et de non-usage.	Sens de « dommage »
Reasons	(5) If the court is satisfied of the existence of one or more of the aggravating factors set out in subsection (2) but decides not to increase the amount of the fine because of that factor, it shall give reasons for that decision. 2009, c. 14, s. 37.	(5) Si le tribunal décide de ne pas majorer le montant de l'amende, bien qu'il soit convaincu de l'existence d'une ou de plusieurs des circonstances aggravantes mentionnées au paragraphe (2), il motive sa décision. 2009, ch. 14, art. 37.	Motifs
Forfeiture	28. (1) When a person is convicted of an offence, the court may, in addition to any punishment imposed, order that any seized thing by means of or in relation to which the offence was committed, or any proceeds of its disposition, be forfeited to Her Majesty in right of Canada.	28. (1) Sur déclaration de culpabilité du contrevenant, le tribunal peut prononcer, en sus de la peine infligée, la confiscation au profit de Sa Majesté du chef du Canada des objets saisis ou du produit de leur aliénation.	Confiscation
Return where no forfeiture ordered	(2) If the court does not order the forfeiture, the seized thing or the proceeds of its disposition shall be returned or paid to its lawful owner or the person lawfully entitled to it.	(2) Si le tribunal ne prononce pas la confiscation, les objets saisis, ou le produit de leur aliénation, sont restitués au propriétaire légitime ou à la personne qui a légitimement droit à leur possession.	Restitution d'un objet non confisqué
Retention or sale	(3) Where a fine is imposed on a person convicted of an offence, any seized thing, or any proceeds of its disposition, may be retained until the fine is paid or the thing may be sold in satisfaction of the fine and the proceeds applied, in whole or in part, in payment of the fine.	(3) En cas de déclaration de culpabilité, les objets saisis — ou le produit de leur aliénation — peuvent être retenus jusqu'au paiement de l'amende, ou ces objets peuvent être vendus et le produit de leur aliénation peut être affecté en tout ou en partie au paiement de l'amende.	Rétention ou vente
Disposition by Minister	29. Any seized thing that has been forfeited under this Act to Her Majesty in right of Canada or abandoned by its owner may be dealt with and disposed of as the Minister may direct.	29. Il peut être disposé, conformément aux instructions du ministre, des objets confisqués en vertu de la présente loi au profit de Sa Majesté du chef du Canada ou abandonnés par le propriétaire.	Disposition par le ministre
Application of fines	29.1 (1) All fines received by the Receiver General in respect of the commission of an offence under this Act, other than fines collected under the <i>Contraventions Act</i> , are to be credited to the Environmental Damages Fund, an account in the accounts of Canada, and used for	29.1 (1) Les sommes reçues par le receveur général en paiement d'amendes infligées à l'égard de toute infraction à la présente loi — à l'exception des sommes perçues en vertu de la <i>Loi sur les contraventions</i> — sont portées au crédit du Fonds pour dommages à l'environne-	Affectation

purposes related to protecting, conserving or restoring parks or for administering that Fund.

Recommendations of court

(2) The court imposing the fine may recommend to the Minister that all or a portion of the fine credited to the Environmental Damages Fund be paid to a person or organization specified by the court for a purpose referred to in subsection (1).

2009, c. 14, s. 38.

Orders of court

30. (1) When a person is convicted of an offence under this Act, the court may, in addition to any punishment imposed and having regard to the nature of the offence and the circumstances surrounding its commission, make an order

(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 that the court considers appropriate to remedy or avoid any damage to any park resources that resulted or may result from the commission of the offence;

(c) directing the person to compensate any person, monetarily or otherwise, in whole or in part, for the cost of any remedial or preventive action taken, caused to be taken or to be taken as a result of the act or omission that constituted the offence, including costs of assessing appropriate remedial or preventive action;

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

(e) directing the person to prepare and implement a pollution prevention plan or an environmental emergency plan;

(f) directing the person to carry out, in the manner established by the Minister, monitoring of the environmental effects of any activity or undertaking on park resources or directing the person to pay, in the manner

ment — ouvert parmi les comptes du Canada — et sont utilisées à des fins liées à la protection, à la conservation ou au rétablissement des parcs, ou pour l'administration du fonds.

Recommandation du tribunal

(2) Le tribunal qui fixe le montant de l'amende à porter au crédit du Fonds pour dommages à l'environnement peut recommander au ministre qu'une partie ou la totalité de celle-ci soit versée à la personne ou à l'organisation qu'il précise à l'une des fins visées au paragraphe (1).

2009, ch. 14, art. 38.

Ordonnance du tribunal

30. (1) En plus de toute peine infligée et compte tenu de la nature de l'infraction ainsi que des circonstances de sa perpétration, le tribunal peut rendre une ordonnance imposant à la personne déclarée coupable tout ou partie des obligations suivantes :

a) s'abstenir de tout acte ou toute activité risquant d'entraîner, de l'avis du tribunal, la continuation de l'infraction ou la récidive;

b) prendre les mesures que le tribunal estime indiquées pour réparer ou éviter tout dommage aux ressources du parc résultant ou pouvant résulter de la perpétration de l'infraction;

c) indemniser toute personne, de façon monétaire ou autrement, en tout ou en partie, des frais exposés par elle pour toute mesure prise ou à prendre pour la réparation ou la prévention du dommage résultant — ou pouvant résulter — des faits qui ont mené à la déclaration de culpabilité, y compris des frais occasionnés pour l'évaluation des mesures de réparation ou de prévention pertinentes;

d) en garantie de l'exécution des obligations imposées au titre du présent article, fournir le cautionnement ou déposer auprès du tribunal la somme que celui-ci estime indiqué;

e) élaborer et exécuter un plan de prévention de la pollution ou un plan d'urgence environnementale;

f) exercer une surveillance continue des effets environnementaux d'une activité ou d'un ouvrage sur les ressources d'un parc, de la façon que le ministre indique, ou verser, selon les modalités que le tribunal précise, une somme d'argent destinée à permettre cette surveillance;

specified by the court, an amount for that purpose;

(g) directing the person to implement an environmental management system approved by the Minister;

(h) directing the person to have an environmental audit conducted by a person of a class and at the times specified by the Minister and directing the person to remedy any deficiencies revealed during the audit;

(i) directing the person to pay to Her Majesty in right of Canada an amount of money that the court considers appropriate for the purpose of promoting the protection, conservation or restoration of parks;

(j) directing the person to publish, in the manner specified by the court, the facts relating to the commission of the offence and the details of the punishment imposed, including any orders made under this subsection;

(k) directing the person to notify, at the person's own cost and in the manner specified by the court, any person aggrieved or affected by the person's conduct of the facts relating to the commission of the offence and of the details of the punishment imposed, including any orders made under this subsection;

(l) directing the person to submit to the Minister, when requested to do so by the Minister at any time within three years after the date of conviction, any information with respect to the person's activities that the court considers appropriate in the circumstances;

(m) directing the person to perform community service, subject to any reasonable conditions that may be imposed in the order;

(n) directing the person to pay, in a manner specified by the court, an amount to enable research to be conducted into the protection, conservation or restoration of parks;

(o) requiring the person to surrender to the Minister any permit, licence or other authorizing instrument issued under the regulations to the person;

(p) prohibiting the person from applying for any new permit, licence or other authorizing

g) mettre en place un système de gestion de l'environnement approuvé par le ministre;

h) faire effectuer une vérification environnementale par une personne appartenant à la catégorie de personnes désignée par le ministre à des moments que celui-ci précise et prendre les mesures appropriées pour remédier aux défauts constatés;

i) verser à Sa Majesté du chef du Canada, en vue de promouvoir la protection, la conservation ou le rétablissement des parcs, la somme que le tribunal estime indiquée;

j) publier, de la façon que le tribunal précise, les faits liés à la perpétration de l'infraction et les détails de la peine imposée, y compris des ordonnances rendues en vertu du présent paragraphe;

k) aviser les personnes touchées ou lésées par sa conduite, à ses frais et de la façon que le tribunal précise, des faits liés à la perpétration de l'infraction et des détails de la peine imposée, y compris des ordonnances rendues en vertu du présent paragraphe;

l) fournir au ministre, sur demande présentée par celui-ci dans les trois ans suivant sa déclaration de culpabilité, les renseignements relatifs à ses activités que le tribunal estime indiquées en l'occurrence;

m) exécuter des travaux d'intérêt collectif à des conditions raisonnables;

n) verser, selon les modalités que le tribunal précise, une somme d'argent destinée à permettre des recherches sur la protection, la conservation ou le rétablissement des parcs;

o) remettre au ministre les licences, les permis ou les autres autorisations qui lui ont été octroyés en vertu des règlements;

p) s'abstenir de présenter une nouvelle demande de licence, permis ou autre autorisation en vertu des règlements pendant la période que le tribunal estime indiquée;

q) verser, selon les modalités prescrites, une somme d'argent à des groupes concernés notamment par la protection de l'environnement, pour les aider dans le travail qu'ils accomplissent à l'égard du parc où l'infraction a été commise;

	<p>instrument under the regulations during any period that the court considers appropriate;</p> <p>(q) directing the person to pay, in the manner prescribed by the court, an amount to environmental or other groups to assist in their work related to the park;</p> <p>(r) directing the person to pay, in the manner prescribed by the court, an amount to an educational institution including for scholarships for students enrolled in studies related to the environment; and</p> <p>(s) requiring the person to comply with any other conditions that the court considers appropriate.</p>	<p>r) verser à un établissement d'enseignement, selon les modalités prescrites, une somme d'argent notamment destinée à créer des bourses d'études attribuées à quiconque suit un programme d'études dans un domaine lié à l'environnement;</p> <p>s) se conformer aux autres conditions que le tribunal estime indiquées.</p>	
Suspended sentence	<p>(2) Where a person is convicted of an offence under this Act and the court suspends the passing of sentence under paragraph 731(1)(a) of the <i>Criminal Code</i>, the court may, in addition to any probation order made under that paragraph, make an order referred to in subsection (1).</p>	<p>(2) Lorsque, en vertu de l'alinéa 731(1)a) du <i>Code criminel</i>, il sursoit au prononcé de la peine, le tribunal, en plus de l'ordonnance de probation prévue à cet alinéa, peut rendre l'ordonnance visée au paragraphe (1).</p>	Condamnation avec sursis
Imposition of sentence	<p>(3) If a person does not comply with an order made under subsection (2) or is convicted of another offence, the court may, within three years after the order was made, on the application of the prosecution, impose any sentence that could have been imposed if the passing of sentence had not been suspended.</p>	<p>(3) Sur demande de la poursuite, le tribunal peut, lorsque l'intéressé ne se conforme pas à l'ordonnance ou est déclaré coupable d'une autre infraction dans les trois ans qui suivent la date de l'ordonnance, prononcer la peine qui aurait pu lui être infligée s'il n'y avait pas eu sursis.</p>	Prononcé de la peine
Publication	<p>(4) If a person fails to comply with an order made under paragraph (1)(j), the Minister may, in the manner that the court directed the person to do so, publish the facts relating to the commission of the offence and the details of the punishment imposed and recover the costs of publication from the person.</p>	<p>(4) En cas d'inexécution de l'obligation prévue à l'alinéa (1)j), le ministre peut procéder à la publication des faits liés à la perpétration de l'infraction et des détails de la peine imposée, de la façon précisée par le tribunal à la personne déclarée coupable, et en recouvrer les frais auprès de celle-ci.</p>	Publication
Debt due to Her Majesty	<p>(5) If the court makes an order under paragraph (1)(c) or (i) directing a person to pay an amount to Her Majesty in right of Canada, or if the Minister incurs publication costs under subsection (4), the amount or the costs, as the case may be, constitute a debt due to Her Majesty in right of Canada and may be recovered in any court of competent jurisdiction.</p>	<p>(5) L'indemnité et la somme à verser à Sa Majesté du chef du Canada en application des alinéas (1)c) ou i), ainsi que les frais visés au paragraphe (4), constituent des créances de Sa Majesté du chef du Canada dont le recouvrement peut être poursuivi à ce titre devant le tribunal compétent.</p>	Créances de Sa Majesté
Enforcement	<p>(6) If the court makes an order under paragraph (1)(c) directing a person to pay an amount to another person, other than to Her Majesty in right of Canada, and the amount is not paid without delay, that other person may, by filing the order, enter as a judgment, in the</p>	<p>(6) Toute personne, à l'exception de Sa Majesté du chef du Canada, qui a droit à une indemnité en vertu de l'alinéa (1)c) peut, à défaut de paiement immédiat, faire enregistrer comme jugement, à la cour supérieure de la province où le procès a eu lieu, l'indemnité en question;</p>	Exécution

superior court of the province in which the trial was held, the amount ordered to be paid, and that judgment is enforceable against the person who was directed to pay the amount in the same manner as if it were a judgment rendered against the offender in that court in civil proceedings.

Cancellation or suspension of permits, etc.

(7) If the court makes an order under paragraph (1)(o), any permit, licence or other authorizing instrument to which the order relates is cancelled unless the court makes an order suspending it for any period that the court considers appropriate.

ce jugement peut être exécuté contre la personne déclarée coupable de la même manière que s'il s'agissait d'un jugement rendu contre elle par cette cour en matière civile.

(7) Les licences, les permis et les autres autorisations remis en application de l'alinéa (1)o) sont annulés à moins que le tribunal ne les suspende pour la période qu'il estime indiquée.

Annulation ou suspension de la licence, permis ou autorisation

Coming into force and duration of order

(8) An order made under subsection (1) comes into force on the day on which it is made or on any other day that the court may determine and shall not continue in force for more than three years after that day unless the court provides otherwise in the order.

(8) Toute ordonnance rendue en vertu du paragraphe (1) prend effet soit immédiatement, soit à la date fixée par le tribunal, et elle demeure en vigueur pendant une durée maximale de trois ans, à moins que le tribunal n'en ordonne autrement.

Prise d'effet

2000, c. 32, s. 30; 2009, c. 14, s. 39.

2000, ch. 32, art. 30; 2009, ch. 14, art. 39.

Compensation for loss of property

31. (1) If a person has been convicted of an offence under this Act, the court may, at the time sentence is imposed and on the application of the person aggrieved, order the offender to pay to the aggrieved person an amount by way of satisfaction or compensation for loss of or damage to property suffered by that person as a result of the commission of the offence.

31. (1) Le tribunal peut, lors du prononcé de la peine, ordonner à la personne déclarée coupable d'une infraction à la présente loi de verser à la personne lésée par sa conduite, sur demande de celle-ci, des dommages-intérêts pour la perte de biens ou les dommages causés à ceux-ci découlant de la perpétration de l'infraction.

Dommages-intérêts

Enforcement

(2) If the amount ordered to be paid under subsection (1) is not paid without delay, the aggrieved person may, by filing the order, enter as a judgment, in the superior court of the province in which the trial was held, the amount ordered to be paid, and that judgment is enforceable against the offender in the same manner as if it were a judgment rendered against the offender in that court in civil proceedings.

(2) À défaut de paiement immédiat des dommages-intérêts, la personne lésée peut, par dépôt de l'ordonnance, faire enregistrer comme jugement, à la cour supérieure de la province où le procès a eu lieu, l'ordre de payer la somme en question, et ce jugement peut être exécuté contre la personne déclarée coupable de la même manière que s'il s'agissait d'un jugement rendu contre elle par cette cour en matière civile.

Exécution

2000, c. 32, s. 31; 2009, c. 14, s. 40.

2000, ch. 32, art. 31; 2009, ch. 14, art. 40.

Compensation for cost of remedial or preventive action

31.01 (1) A court shall not, under paragraph 30(1)(c), order a person to compensate another person for the cost of any remedial or preventive action referred to in that paragraph if the other person is entitled to make a claim for compensation for that cost under the *Marine Liability Act* or the *Arctic Waters Pollution Prevention Act*.

31.01 (1) Le tribunal ne peut se prévaloir de l'alinéa 30(1)c) pour ordonner à la personne déclarée coupable d'indemniser une autre personne des frais qu'elle a exposés pour toute mesure de réparation ou de prévention d'un dommage visée à cet alinéa si cette personne a le droit de présenter une demande d'indemnisation pour ces frais en vertu de la *Loi sur la responsabilité en matière maritime* ou de la *Loi sur la prévention de la pollution des eaux arctiques*.

Indemnisation des frais exposés pour réparation ou prévention

Compensation for loss or damage — property	<p>(2) A court shall not, under subsection 31(1), order a person to pay to another person an amount by way of satisfaction or compensation for loss of or damage to property if the other person is entitled to make a claim for compensation for that loss or damage under the <i>Marine Liability Act</i> or the <i>Arctic Waters Pollution Prevention Act</i>.</p> <p>2009, c. 14, s. 40.</p>	<p>(2) Le tribunal ne peut se prévaloir du paragraphe 31(1) pour ordonner à la personne déclarée coupable de verser à la personne lésée des dommages-intérêts pour la perte de biens ou les dommages causés à ceux-ci si cette personne a le droit de présenter une demande d'indemnisation pour cette perte ou ces dommages en vertu de la <i>Loi sur la responsabilité en matière maritime</i> ou de la <i>Loi sur la prévention de la pollution des eaux arctiques</i>.</p> <p>2009, ch. 14, art. 40.</p>	Dommages-intérêts pour perte ou dommages — biens
Limitation period	<p>31.1 No proceedings by way of summary conviction in respect of an offence under this Act may be instituted more than five years after the day on which the subject matter of the proceedings arose, unless the prosecutor and the defendant agree that they may be instituted after the five years.</p> <p>2009, c. 14, s. 40.</p>	<p>31.1 La poursuite visant une infraction à la présente loi punissable sur déclaration de culpabilité par procédure sommaire se prescrit par cinq ans à compter de sa perpétration, à moins que le poursuivant et le défendeur ne consentent au prolongement de ce délai.</p> <p>2009, ch. 14, art. 40.</p>	Prescription
<i>Contraventions Act</i>	<p>31.2 If an offence under this Act is designated as a contravention under the <i>Contraventions Act</i>, subsection 8(5) of that Act does not apply in respect of the fine that may be established for that contravention.</p> <p>2009, c. 14, s. 40.</p>	<p>31.2 Lorsqu'une infraction à la présente loi est qualifiée de contravention en vertu de la <i>Loi sur les contraventions</i>, le paragraphe 8(5) de cette loi ne s'applique pas au montant de l'amende pouvant être fixé pour cette contravention.</p> <p>2009, ch. 14, art. 40.</p>	<i>Loi sur les contraventions</i>
Publication of information about contraventions	<p>31.3 (1) For the purpose of encouraging compliance with this Act and the regulations, the Minister shall maintain, in a registry accessible to the public, information about all convictions of corporations for offences under this Act.</p>	<p>31.3 (1) Afin d'encourager le respect de la présente loi et des règlements, le ministre publie dans un registre accessible au public des renseignements concernant les déclarations de culpabilité des personnes morales pour infraction à la présente loi.</p>	Publication de renseignements sur les infractions
Retention	<p>(2) Information in the registry is to be maintained for a minimum of five years.</p> <p>2009, c. 14, s. 40.</p>	<p>(2) Les renseignements sont conservés dans le registre pour une durée minimale de cinq ans.</p> <p>2009, ch. 14, art. 40.</p>	Rétention des renseignements
Review	<p>31.4 (1) The Minister shall, 10 years after the day on which this section comes into force and every 10 years after that, undertake a review of sections 24 to 31.3.</p>	<p>31.4 (1) Dix ans après l'entrée en vigueur du présent article, et tous les dix ans par la suite, le ministre procède à l'examen des articles 24 à 31.3.</p>	Examen
Report to Parliament	<p>(2) The Minister shall, no later than one year after the day on which the review is undertaken, cause a report on the review to be tabled in each House of Parliament.</p> <p>2009, c. 14, s. 40.</p>	<p>(2) Il fait déposer un rapport sur la question devant les deux chambres du Parlement dans l'année qui suit le début de l'examen.</p> <p>2009, ch. 14, art. 40.</p>	Rapport au Parlement

MITIGATION OF ENVIRONMENTAL
DAMAGE

ATTÉNUATION DES DOMMAGES À
L'ENVIRONNEMENT

Pollution clean-up

32. (1) Where a substance that is capable of degrading the natural environment, injuring fauna, flora or cultural resources or endangering human health is discharged or deposited in a park, any person who has charge, management or control of the substance shall take reasonable measures to prevent any degradation of the natural environment and any danger to the fauna, flora or cultural resources or to persons that may result from the discharge or deposit.

32. (1) En cas de déversement ou de dépôt dans un parc d'une substance susceptible de dégrader l'environnement, de nuire à la flore, à la faune ou aux ressources culturelles ou de mettre en danger la santé humaine, la personne qui est responsable de la substance et celle qui a causé le déversement ou le dépôt ou y a contribué sont tenues de prendre les mesures utiles pour prévenir la dégradation de l'environnement et les risques pour la flore, la faune, les ressources culturelles et la santé humaine pouvant en découler.

Dépollution

Powers of superintendent and Minister

(2) If the superintendent of a park is of the opinion that a person is not taking the measures required by subsection (1), the superintendent may direct the person to take those measures and, if the person fails to do so, the Minister may direct those measures to be taken on behalf of Her Majesty in right of Canada.

(2) S'il estime que le responsable ne prend pas les mesures utiles, le directeur peut lui ordonner de les prendre; en cas d'inexécution de cet ordre, le ministre peut les prendre au nom de Sa Majesté du chef du Canada.

Pouvoirs du directeur et du ministre

Expenses of clean-up

(3) A person who fails to comply with a direction given by a superintendent under subsection (2) is liable for the expenses reasonably incurred by Her Majesty in right of Canada in taking the measures directed, and those expenses may be recovered from that person, with costs, in proceedings brought in the name of Her Majesty in any court of competent jurisdiction.

(3) La personne qui n'obtempère pas à l'ordre que lui donne le directeur est tenue aux frais raisonnables exposés par Sa Majesté du chef du Canada pour prendre les mesures visées au paragraphe (1). Ces frais peuvent être recouvrés de cette personne, avec dépens, à l'issue de poursuites engagées au nom de Sa Majesté devant le tribunal compétent.

Frais de dépollution

PARK COMMUNITIES

COLLECTIVITÉS

Preparation of community plan

33. (1) A community plan for each park community shall be tabled in each House of Parliament as soon as possible after this section comes into force, accompanied in the case of the town of Banff by any zoning by-laws made under the agreement referred to in section 35.

33. (1) Dans les meilleurs délais après l'entrée en vigueur du présent article, un plan communautaire pour chaque collectivité est déposé devant chaque chambre du Parlement; le plan est accompagné, dans le cas de la ville de Banff, de tout règlement de zonage pris en vertu de l'accord visé à l'article 35.

Plan communautaire

Contents of community plan

(2) A community plan for a park community must

(a) be consistent with the management plan for the park in which the park community is located;

(b) accord with any guidelines established by the Minister for appropriate activities within the park community;

(c) provide a strategy for the management of growth within the park community; and

(2) Le plan communautaire doit :

a) être compatible avec le plan de gestion du parc où est située la collectivité;

b) respecter les lignes directrices établies par le ministre relativement à l'exercice d'activités dans la collectivité;

c) prévoir une stratégie de gestion du développement de la collectivité;

d) respecter les principes suivants :

Principes directeurs

	<p>(d) be consistent with principles of</p> <p>(i) no net negative environmental impact, and</p> <p>(ii) responsible environmental stewardship and heritage conservation.</p>	<p>(i) absence d'effet nuisible sur l'environnement,</p> <p>(ii) préservation de l'environnement et conservation du patrimoine.</p>	
Elements to be included	<p>(3) A community plan, or the zoning by-laws referred to in subsection (1) and tabled with it, must include</p> <p>(a) a description of the lands comprising the park community;</p> <p>(b) a description of the lands comprising the commercial zones of the park community; and</p> <p>(c) a measure of the maximum floor area permitted within the commercial zones of the park community.</p>	<p>(3) Le plan, ou les règlements de zonage visés au paragraphe (1), comportent les éléments suivants :</p> <p>a) la description des terrains situés dans le périmètre de la collectivité;</p> <p>b) la description des terrains dans les zones commerciales de la collectivité;</p> <p>c) l'indication de la superficie maximale autorisée dans les zones commerciales.</p>	Contenu du plan
Amendment of Schedule 4	<p>(4) Subject to section 34, the Governor in Council may, by order, add the description of a park community, the description of its commercial zones and a measure of their maximum floor area referred to in subsection (3) to columns 2, 3 and 4, respectively, of Schedule 4, opposite the name of the community set out in column 1 of that Schedule, but any description or measure so added is not subject to amendment by the Governor in Council.</p>	<p>(4) Sous réserve de l'article 34, le gouverneur en conseil peut, par décret, ajouter respectivement aux colonnes 2, 3 et 4 de l'annexe 4, en regard du nom de la collectivité figurant à la colonne 1, la description de la collectivité, celle de ses zones commerciales ou la superficie maximale de chacune de ces zones. Il ne peut toutefois plus modifier ces colonnes de l'annexe par la suite.</p>	Modification de l'annexe 4
Leases, licences, etc.	<p>(5) No lease or licence of occupation may be granted, and no permit, licence or other authorization may be issued, authorizing a commercial use of lands within a commercial zone of a park community if the maximum floor area for commercial zones specified for that park community in Schedule 4 would be exceeded as a result of that use.</p>	<p>(5) Il est interdit de délivrer des baux, permis d'occupation, licences ou autres autorisations permettant l'utilisation à des fins commerciales de terres situées dans une zone commerciale d'une collectivité si la délivrance de l'autorisation a pour effet d'excéder la superficie commerciale maximale de ces zones mentionnée à l'annexe 4.</p>	Baux, permis, etc.
Additions to be tabled and referred	<p>34. (1) Before additions are made to Schedule 4 under subsection 33(4), the proposed additions shall be tabled in each House of Parliament, and on tabling they stand referred to the standing committee of each House that normally considers matters relating to parks or to any other committee that that House may designate for the purposes of this section.</p>	<p>34. (1) La proposition de toute modification de l'annexe 4 dans le cadre du paragraphe 33(4) est déposée devant chaque chambre du Parlement; le comité permanent de chaque chambre habituellement chargé des questions concernant les parcs ou tout autre comité désigné par celle-ci pour l'application du présent article en est saisi d'office.</p>	Dépôt de la modification et renvoi en comité
Disapproval by committee	<p>(2) The committee of each House may, within 30 sitting days after the proposed additions to Schedule 4 are tabled, report to the House that it disapproves the additions, in which case a motion to concur in the report</p>	<p>(2) Le comité saisi peut présenter à la chambre, dans les trente jours de séance suivants, un rapport de rejet de la proposition; une motion visant l'approbation de celui-ci est alors mise aux voix en conformité avec la procédure de la chambre.</p>	Rejet du projet par le comité

shall be put to the House in accordance with its procedures.

Disposition of motion for concurrence	(3) The motion shall be debated for not more than three hours and disposed of in accordance with the procedures of the House.	(3) La motion fait l'objet d'un débat d'une durée maximale de trois heures et il en est décidé en conformité avec la procédure de la chambre.	Mise aux voix de la motion
Additions allowed	(4) Proposed additions to Schedule 4 may be made if 31 sitting days have elapsed after the tabling of the additions in both Houses and no motion referred to in subsection (2) has been proposed in either House.	(4) L'annexe 4 peut faire l'objet de la modification si trente et un jours de séance se sont écoulés depuis le dépôt de la proposition de modification devant chacune des chambres sans qu'aucune motion visée au paragraphe (2) n'ait été présentée.	Modification permise
Additions not allowed	(5) Proposed additions to Schedule 4 may not be made if either House passes a motion referred to in subsection (2).	(5) L'annexe 4 ne peut faire l'objet de la modification si l'une ou l'autre des chambres a adopté la motion visée au paragraphe (2).	Modification interdite
PROVISIONS FOR PARTICULAR PARKS		DISPOSITIONS APPLICABLES À CERTAINS PARCS	
Banff local government	<p>35. The Governor in Council, having authorized the Minister to enter into the Town of Banff Incorporation Agreement dated December 12, 1989, being an agreement for the establishment of a local government body for the town of Banff in Banff National Park of Canada, and to entrust to that body the local government functions specified in the Agreement, may authorize the Minister to further amend the Agreement.</p>	<p>35. Le gouverneur en conseil, ayant autorisé le ministre à conclure l'accord intitulé Town of Banff Incorporation Agreement, daté du 12 décembre 1989, en vue de l'établissement d'une administration locale autonome pour le périmètre urbain de Banff dans le parc national Banff du Canada et à confier à celle-ci les fonctions municipales qui y sont précisées, peut autoriser le ministre à modifier l'accord de nouveau.</p>	Administration locale de Banff
Lands for ski facilities	<p>36. (1) No lease or licence of occupation may be granted for the purpose of commercial ski facilities on public lands in a park except within a commercial ski area described in Schedule 5.</p>	<p>36. (1) Il est interdit d'octroyer un bail ou un permis d'occupation à l'égard de terres domaniales situées dans un parc en vue de l'exploitation d'installations commerciales de ski, sauf les terrains situés dans les stations de ski mentionnées à l'annexe 5.</p>	Installations de ski
Designation of ski areas	<p>(2) The Governor in Council may, by order, add to Schedule 5 the name and a description of a commercial ski area in the vicinity of Sunshine Village in Banff National Park of Canada, but that Schedule is not otherwise subject to amendment by the Governor in Council.</p>	<p>(2) Le gouverneur en conseil peut, par décret, ériger en stations de ski dans le parc national Banff du Canada une zone située près de Sunshine Village, en y ajoutant une description de cette zone à l'annexe 5; il ne peut toutefois plus modifier cette annexe par la suite.</p>	Stations de ski
Wildlife Advisory Board	<p>37. (1) The Governor in Council may, by order, constitute a Wildlife Advisory Board for the traditional hunting grounds of Wood Buffalo National Park of Canada.</p>	<p>37. (1) Le gouverneur en conseil peut, par décret, constituer un organisme consultatif pour les terrains de chasse traditionnels du parc national Wood Buffalo du Canada, appelé le Conseil sur la faune.</p>	Conseil sur la faune
Hunting, trapping and fishing permits	<p>(2) Notwithstanding any regulations made under section 17, permits for hunting, trapping and fishing by members of the Cree Band of Fort Chipewyan in the traditional hunting</p>	<p>(2) Malgré tout règlement pris en vertu de l'article 17, les permis autorisant les Cris de Fort Chipewyan à chasser, pêcher et piéger sur les terrains de chasse traditionnels du parc na-</p>	Permis

	<p>grounds of Wood Buffalo National Park of Canada shall be issued in accordance with regulations of the Wildlife Advisory Board.</p>	<p>tional Wood Buffalo du Canada sont délivrés en conformité avec les règlements du Conseil sur la faune.</p>	
Regulations	<p>(3) The Wildlife Advisory Board may, subject to the approval of the Governor in Council, make regulations respecting</p> <p>(a) the issuance, amendment and revocation, by the superintendent of the Park, of permits for hunting, trapping and fishing by members of the Cree Band of Fort Chipewyan in the traditional hunting grounds of the Park;</p> <p>(b) the qualifications for such permits; and</p> <p>(c) the number of such permits that may be issued.</p>	<p>(3) Le Conseil sur la faune peut, avec l'agrément du gouverneur en conseil, prendre des règlements concernant la délivrance, la modification et la révocation par le directeur du parc national Wood Buffalo du Canada des permis autorisant les Cris de Fort Chipewyan à chasser, pêcher et piéger sur les terrains de chasse traditionnels du parc ainsi que les conditions d'obtention des permis et le nombre à délivrer.</p>	Règlements
Traditional hunting grounds	<p>(4) For the purposes of this section, the traditional hunting grounds of Wood Buffalo National Park of Canada consist of the lands shown on Plan 72702 in the Canada Lands Surveys Records at Ottawa, a copy of which is filed in the Land Titles Office at Edmonton under number 902-0325, which lands contain 8869 square kilometres (886 894 hectares).</p>	<p>(4) Pour l'application du présent article, les terrains de chasse traditionnels du parc national Wood Buffalo du Canada sont ceux indiqués sur le plan 72702 déposé aux Archives d'arpentage des terres du Canada à Ottawa, dont une copie a été déposée au Bureau des titres de biens-fonds à Edmonton sous le numéro 902-0325, ces terrains ayant une superficie de 8 869 kilomètres carrés (886 894 hectares).</p>	Terrains de chasse traditionnels
Amendment of park descriptions	<p>38. (1) Notwithstanding subsection 5(2) and section 13, the Governor in Council may, by order,</p> <p>(a) amend or replace the description of Wood Buffalo National Park of Canada in Schedule 1 for the purpose of withdrawing from that Park any lands in the vicinity of Garden River in the province of Alberta that may be required for the establishment of an Indian reserve;</p> <p>(b) amend or replace the description of Wood Buffalo National Park of Canada in Schedule 1, in accordance with an agreement between Canada and the Salt River First Nation or with any first nation formed from the division of that First Nation, for the purpose of withdrawing from that Park any lands that may be required for purposes of entitlement to land under Treaty Number Eight between Her Majesty the Queen and the Cree, Beaver, Chipewyan and other Indians;</p> <p>(c) amend or replace the description of Riding Mountain National Park of Canada in Schedule 1 for the purpose of withdrawing from that Park the east half of Section 8 in Township 20, Range 19, for purposes of set-</p>	<p>38. (1) Malgré le paragraphe 5(2) et l'article 13, le gouverneur en conseil peut, par décret :</p> <p>a) modifier ou remplacer la description du parc national Wood Buffalo du Canada à l'annexe 1 en vue de retrancher du parc, dans les environs de Garden River, en Alberta, des terres qui peuvent être requises pour la création d'une réserve indienne;</p> <p>b) modifier ou remplacer la description du parc national Wood Buffalo du Canada à l'annexe 1, conformément à l'accord conclu entre le Canada et la première nation de Salt River, ou toute autre première nation issue de sa division, en vue de retrancher du parc les terres qui peuvent être requises pour l'exercice des droits territoriaux sous le régime du traité numéro huit conclu entre Sa Majesté du chef du Canada et les Cris, Beavers, Chipewyans et autres Indiens;</p> <p>c) modifier ou remplacer la description du parc national du Mont-Riding du Canada à l'annexe 1 en vue de retrancher du parc les terres de la moitié est de la section 8 dans le township 20, rang 19, pour le règlement</p>	Modification des descriptions

ting a claim of the Keeseekoowenin Band;
or

(d) amend or replace the description of Wapusk National Park of Canada in Schedule 1, in accordance with the agreement between Canada and Manitoba respecting the establishment of that Park, for the purpose of withdrawing from the Park any lands that may be required for purposes of entitlement to land under

(i) Treaty Number Five between Her Majesty the Queen and the Saulteaux and Swampy Cree Tribes of Indians at Berens River, or

(ii) the Northern Flood Agreement concluded on December 16, 1977 between Canada, Manitoba, the Manitoba Hydro-Electric Board and the Northern Flood Committee, Inc.

Lands not required

(2) Lands withdrawn from Wood Buffalo National Park of Canada or Wapusk National Park of Canada pursuant to subsection (1) are declared to be no longer required for park purposes.

PARK RESERVES

Application of Act to reserves

39. Subject to sections 40 to 41.1, this Act applies to a park reserve as if it were a park.
2000, c. 32, s. 39; 2009, c. 17, s. 6.

Aboriginal resource harvesting

40. The application of this Act to a park reserve is subject to the carrying on of traditional renewable resource harvesting activities by aboriginal persons.

Agreement re Gwaii Haanas

41. (1) The Governor in Council may authorize the Minister to enter into an agreement with the Council of the Haida Nation respecting the management and operation of Gwaii Haanas National Park Reserve of Canada.

Resource harvesting and cultural activities

(2) For the purpose of implementing an agreement referred to in subsection (1), the Governor in Council may make regulations, applicable in the Gwaii Haanas National Park Reserve of Canada, respecting the continuance of traditional renewable resource harvesting activities and Haida cultural activities by people of the Haida Nation to whom subsection 35(1) of the *Constitution Act, 1982* applies.

d'une revendication de la bande Keeseekoowenin;

d) modifier ou remplacer la description du parc national Wapusk du Canada à l'annexe 1, conformément à l'accord fédéro-provincial conclu relativement à la création de ce parc, en vue d'en retrancher les terres qui peuvent être requises pour l'exercice des droits territoriaux sous le régime :

(i) soit du traité numéro cinq conclu entre Sa Majesté du chef du Canada et les bandes indiennes Saulteaux et Swampy Cree de Berens River,

(ii) soit de l'Accord Northern Flood conclu le 16 décembre 1977 entre le Canada, le Manitoba, le Manitoba Hydro-Electric Board et le Northern Flood Committee, Inc.

Terres retranchées

(2) Les terres retranchées du parc national Wood Buffalo du Canada ou du parc national Wapusk du Canada en application du paragraphe (1) ne sont plus requises pour les besoins des parcs.

RÉSERVES

Application de la présente loi

39. Sous réserve des articles 40 à 41.1, la présente loi s'applique aux réserves comme s'il s'agissait de parcs.
2000, ch. 32, art. 39; 2009, ch. 17, art. 6.

Exploitation traditionnelle des ressources renouvelables

40. L'application de la présente loi aux réserves tient compte de l'exploitation traditionnelle des ressources renouvelables par les autochtones.

Accord de gestion : Gwaii Haanas

41. (1) Le gouverneur en conseil peut autoriser le ministre à conclure des accords avec le Conseil de la nation haida concernant la gestion et l'exploitation de la réserve à vocation de parc national Gwaii Haanas du Canada.

Exploitation des ressources et activités culturelles

(2) Le gouverneur en conseil peut, pour la mise en oeuvre de l'accord visé au paragraphe (1), prendre, en ce qui touche la réserve à vocation de parc national Gwaii Haanas du Canada, des règlements concernant la poursuite d'activités traditionnelles — exploitation des ressources renouvelables ou activités culturelles propres aux Haidas — par les membres de la nation haida visés par le paragraphe 35(1) de la *Loi constitutionnelle de 1982*.

Additions to reserve	<p>(3) Pending the resolution of the disputes outstanding between the Haida Nation and the Government of Canada respecting their rights, titles and interests in or to the Gwaii Haanas Archipelago, the Governor in Council may, by order, alter the description of Gwaii Haanas National Park Reserve of Canada in Schedule 2 for the purpose of adding to the Reserve any portion of the Gwaii Haanas Archipelago as described in Schedule VI to the <i>National Parks Act</i>, chapter N-14 of the Revised Statutes of Canada, 1985, as that Act read immediately before its repeal.</p>	<p>(3) En attendant le règlement des litiges entre la nation haida et le gouvernement fédéral en ce qui touche leurs droits ou titres sur l'archipel de Gwaii Haanas, le gouverneur en conseil peut, par décret, modifier la description de la réserve à vocation de parc national Gwaii Haanas du Canada figurant à l'annexe 2 en vue d'ajouter à la réserve toute partie de cet archipel décrit à l'annexe VI de la <i>Loi sur les parcs nationaux</i>, chapitre N-14 des Lois révisées du Canada (1985).</p>	Adjonctions aux réserves
Non-application of section 7	<p>(4) Section 7 does not apply in relation to the enlargement of Gwaii Haanas National Park Reserve of Canada in accordance with subsection (3).</p>	<p>(4) L'article 7 ne s'applique pas à l'agrandissement de la réserve à vocation de parc national Gwaii Haanas du Canada effectué conformément au paragraphe (3).</p>	Non-application de l'article 7
Definition of "expansion area"	<p>41.1 (1) In this section, "expansion area" means the lands described in Parts II and III of the description of Nahanni National Park Reserve of Canada in Schedule 2.</p>	<p>41.1 (1) Au présent article, « aire d'agrandissement » s'entend des terres visées aux parties II et III de la description de la réserve à vocation de parc national Nahanni du Canada à l'annexe 2.</p>	Définition de « aire d'agrandissement »
Powers of Minister re expansion area	<p>(2) The Minister may enter into leases or licences of occupation of, and easements over, public lands situated in the expansion area for the purposes of</p> <p>(a) a mining access road leading to the Prairie Creek Area, as that Area is described in Part II of the description of Nahanni National Park Reserve of Canada in Schedule 2, including the sites of storage and other facilities connected with that road; or</p> <p>(b) a mining access road following the existing route from Tungsten to Howard's Pass and any alteration to or deviation from that route, including the sites of storage and other facilities connected with that road.</p>	<p>(2) Le ministre peut louer les terres domaniales situées dans l'aire d'agrandissement — ou délivrer des permis d'occupation ou des servitudes à leur égard — pour les besoins suivants :</p> <p>a) une route d'accès à la mine, y compris les emplacements d'entreposage ou autres installations se rapportant à la route, menant à la région de Prairie Creek telle que celle-ci est délimitée à la partie II de la description de la réserve à vocation de parc national Nahanni du Canada à l'annexe 2;</p> <p>b) une route d'accès à la mine, y compris les emplacements d'entreposage ou autres installations se rapportant à la route, dans le corridor existant reliant Tungsten à Howard's Pass et toute modification de celui-ci.</p>	Pouvoirs du ministre — aire d'agrandissement
Land use permits	<p>(3) The Minister may issue, amend, renew, suspend, cancel, and approve the assignment of, permits and authorizations for the use of lands in the expansion area for the purposes of the mining access roads referred to in subsection (2) and, in relation to such permits and authorizations, subsection 31(3) and sections 59, 62, 71 and 85 to 87 of the <i>Mackenzie Valley Resource Management Act</i> and the regulations made under that Act — other than any regulations respecting time limits and public hearings</p>	<p>(3) Le ministre peut délivrer, modifier, renouveler, suspendre, annuler ou autoriser la cession de tout permis ou autorisation d'utiliser les terres domaniales situées dans l'aire d'agrandissement pour les besoins prévus au paragraphe (2). À cette fin, le paragraphe 31(3) et les articles 59, 62, 71 et 85 à 87 de la <i>Loi sur la gestion des ressources de la vallée du Mackenzie</i> et ses règlements, sauf ceux relatifs aux délais et aux enquêtes publiques, s'appliquent avec les adaptations nécessaires, la mention,</p>	Permis d'utilisation des terres

— apply, with any adaptations that may be necessary, as if the references in those provisions to the federal Minister or a board were references to the Minister responsible for the Parks Canada Agency and the references in those provisions to an inspector were references to the superintendent of the Park Reserve, a park warden or an enforcement officer designated for the purposes of this subsection.

dans ces dispositions, du ministre fédéral ou d'un office valant mention du ministre responsable de l'Agence Parcs Canada et celle d'inspecteur valant mention du directeur, des gardes de parc ou des agents de l'autorité désignés pour l'application du présent paragraphe.

Water licences

(4) The Minister may issue, amend, renew, suspend, cancel, and approve the assignment of, licences for the use of waters in the expansion area for the purposes of the mining access roads referred to in subsection (2) and, in relation to such licences, subsections 14(1), (4), (5) and (7) and sections 15, 16 to 19, 32 and 36, subsections 37(1), (3) and (4) and sections 38, 39, 43 and 44 of the *Northwest Territories Waters Act* and the regulations made under that Act apply, with any adaptations that may be necessary, as if the references in those provisions to the Minister or the Board were references to the Minister responsible for the Parks Canada Agency and the references in those provisions to an inspector were references to the superintendent of the Park Reserve, a park warden or an enforcement officer designated for the purposes of this subsection.

(4) Le ministre peut délivrer, modifier, renouveler, suspendre, annuler ou autoriser la cession de tout permis pour l'utilisation des eaux situées dans l'aire d'agrandissement pour les besoins prévus au paragraphe (2). À cette fin, les paragraphes 14(1), (4), (5) et (7), les articles 15, 16 à 19, 32 et 36, les paragraphes 37(1), (3) et (4) et les articles 38, 39, 43 et 44 de la *Loi sur les eaux des Territoires du Nord-Ouest* et ses règlements s'appliquent avec les adaptations nécessaires, la mention, dans ces dispositions, du ministre ou de l'Office valant mention du ministre responsable de l'Agence Parcs Canada et celle de l'inspecteur valant mention du directeur, des gardes de parc ou des agents de l'autorité désignés pour l'application du présent paragraphe.

Permis d'utilisation des eaux

Outfitter licences

(5) Outfitter licences issued under the *Wildlife Act*, R.S.N.W.T. 1988, c. W-4 that are in effect on the coming into force of this section in respect of public lands located in the expansion area, continue in effect according to their terms and may be renewed for periods ending not later than 10 years after the day on which this section comes into force, but no new outfitter licences may be issued in respect of those lands.

(5) Tout permis de pourvoirie délivré sous le régime de la *Loi sur la faune*, L.R.T.N.-O. 1988, ch. W-4, et en cours de validité à l'égard des terres domaniales situées dans l'aire d'agrandissement à l'entrée en vigueur du présent article reste valide dans les limites des modalités qui y sont prévues et peut être renouvelé pour une ou des périodes se terminant au plus tard dix ans après la date d'entrée en vigueur du présent article. Toutefois, aucun nouveau permis ne peut être délivré à l'égard de ces terres.

Permis de pourvoirie

Definition of "guide"

(6) In subsections (7) and (8), "guide" means a person who holds a guide licence issued in accordance with the *Wildlife Act*, R.S.N.W.T. 1988, c. W-4 and who is, or is employed by, the holder of an outfitter licence referred to in subsection (5).

(6) Pour l'application des paragraphes (7) et (8), « guide » s'entend de toute personne qui est titulaire d'un permis de guide délivré conformément à la *Loi sur la faune*, L.R.T.N.-O. 1988, ch. W-4, et qui est soit titulaire d'un permis de pourvoirie visé au paragraphe (5), soit employée par le titulaire de celui-ci.

Définition de « guide »

Permitted hunting

(7) A guide or a person accompanied by a guide may hunt, within the meaning of section 26, and may possess, within the meaning of section 26, or transport any wild animal or any part of one in the expansion area, in accordance

(7) Tout guide ou toute personne accompagnée par celui-ci peut, dans l'aire d'agrandissement, chasser — au sens de l'article 26 — un animal sauvage, ou avoir en sa possession — au sens de cet article — ou transporter un ani-

Autorisation de chasser

with the *Wildlife Act*, R.S.N.W.T. 1988, c. W-4 and the applicable outfitter licence.

Regulations

(8) The Governor in Council may make regulations respecting the activities of guides, persons accompanied by guides and holders of outfitter licences in the expansion area, including regulations

(a) respecting the hunting of wild animals, including with the use of firearms;

(b) authorizing the removal and disposal of any equipment or wild animals left by any person in contravention of the regulations or the *Wildlife Act*, R.S.N.W.T. 1988, c. W-4, and providing for the recovery of expenses incurred in their removal or disposal; and

(c) authorizing the superintendent

(i) to close areas to hunting for the purposes of management of the Park Reserve, public safety or the conservation of natural resources,

(ii) to establish limits on the wild animals that may be harvested in any period, or to vary any such limits established by the regulations or under the *Wildlife Act*, R.S.N.W.T. 1988, c. W-4, for purposes of conservation,

(iii) to prohibit or restrict the use of equipment in the expansion area for the purpose of protecting natural resources, and

(iv) to suspend or revoke an outfitter licence or a guide licence, to the extent that it applies in the expansion area, for failure to comply with this Act or the regulations, the *Wildlife Act*, R.S.N.W.T. 1988, c. W-4 or the regulations under that Act, or the terms and conditions of the licence.

Creation of park

(9) For the purposes of subsections 5(1) and 6(2), leases, licences of occupation, easements, land use permits and authorizations and water licences relating to public lands in the expansion area are deemed not to encumber or affect title to those lands, but if those lands become part of a park they continue in effect according to their terms and conditions.

mal sauvage ou toute partie de celui-ci, conformément à la *Loi sur la faune*, L.R.T.N.-O. 1988, ch. W-4, et au permis de pourvoirie applicable.

Règlements

(8) Le gouverneur en conseil peut prendre des règlements concernant les activités, dans l'aire d'agrandissement, des titulaires de permis de pourvoirie, des guides et des personnes accompagnées par ces derniers, notamment :

a) pour régir la chasse des animaux sauvages, y compris l'utilisation des armes à feu;

b) pour autoriser l'enlèvement et le mode de disposition de l'équipement ou des animaux sauvages laissés en contravention des règlements ou de la *Loi sur la faune*, L.R.T.N.-O. 1988, ch. W-4, et le recouvrement des dépenses en découlant;

c) pour autoriser le directeur :

(i) à interdire la chasse dans toute zone de l'aire d'agrandissement à des fins de gestion de la réserve, de sécurité publique ou de préservation des ressources naturelles,

(ii) à contingenter la chasse des animaux sauvages pendant une période donnée et à modifier les contingents réglementaires ou établis sous le régime de la *Loi sur la faune*, L.R.T.N.-O. 1988, ch. W-4, à des fins de préservation des ressources,

(iii) à restreindre ou à interdire l'utilisation d'équipement dans l'aire d'agrandissement pour protéger les ressources naturelles,

(iv) à suspendre ou à révoquer tout permis de guide ou de pourvoirie dans la mesure de son application à l'aire d'agrandissement, s'il estime que son titulaire a enfreint la présente loi ou ses règlements, la *Loi sur la faune*, L.R.T.N.-O. 1988, ch. W-4, ou ses règlements, ou les conditions du permis.

Création d'un parc

(9) Pour l'application des paragraphes 5(1) ou 6(2), les baux, servitudes, permis d'occupation ou permis ou autorisations d'utilisation des terres ou des eaux concernant les terres domaniales situées dans l'aire d'agrandissement sont réputés ne pas être des charges, mais, dans le cas où ces terres deviennent un parc ou sont in-

Creation of park	<p>(10) After any public lands within the expansion area become a park, this section continues to apply in respect of those lands with any adaptations that may be necessary.</p> <p>2009, c. 17, s. 7.</p>	<p>tégrées à un parc, restent valides dans les limites des modalités qui y sont prévues.</p> <p>(10) Lorsque tout ou partie des terres domaniales situées dans l'aire d'agrandissement deviennent un parc ou sont intégrées à un parc, le présent article continue de s'appliquer à ces terres, avec les adaptations nécessaires.</p> <p>2009, ch. 17, art. 7.</p>	Application au parc
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NATIONAL HISTORIC SITES OF CANADA

LIEUX HISTORIQUES NATIONAUX DU CANADA

Lands set apart	<p>42. (1) The Governor in Council may set apart any land, the title to which is vested in Her Majesty in right of Canada, as a national historic site of Canada to which this Act applies in order to</p> <p>(a) commemorate a historic event of national importance; or</p> <p>(b) preserve a historic landmark, or any object of historic, prehistoric or scientific interest, that is of national importance.</p>	<p>42. (1) Le gouverneur en conseil peut ériger en lieu historique national du Canada toute terre appartenant à Sa Majesté du chef du Canada afin de :</p> <p>a) soit commémorer un événement historique d'importance nationale;</p> <p>b) soit conserver un lieu historique ou tout objet d'intérêt historique, préhistorique ou scientifique d'importance nationale.</p>	Lieux historiques nationaux du Canada
Changes to boundaries	<p>(2) The Governor in Council may make any changes that the Governor in Council considers appropriate in areas set apart under subsection (1).</p>	<p>(2) Le gouverneur en conseil peut apporter toute modification qu'il estime utile aux terres érigées en lieu historique en application du paragraphe (1).</p>	Modifications du périmètre
Application of this Act	<p>(3) The Governor in Council may, by order, extend the application of subsection 8(1), section 11, except as it relates to zoning, and sections 12 and 16 to 32 to national historic sites of Canada.</p>	<p>(3) Il peut, par décret, rendre applicables à ces lieux historiques nationaux du Canada le paragraphe 8(1), l'article 11, sauf en ce qui a trait au zonage, et les articles 12 et 16 à 32.</p>	Application de la loi

REPEALS

43. to 46. [Repeals]

ABROGATIONS

43. à 46. [Abrogations]

CONSEQUENTIAL AMENDMENTS

47. to 56. [Amendments]

MODIFICATIONS CORRÉLATIVES

47. à 56. [Modifications]

57. [Repealed, 2001, c. 34, s. 24. Repeal is deemed to have come into force on February 18, 2001.]

57. [Abrogé, 2001, ch. 34, art. 24. Abrogation est réputée être entrée en vigueur le 18 février 2001.]

58. to 67. [Amendments]

58. à 67. [Modifications]

CONDITIONAL AMENDMENTS

68. to 70.1 [Amendments]

MODIFICATIONS CONDITIONNELLES

68. à 70.1 [Modifications]

COMING INTO FORCE

Coming into force

***71.** (1) Subject to subsections (2) to (4), this Act, other than sections 68 to 70.1, comes

ENTRÉE EN VIGUEUR

***71.** (1) Sous réserve des paragraphes (2) à (4), la présente loi, à l'exception des articles 68

Entrée en vigueur

	into force on a day to be fixed by order of the Governor in Council.	à 70.1, entre en vigueur à la date fixée par décret.	
Coming into force	(2) Paragraph 17(1)(b) and the description of Wapusk National Park of Canada in Part 4 of Schedule 1 come into force on a day to be fixed by order of the Governor in Council.	(2) L'alinéa 17(1)b) et le texte décrivant le parc national Wapusk du Canada à la partie 4 de l'annexe 1 entrent en vigueur à la date fixée par décret.	Entrée en vigueur
Coming into force	(3) Paragraph 17(1)(c) and the description of Gros Morne National Park of Canada in Part 10 of Schedule 1 come into force on a day to be fixed by order of the Governor in Council.	(3) L'alinéa 17(1)c) et le texte décrivant le parc national du Gros-Morne du Canada à la partie 10 de l'annexe 1 entrent en vigueur à la date fixée par décret.	Entrée en vigueur
Coming into force	(4) The description of Aulavik National Park of Canada in Part 12 of Schedule 1 comes into force on a day to be fixed by order of the Governor in Council.	(4) Le texte décrivant le parc national Aulavik du Canada à la partie 12 de l'annexe 1 entre en vigueur à la date fixée par décret.	Entrée en vigueur
	* [Note : Sections 68 to 70.1 in force on assent October 20, 2000; sections 1 to 16, section 17, other than paragraphs (1) (b) and (c), sections 18 to 67, Schedule 1, including the description of Aulavik National Park of Canada in Part 12, but excluding the descriptions of Wapusk National Park of Canada in Part 4 and Gros Morne National Park of Canada in Part 10 of Schedule 1, and Schedules 2 to 5 in force February 19, 2001, <i>see</i> SI/2001-29; paragraph 17(1)(c) and the description of Gros Morne National Park of Canada in Part 10 of Schedule 1 in force October 1, 2005, <i>see</i> SI/2005-63; paragraph 17(1)(b) and the description of Wapusk National Park of Canada in Part 4 of Schedule 1 in force March 26, 2010, <i>see</i> SI/2010-30.]		
		* [Note : Articles 68 à 70.1 en vigueur à la sanction le 20 octobre 2000; articles 1 à 16, article 17, sauf les alinéas (1)b) et c), articles 18 à 67, annexe 1, y compris le texte décrivant le parc national Aulavik du Canada à la partie 12, sauf les textes décrivant le parc national Wapusk du Canada à la partie 4 et le parc national du Gros-Morne du Canada à la partie 10 de cette annexe, et annexes 2 à 5 en vigueur le 19 février 2001, <i>voir</i> TR/2001-29; alinéa 17(1)c) et le texte décrivant le parc national du Gros-Morne du Canada à la partie 10 de l'annexe 1 en vigueur le 1 ^{er} octobre 2005, <i>voir</i> TR/2005-63; alinéa 17(1)b) et le texte décrivant le parc national Wapusk du Canada à la partie 4 de l'annexe 1 en vigueur le 26 mars 2010, <i>voir</i> TR/2010-30.]	

NATIONAL PARKS CAMPING REGULATIONS

March 31, 2007

Warning

These regulations have been prepared for reference purposes only and therefore have no legal sanction. All amendments up to March 31, 2007 are included.

For more information, please contact:

Legislative and Regulatory Affairs
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Gatineau, QC K1A 0M5

SOR/80-127

CANADA NATIONAL PARKS ACT

NATIONAL PARKS CAMPING REGULATIONS

Regulations governing the use of public lands in the National Parks of Canada for camping purposes

SHORT TITLE

1. These Regulations may be cited as the *National Parks Camping Regulations*.

INTERPRETATION

2. In these Regulations,

"camping permit" means a permit issued pursuant to section 4; (*permis*)

"campsite" means an area of land in a public campground designated by the superintendent for use by the holders of camping permits;
(*emplacement de camping*)

"Category A public campground" [Revoked, SOR/91-236, s. 1]

"Category B public campground" [Revoked, SOR/91-236, s. 1]

"Category C public campground" [Revoked, SOR/91-236, s. 1]

"Minister" [Revoked, SOR/91-236, s. 1]

"Park" [Revoked, SOR/91-236, s. 1]

"portable cabin" means a structure mounted on skids designed for use as living quarters; (*chalet transportable*)

"public campground" means an area in a Park designated by the superintendent for use by the public for camping purposes; (*terrain de camping public*)

"public picnic ground" means an area in a Park designated by the superintendent for use by the public for picnic purposes; (*terrain de pique-nique public*)

"seasonal camping" means the occupancy of a campsite by the use of a portable cabin or trailer for a period not exceeding 24 weeks during a calendar year; (*camping saisonnier*)

"serviced public campground" means a public campground having central fixed structures equipped with cooking, washing and toilet facilities; (*terrain de camping public aménagé*)

"Superintendent" [Revoked, SOR/91-236, s. 1]

"tent" means a portable and collapsible shelter made from
(a) canvas, cloth, synthetic or similar materials and supported by a pole, poles or ropes, or
(b) a pliable membrane that achieves and maintains its shape and support by internal air pressure; (*tente*)

"trailer" means a vehicle that is designed to be attached to or drawn by another vehicle, and is licensed under the laws of a province or under the laws of a country other than Canada and includes any vehicle that is designed, constructed or equipped to be used as living quarters or a sleeping place either permanently or temporarily; (*roulotte*)

"vehicle" means a device in, on or by which any person or property may be transported or drawn on land. (*véhicule*) SOR/85-427, s. 1; SOR/86-706, s. 1; SOR/89-142, s. 1; SOR/91-236, s. 1; SOR/93-166, ss. 9(E), 10(F).

APPLICATION

2.1 These Regulations do not apply in the Town of Banff. SOR/90-235.

PROHIBITION OF USE ON PUBLIC LANDS

3. (1) No person shall use or occupy or reside or camp on any public land in a Park or park any vehicle on such land for the purpose of camping unless he is

(a) the holder of a valid camping permit authorizing him to use that land for that purpose; or

(b) a member of a group in respect of which a camping permit has been issued and is still valid.

(2) No person shall locate, erect or use in a Park a portable cabin, storage shed, tent, trailer or other similar structure except as provided in these Regulations.

(3) Nothing in this section prevents a person from using the facilities provided in a public picnic ground for the preparation and consumption of meals. SOR/91-236, s. 2(F); SOR/93-166, s. 10(F).

CAMPING PERMITS

4. (1) On receipt of an application for a camping permit, the superintendent shall, subject to subsections (2) and (3), issue a camping permit to the applicant authorizing the following persons to camp at the campsite specified in the camping permit:

(a) the applicant, or

(b) where the applicant represents a group, the group.

(2) No person who holds a camping permit is eligible to apply for another camping permit for the period or any part of the period for which his camping permit is valid.

(3) The superintendent may refuse to issue a camping permit where, in his opinion, it is necessary to do so for the preservation, control or management of the Park or for the safety of the public. SOR/86-706, s. 2; SOR/87-271, s. 1; SOR/91-236, ss. 3, 10(F), 11(F); SOR/93-166, ss. 1, 9(E); SOR/94-439, s. 1.

(4) to (7) [Revoked, SOR/91-236, s. 3]

4.1 [Revoked, SOR/91-236, s. 4]

5. (1) In every camping permit, the superintendent shall

(a) specify the campsite to which the permit applies; and

(b) specify the period for which the permit is valid.

(2) On a notice located at the entrance to a public campground or in a camping permit, the superintendent may

(a) prescribe conditions under which the holder of a camping permit may keep a domestic animal in the public campground; or

- (b) set out any prohibitions made pursuant to section 13.
- (3) No person shall camp in a public campground except in compliance with any conditions prescribed pursuant to paragraph (2)(a) and any prohibitions set out pursuant to paragraph (2)(b).
- (4) The superintendent may, in a camping permit, authorize
- (a) in Riding Mountain National Park or in Prince Albert National Park, seasonal camping; or
 - (b) in any Park, the erection of a tent and the parking of a motor vehicle or trailer on the campsite to which the camping permit applies. SOR/91-236, ss. 5(F), 10(F), 11(F); SOR/93-166, s. 9(E).
6. (1) A camping permit is not transferable and is valid only during such period as the campsite to which the camping permit applies is occupied.
- (2) For the purposes of subsection (1) and paragraph 16(a), the campsite to which a camping permit applies is deemed to be not occupied where a tent or trailer has been unoccupied for a period exceeding 48 hours or has been removed from the campsite for a period exceeding 24 hours. SOR/91-236, s. 10(F).
7. A camping permit expires
- (a) on the expiry date specified therein; and
 - (b) at the time specified therein or at the time specified by the superintendent on a notice located at the entrance to the public campground. SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).
8. [Revoked, SOR/94-439, s. 2]
9. The holder of a camping permit shall, at all times, maintain the campsite to which the permit applies in a condition satisfactory to the superintendent. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, s. 9(E).

RESERVATION SERVICE

- 9.1 (1) The superintendent may establish and operate a service for the reservation of campsites located within a public campground.
- (2) The superintendent shall, through the media and by posting notices in conspicuous places in the Park, advise the public of those public campgrounds for which a reservation service is available. SOR/86-706, s. 3; SOR/87-271, s. 3; SOR/89-142, s. 3; SOR/91-236, s. 11(F); SOR/91-530, s. 1; SOR/92-252, s. 1; SOR/93-166, s. 9(E); SOR/94-439, s. 3.
- (3) and (4) [Revoked, SOR/94-439, s. 3]

PROHIBITIONS

10. No person shall
- (a) use or occupy any kitchen shelter, service building, pavilion or other public building in a Park for sleeping accommodation;
 - (b) erect or affix any tarpaulin, blanket, structure of wood, wood products, metal or other material to the walls or superstructure of any public building in a Park;
 - (c) leave any food, equipment or personal effects in a kitchen shelter or on a picnic table, grill, stove, barbecue or fireplace provided by the superintendent for public use in a Park, except during such reasonable period as such facilities are required for the purpose of preparing and consuming a meal or for cleaning up immediately thereafter;
 - (d) use the campsite to which a camping permit applies or any public building, structure or appurtenance on the campsite to the detriment or inconvenience of other persons in a Park;
 - (e) attempt to kindle, renew or maintain any fire or allow any fire to burn in the open in a public campground or in a public picnic ground except
 - (i) in a grill, stove, barbecue or fireplace provided by the superintendent for public use,
 - (ii) in a privately owned barbecue, hibachi or portable stove when used at a location satisfactory to the superintendent, or
 - (iii) when in possession of a permit issued under the *National Parks Fire Protection Regulations*; or
 - (f) locate or erect more than one portable cabin, or a tent or trailer on the campsite to which a camping permit applies except as
11. (1) No person shall use fuel provided by the superintendent in a Park except in a grill, stove, barbecue or fireplace provided by the superintendent for public use.
- (2) Notwithstanding subsection (1), the holder of a camping permit, other than a camping permit for seasonal camping, may use fuel provided by the superintendent in a privately owned barbecue, hibachi or portable stove when such fuel is made available by the superintendent for such purpose in the public campground to which the holder's permit applies. SOR/91-236, ss. 7(F), 10(F), 11(F); SOR/93-166, s. 9(E).
12. No person shall, on a campsite,
- (a) remove the wheels or understructure from a trailer or mount or erect a trailer on blocks or any other foundation; or
 - (b) extend, construct or otherwise alter a portable cabin, a trailer, storage shed or any other structure without first obtaining a building permit issued under the *National Parks Building Regulations*.

POWERS OF THE SUPERINTENDENT

[SOR/91-236, s. 11(F)]

13. The superintendent may, at any time and for such period as he deems necessary for the management and control of a public campground, prohibit
- (a) the use within the campground of any radio, musical instrument or anything whatever that causes excessive noise;
 - (b) the possession or consumption of alcoholic beverages in the campground;
 - (c) any conduct or behaviour in the campground that unreasonably disturbs other persons in the Park or unreasonably interferes with their enjoyment of the Park;
 - (d) any action in the campground that unreasonably interferes with fauna or the natural beauty of the Park; or
 - (e) the keeping of domestic animals in the campground. SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).
14. The superintendent may
- (a) specify, on a notice located at the entrance to a public campground or in a camping permit
 - (i) the hours during which any public building or facility provided in the campground for the use of camping permit holders may be used, and
 - (ii) the hours during which quiet shall be maintained in the campground;
 - (b) require that a public campground be vacated in an emergency or for any reason that in the opinion of the superintendent requires such action;
 - (c) designate areas of land in a Park as public campgrounds;
 - (d) designate areas of land within public campgrounds as campsites;
 - (e) designate public campgrounds for use by groups equipped with tents or bed rolls for the purpose of group tenting;
 - (f) designate public campgrounds that are equipped with fixed-structure facilities for cooking, eating and sleeping for use by groups for the purpose of group camping subject to advance reservation;
 - (f.1) designate any public campground that is not accessible by road and that has a source of potable water, pit toilets and other basic campground amenities, as a primitive campground;
 - (f.2) designate an area in a Park as a public picnic-ground;
 - (g) at any time enter any campsite for the inspection thereof;
 - (h) order the removal from a Park, or the repair or alteration of any portable cabin, trailer or other vehicle or structure thereon that, in the opinion of the superintendent, is unsightly or a health or fire hazard or is likely to cause injury to persons or damage to other property;
 - (i) require that any outside wall or side of a portable cabin, trailer or any other structure be erected at a fixed or minimum distance from a boundary of the campsite to which a camping permit applies or from any other structure or vehicle on that campsite or structures on an adjoining campsite;
 - (j) notwithstanding paragraph 10(e), prohibit the use of or specify the conditions under which a stove or other device used for cooking or heating may be used on a campsite;

(k) require that all washing of clothes and other laundering operations be carried out at designated locations in a Park; and
(l) require that clothes, blankets or other articles be aired or dried only at the rear of any structure erected in a campsite to which a camping permit applies. SOR/86-706, s. 4; SOR/91-236, ss. 8, 10(F), 11(F); SOR/93-166, ss. 9(E), 10(F).

15. The superintendent may refuse entry to or remove from a public campground any person who is unable to demonstrate to the superintendent that he is a person described in paragraph 3(1)(a) or (b). SOR/81-381, s. 1; SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).

CANCELLATION OF PERMITS

16. The superintendent may cancel a camping permit where

- (a) without the written authorization of the superintendent, the campsite to which the permit applies is not occupied;
- (b) the holder of the permit fails to keep the campsite occupied by him or any portable cabin, trailer or structure thereon in a condition satisfactory to the superintendent;
- (c) the holder of the permit has furnished incorrect, false or misleading information to the superintendent in order to secure the permit or maintain it in force; or
- (d) the holder of the permit fails to comply with
 - (i) the conditions of the permit,
 - (ii) a directive or prohibition of the superintendent made pursuant to these Regulations, or
 - (iii) any instructions that may be posted by the superintendent at the entrance to a public campground. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, s. 9(E).

17. No person, other than the holder of a camping permit for seasonal camping, whose camping permit has been cancelled under section 16 shall, within 48 hours from the time of the cancellation of his camping permit, enter any public campground. SOR/91-236, s. 10(F).

18. (1) Any person, other than the holder of a camping permit for seasonal camping, whose camping permit has been cancelled under section 16 shall forthwith remove from the campsite to which the permit applies any trailer or other vehicle, structure, chattel or article placed there by him.

(2) The superintendent may remove any trailer or other vehicle, structure, chattel or article left in a Park in violation of these Regulations. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, ss. 9(E), 10(F).

SEASONAL CAMPING

19. (1) The superintendent may, in a camping permit issued for seasonal camping, authorize for a period not exceeding 24 weeks,
- (a) the use of a portable cabin of one storey in Waskesiu campground in Prince Albert National Park; or
 - (b) the use of a portable cabin of one storey or a trailer in Clear Lake campground in Riding Mountain National Park.
- (2) No person shall, in seasonal camping, use a portable cabin or trailer that
- (a) in the opinion of the superintendent is too large for any available campsites; or
 - (b) does not conform to standards required for recreational vehicles or mobile home housing under the *National Building Code of Canada* or the *Dominion Fire Regulations*. SOR/89-142, s. 4; SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).
20. No person shall locate a portable cabin or trailer on a campsite unless there is sufficient space remaining in the campsite to permit the parking of a motor vehicle on the campsite.
21. (1) Subject to subsection (2), no holder of a camping permit for seasonal camping shall locate, construct or alter a storage shed in a Park.
- (2) The superintendent may authorize in writing the holder of a camping permit for seasonal camping to locate, construct or alter a storage shed on a campsite subject to such conditions as the superintendent specifies in the authorization. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, s. 9(E).
22. (1) Where a camping permit for seasonal camping is cancelled, the superintendent shall give notice of cancellation to the holder of the permit by
- (a) mailing a copy of the notice to the holder of the permit at his post office address in the Park; or
 - (b) posting a copy of the notice in the vicinity of the entrance to the portable cabin or the trailer on the campsite to which the permit applied.
- (2) The date of giving notice pursuant to subsection (1) shall be the date the notice was so mailed or posted.
- (3) Where a notice of cancellation has been given pursuant to subsection (1), the person who was issued the camping permit for seasonal camping shall forthwith remove the portable cabin or trailer and any other vehicles, structures, chattels and articles from the campsite to which the permit applies within 48 hours from the date the notice was given. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, ss. 9(E), 10(F).

SCHEDULE

[Revoked, SOR/94-439, s. 4]

NATIONAL PARKS GENERAL REGULATIONS

March 31, 2007

Warning

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For more information, please contact:

Legislative and Regulatory Affairs
National Parks Directorate
4th floor, 25 Eddy Street,
Gatineau, QC K1A 0M5

SOR/78-213

Registration March 3, 1978

CANADA NATIONAL PARKS ACT

NATIONAL PARKS GENERAL REGULATIONS

General Regulations for the Control and Management of National Parks

SHORT TITLE

1. These Regulations may be cited as the *National Parks General Regulations*.

INTERPRETATION

2. In these Regulations,

"Act" means the *National Parks Act*, (*version anglaise seulement*)

"cave" means any subterranean cavern or area, either natural or man-made; (*cavernes*)

"commercial boat" means a vessel that carries persons or cargo for hire or reward and includes a vessel chartered or hired for pleasure purposes by or on behalf of the persons carried on the vessel. (*bateau commercial*)

"Director" [Repealed, SOR/93-167, s. 1]

"explosive" means gunpowder, blasting powder, nitroglycerine, gun-cotton, dynamite, blasting gelatine, gelignite, fulminates of mercury or other metals, coloured fires and every other substance made, manufactured or used to produce a violent effect by explosion or a pyrotechnic effect and includes fuses, fireworks, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, railway track torpedoes, fusees and other signals and every other adaptation or preparation of any such substance; (*explosifs*)

"flora" means any plant matter, living or dead, and includes fungi and moulds; (*version anglaise seulement*)

"Minister" [Repealed, SOR/93-167, s. 1]

"moor" means to make fast or tie up a watercraft to a wharf or to another watercraft or to use a space or stall at a wharf and includes to dock, beach, store or anchor a watercraft; (*amarrage*)

"natural object" means any natural material, soil, sand, gravel, rock, mineral, fossil or other object of natural phenomenon not included within the terms flora and fauna that is located within a Park; (*matières naturelles*)

"Park" [Repealed, SOR/94-267, s. 1(E)]

"public recreational facilities" means a lawn bowling green, golf course, swimming pool and assembly hall in a park; (*installation récréative publique*)

"Superintendent" [Repealed, SOR/93-167, s. 1]

"watercourse" means any river, stream, brook, lake, pond, creek or other flowing or standing water in a Park; (*version anglaise seulement*)

"watercraft" means any boat, canoe, raft, amphibious craft or other type or class of vessel; (*embarcation*)

"wharf" means any wharf, dock, pier, jetty, quay, landing, breakwater, mole or sea-wall or any floating structure or device that may be used to moor watercraft. (*quais*) SOR/82-949, s. 1; SOR/88-12, s. 1; SOR/91-142, s. 1(F); SOR/93-167, s. 1; SOR/94-267, s. 1(E); SOR/94-512, s. 1.

APPLICATION

2.1 Sections 28 to 35, 37 and 39 do not apply in the Town of Banff. SOR/90-235; SOR/98-252, s. 1.

USE OF PUBLIC LANDS OR OTHER PUBLIC PROPERTY WITHIN A PARK

3. A person may use or occupy public lands or other public property within a Park if that person does so in accordance with the Act, the regulations made thereunder and any agreement made between the Government of Canada and the government of the province within which the Park is situated.

4. The Minister may, from time to time, arrange to have public lands in a Park surveyed or resurveyed

(a) into lots in townsites or other subdivisions;

(b) for any right-of-way of the type referred to in subsection 6(2) of the Act;

(c) for the purposes of schools, hospitals, churches and the entertainment of persons visiting the Park; and

(d) for the purposes of a cemetery.

PUBLIC RECREATIONAL FACILITIES

5. (1) The superintendent may, by posting notices on or in the immediate vicinity of public recreational facilities, fix the days and the hours of the day during which such facilities shall be open to the public.

(2) Except with the permission of the superintendent, no person shall enter on or use public recreational facilities when they are closed to the public.

(3) and (4) [Repealed, SOR/94-512, s. 2]

(5) In Georgian Bay Islands National Park and St. Lawrence Islands National Park, no person shall use firewood supplied by the superintendent unless that person is issued a camping permit pursuant to the *National Parks Camping Regulations* or is issued a firewood permit.

(6) In Georgian Bay Islands National Park and St. Lawrence Islands National Park, a shower permit, a firewood permit and a mooring permit may be obtained at designated self-registration sites. SOR/82-949, s. 1(F); SOR/86-582, s. 1; SOR/88-12, s. 2; SOR/89-287, s. 1; SOR/91-560, s. 1; SOR/92-251, s. 1; SOR/93-167, s. 6(E); SOR/94-512, s. 2.

(7) and (8) [Repealed, SOR/94-512, s. 2]

HAZARDOUS ACTIVITIES

6. (1) The superintendent may require any person to register at the office of the superintendent or at such other place as may be specified by the superintendent prior to and on completing, in a Park, any activity that, in the opinion of the superintendent, may present a hazard to the person.

(2) The superintendent shall designate any activity in respect of which registration is required pursuant to subsection (1) by posting notices at the office of the superintendent, at all information offices or centres located in a Park and at any place specified by the superintendent pursuant to subsection (1).

(3) No person shall, in a Park, undertake any activity designated by the superintendent pursuant to subsection (2) without registering as required by the superintendent

- (a) prior to undertaking any such activity; and
- (b) immediately on completing or returning from such activity.

(4) Where an activity has not been designated by the superintendent pursuant to subsection (2), a person who wishes to do so may, prior to undertaking that activity, register at the office of the superintendent or at such other place as may be specified by the superintendent, on condition that the person register again immediately on completing or returning from that activity. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

RESTRICTED AND PROHIBITED ACTIVITIES, USES AND TRAVEL

7. (1) The superintendent may, where it is necessary for the proper management of the Park to do so, designate certain activities, uses or entry and travel in areas in a Park as restricted or prohibited.

(2) Notice of a restriction or prohibition referred to in subsection (1) shall be posted by the superintendent at park warden offices and information bureaus in the Park or at entrances to the Park.

(3) A notice posted in accordance with subsection (2) shall include

- (a) a description of the activity or use to which the restriction or prohibition applies;
- (b) the extent of restriction, where an activity or use is being restricted;
- (c) a description of the area to which the restriction or prohibition of entry or travel in that area applies; and
- (d) a map of the area in which the restriction or prohibition, applies, where that area is not the total area of the Park.

(4) No person shall engage in an activity or use or enter and travel in an area that has been designated as restricted or prohibited pursuant to subsection (1) otherwise than in accordance with the terms and conditions prescribed in a permit issued under subsection (5).

(5) The superintendent may, on application to him by any person, in respect of any activity or use restricted or prohibited pursuant to subsection (1) or any entry

and travel in an area that has been restricted or prohibited, pursuant to that subsection, issue to that person a permit to

(a) engage in that activity or use, or

(b) enter and travel in that area

on such terms and conditions as the superintendent may prescribe in the permit.

(6) Where the superintendent has issued a permit pursuant to subsection (5), he may, if it is necessary for the preservation, control and management of the Park, suspend or cancel it. SOR/82-949, ss. 1(F), 2; SOR/93-167, s. 6(E).

AUTHORIZATION

7.1 (1) In this section,

"authorization" means a pass, licence, ticket or other form of permission authorizing the holder to carry on any designated activity; (*autorisation*)

"designated activity" means any activity in a park, including travel, entry in an area of a park and the use of any facility in a park, that is designated in accordance with subsection (2). (*activité désignée*)

(2) The superintendent may, where it is necessary for the proper management of the park, designate the activities other than those referred to in section 7 that may be carried on only by the holder of an authorization for that purpose.

(3) The superintendent shall post a list of designated activities and their description in the park warden offices and information bureaus in the park or at the entrances to the park.

(4) No person other than the holder of an authorization issued for that purpose in accordance with this section shall engage in a designated activity.

(5) The superintendent may, on request, issue an authorization and may prescribe terms and conditions in any such authorization, taking into account

- (a) the natural and cultural resources of the park;
- (b) the safety, health and enjoyment of persons visiting or residing in the park;

and

- (c) the preservation, control and management of the park.

(6) The holder of an authorization shall, at the request of the superintendent or a park warden or other park officer, produce the authorization for inspection.

(7) The superintendent may

- (a) suspend an authorization, where the holder of it fails to comply with any prescribed term or condition;

- (b) reinstate the authorization, when the failure referred to in paragraph (a) has been remedied; and
- (c) revoke an authorization, where the holder of it is convicted of a contravention of these Regulations. SOR/95-151, s. 1.

8. Except where it is indicated by a notice posted by the superintendent at the entrance to a cave that entry therein is permitted, no person shall enter any cave in a Park without the permission, in writing, of the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

9. [Repealed, SOR/98-252, s. 2]

PRESERVATION OF PROPERTY

10. No person shall remove, deface, damage or destroy any flora or natural objects in a Park except in accordance with a permit issued under subsection 11(1) or 12(1).

11. (1) A director-general may issue a permit to any person authorizing the person to take flora or natural objects for scientific purposes from a Park or to remove natural objects for construction purposes within a Park.

(2) A permit issued by the director-general under subsection (1) shall specify the kind and amount of and the location from which flora or natural objects may be removed and the conditions applicable to the permit.

(3) Where natural objects are removed for the purpose of constructing other than a public work within a Park, every person on removal of such natural objects shall pay to the superintendent the sum of 25 cents for each cubic yard of such natural objects or fraction thereof. SOR/82-949, s. 1(F); SOR/93-167, ss. 5, 6(E).

12. (1) The superintendent may issue a permit to any person authorizing the person to remove, deface, damage or destroy any flora or natural objects in a Park for purposes of Park management.

(2) A permit issued by the superintendent under subsection (1) shall specify the kind and amount of and the location from which flora or natural objects may be removed, defaced, damaged or destroyed and the conditions applicable to the permit. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

13. No person shall remove, deface, damage or destroy any signboard, sign or notice placed, posted or erected in a Park by the superintendent, or any public building, fence or other structure in a Park. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

14. (1) Subject to subsection (2), no person shall wilfully remove, deface, damage or destroy any prehistoric or historic artifacts or structures in a Park.
(2) A director-general may issue a permit to any person authorizing that person to remove specimens of prehistoric or historic artifacts or structures from a Park for the purpose of public display in a museum. SOR/82-949, s. 3; SOR/93-167, s. 5.

AIRCRAFT OPERATIONS

15. and 15.1 [Repealed, SOR/97-149, s. 1]

USE OF WATER RESOURCES

16. No person shall pollute any watercourse.

17. No person shall obstruct or divert, by means of a pipe or otherwise, any watercourse, except as authorized by a permit issued by a director-general. SOR/93-167, s. 5.

18. (1) A director-general may issue a permit to any person for a period not exceeding 10 years authorizing the person to take water for domestic, business or railway water supply purposes within a Park from

- (a) any watercourse;
- (b) any Park well; or
- (c) any Park water supply system other than a waterworks system for a townsite or subdivision.

- (2) Notwithstanding subsection (1), a director-general shall not issue a permit to any person to take water unless the person submits to the director-general
- (a) a statement specifying the purpose for which the water is required;
 - (b) a description of the method to be used to take the water;
 - (c) a statement specifying the location of any equipment to be installed in taking the water;
 - (d) a document setting out the results of a water quality test that show that the quality of the water to be taken is suitable for the purpose for which it is required; and
 - (e) a description of any impairment to the resources of the Park that may result from the installation of the equipment referred to in paragraph (c).

- (3) [Repealed, SOR/98-252, s. 3]

- (4) On the expiration or cancellation of a permit issued pursuant to subsection (1), the person who was issued that permit shall forthwith remove any equipment installed in taking the water and restore the site of the equipment in so far as practicable to its original state. SOR/82-949, s. 5; SOR/93-167, s. 5; SOR/98-252, s. 3.

19. The superintendent may permit the temporary taking of water from any watercourse or Park water supply system to a place outside the Park in the case of drought, fire, contamination of a water supply or other emergency, for the duration of such emergency. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

20. (1) The Minister may enter into an agreement with a municipality or water district adjacent to a Park for the supply of water from the Park.

(2) The Minister may enter into an agreement with persons residing on land adjacent to a Park for the supply of water from the Park for domestic purposes and for use in establishments providing tourist accommodation.

WATERCRAFT AND AQUATIC SPORTS

21. The use on a watercourse of any type of motorized watercraft, water-skiing equipment or sub-surface diving equipment is prohibited except as permitted by a sign or notice placed, posted or erected by the superintendent at or near the watercourse. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

22. (1) [Repealed, SOR/82-949, s. 6]

(2) No person shall use on a watercourse a watercraft that contains washroom facilities unless that watercraft is equipped with a holding tank and a pumping system. SOR/82-949, s. 6.

23. No person shall moor any watercraft in the approach to or in the lee of any wharf in such a manner as to obstruct the free flow of water traffic to and from such wharf.

24. (1) The superintendent may erect lettered or symbolic signs or devices designating a wharf or other location in a Park as requiring a mooring permit.

(2) No person shall moor a watercraft at a wharf or other location designated pursuant to subsection (1) without a mooring permit issued by the superintendent or obtained in the manner described in subsection 5(7). SOR/79-750, s. 1; SOR/80-166, s. 1; SOR/82-949, s. 1(F); SOR/88-12, s. 3; SOR/91-560, s. 2; SOR/93-167, s. 6(E); SOR/94-512, s. 3.

(3) and (4) [Repealed, SOR/94-512, s. 3]

25. (1) The superintendent may erect signs or devices at a stall or space in or alongside a wharf, or at any other location designated pursuant to subsection 24(1), reserving the stall, space or location for use by a type or class of watercraft and for the period set out on the signs or devices.

(2) Where a stall or space or other location is reserved for a particular type or class of watercraft for a period of time, no person shall moor any watercraft of another type or class in that stall, space or location during that period. SOR/88-12, s. 4; SOR/93-167, s. 6(E).

26. (1) The superintendent may erect signs or devices specifying the period of time during which any watercraft may be moored at any wharf or at any other location designated pursuant to subsection 24(1).

(2) No person shall moor a watercraft at a wharf or other location for a period longer than that specified by the superintendent pursuant to subsection (1).

SOR/79-750, s. 2; SOR/80-166, s. 2; SOR/82-949, s. 1(F); SOR/88-12, s. 4; SOR/93-167, s. 6(E).

PREVENTION OF NUISANCES

27. (1) Where, in the opinion of the superintendent or of a Park Medical Officer or a medical or sanitary inspector, a nuisance exists on any premises in a Park, the superintendent may order the owner, lessee, licensee or any other occupier of the premises to abate the nuisance and cleanse the premises.

(2) Where the owner, lessee, licensee or any other occupier of any premises where a nuisance exists fails, after reasonable notice from the superintendent, to abate the nuisance and cleanse the premises, the superintendent may take such steps as are necessary to abate the nuisance and to cleanse the premises.

(3) The owner, lessee, licensee or other occupier of the premises shall pay the costs of abating the nuisance and cleansing any premises referred to in subsection (2) that are incurred by the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

28. No person shall deposit any snow, leaves, rubbish or any matter of an offensive nature in a Park except in such places, at such times and under such conditions as the superintendent specifies. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

29. (1) No earth-pit privy, out-closet or privy vault shall be erected or used in any townsite or subdivision in a Park in which a water and sewer system has been installed.

(2) All earth-pit privies, out-closets or privy vaults on property that is not capable of being serviced by a Park water and sewer system shall be designed, located and maintained in accordance with standards approved by the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

30. (1) All buildings in a Park used for the purpose of residence, business or tourist accommodation shall have a plumbing system including an adequate

supply of potable water and suitable sanitary fixtures, except that such buildings in outlying areas not serviced by a Park water supply and sewer system shall have sanitary privies, chemical closets or other such conveniences as the superintendent may approve.

(2) Where there is no Park water supply and sewer system in a Park, sewage or water waste shall be drained into a septic tank or other disposal system approved by the superintendent, which shall, where considered necessary by the superintendent, be equipped to chlorinate or otherwise treat the effluent.

SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

31. (1) Any person occupying or using a public area in a Park shall
- (a) at all times maintain the area in a condition satisfactory to the superintendent; and
 - (b) when vacating the area, restore the area to its natural condition as nearly as possible.

(2) Where incinerators or trash receptacles are provided in a Park, all refuse, waste paper or other material being discarded shall be placed therein. SOR/93-167, s. 6(E).

PROHIBITED CONDUCT

32. (1) No person shall, in a Park,
- (a) cause any excessive noise;
 - (b) conduct or behave in a manner that unreasonably disturbs other persons in the Park or unreasonably interferes with their enjoyment of the Park; or
 - (c) carry out any action that unreasonably interferes with fauna or the natural beauty of the Park.

(2) The superintendent may remove or have removed from a Park any person who by his disorderly conduct, behaviour or action is in violation of subsection (1).

(3) No person who has been removed from a Park under subsection (2) shall enter or attempt to enter that Park for one year following the date of removal unless that person applies for and obtains permission from the director-general to enter the Park. SOR/82-949, ss. 1(F), 7; SOR/93-167, ss. 5, 6(E).

33. No person shall display or distribute any advertisement or handbill in a Park, except as authorized in writing by the superintendent. SOR/82-949, ss. 1(F), 7; SOR/93-167, s. 6(E).

CLEANING OF SIDEWALKS

34. (1) The owner, lessee, licensee or other occupier of any lot in a townsite in a Park on which residence or the operation of a business is permitted shall remove

snow, leaves or other material that has accumulated on any sidewalk bordering the lot in accordance with subsections (2) and (3).

(2) Any snow required to be removed by subsection (1) shall be removed within a period of 12 hours after it has fallen or within such longer period as may be specified by the superintendent.

(3) Any leaves or other material required to be removed by subsection (1) shall be removed whenever such leaves or other material interferes with or endangers pedestrian traffic or creates an obstructive, dangerous or unsightly condition or whenever removal is directed by the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

EXPLOSIVES

35. (1) Subject to subsection (4), no person shall, without an appropriate permit issued by the superintendent pursuant to subsection (2), bring into a Park or, in a Park, have in his possession, store, use, sell or offer for sale, any explosive.

(2) The superintendent may, on any conditions that he may prescribe, issue a permit to have in possession, store, use or sell any explosive in a Park to a person described in subsection (3) who is authorized under the *Explosives Act* to have in possession, store, use, make, manufacture or sell such an explosive in any other part of Canada.

(3) For the purposes of subsection (2), the following persons are described:

(a) a person engaged in construction or demolition work who requires the explosive for his work;

(b) a person representing a fraternal organization, service or other group that is sponsoring recreational or sport activities and requires the explosive in order to present a fireworks display on the occasion of a public holiday or celebration; or

(c) a person who is licensed under the *National Parks Businesses Regulations* to sell small arms ammunition.

(4) Any person may, without obtaining a permit under this section,

(a) transport any explosive through a Park by railway in a manner authorized by the *Railway Act* or a regulation or order under that Act;

(b) transport explosives through a Park in accordance with the *Explosives Act* or any provincial regulation respecting explosives;

(c) be in possession of flares or fuses for use as safety equipment for motor vehicles, trains or boats in accordance with any provincial or federal requirements; or

(d) be in possession of small arms ammunition for his personal use. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

CLOSING OF AREAS AND WAYS

36. (1) Where the superintendent deems it necessary for the prevention of any seasonal or temporary danger to persons, flora, fauna or natural objects in a Park, he may by notice in writing close to public use or traffic any area in the Park for the period he considers the danger will continue.

(2) A notice referred to in subsection (1) shall be displayed on each approach road, trail or other way of access to the area in the Park closed to public use or traffic.

(3) No person shall enter any area in a Park during the period that it is closed to public use or traffic pursuant to subsection (1) except with the permission of the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

37. Where the Minister is of the opinion that any road, street, sidewalk, trail, wharf, bridge or other way or portion thereof in a Park has been rendered unnecessary for public use or traffic, he may by order close to public use or traffic that way or portion thereof.

UTILITIES

38. The Minister may enter into an agreement with a province or any person for the development, operation and maintenance in a Park of

(a) telephone, telegraph, electrical, other than hydro-electrical, and natural gas services for use only in the Park; and

(b) hydro-electrical power, pursuant to the *Dominion Water Power Act*, for the use of such power only in the Park. SOR/81-563, s. 1.

MISCELLANEOUS

39. No person shall sell any intoxicating beverage in a Park unless he has obtained a licence for such a sale under the *National Parks Businesses Regulations* and the sale

(a) is in accordance with the laws of the province in which the Park is situated; and

(b) has been approved by the director-general. SOR/93-167, s. 5.

40. and 41. [Repealed, SOR/98-252, s. 4]

SCHEDULES I AND II

[Repealed, SOR/94-512, s. 4]

NATIONAL PARKS CAMPING REGULATIONS

March 31, 2007

Warning

These regulations have been prepared for reference purposes only and therefore have no legal sanction. All amendments up to March 31, 2007 are included.

For more information, please contact:

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SOR/80-127

CANADA NATIONAL PARKS ACT

NATIONAL PARKS CAMPING REGULATIONS

Regulations governing the use of public lands in the National Parks of Canada for camping purposes

SHORT TITLE

1. These Regulations may be cited as the *National Parks Camping Regulations*.

INTERPRETATION

2. In these Regulations,

"camping permit" means a permit issued pursuant to section 4; (*permis*)

"campsite" means an area of land in a public campground designated by the superintendent for use by the holders of camping permits;
(*emplacement de camping*)

"Category A public campground" [Revoked, SOR/91-236, s. 1]

"Category B public campground" [Revoked, SOR/91-236, s. 1]

"Category C public campground" [Revoked, SOR/91-236, s. 1]

"Minister" [Revoked, SOR/91-236, s. 1]

"Park" [Revoked, SOR/91-236, s. 1]

"portable cabin" means a structure mounted on skids designed for use as living quarters; (*chalet transportable*)

"public campground" means an area in a Park designated by the superintendent for use by the public for camping purposes; (*terrain de camping public*)

"public picnic ground" means an area in a Park designated by the superintendent for use by the public for picnic purposes; (*terrain de pique-nique public*)

"seasonal camping" means the occupancy of a campsite by the use of a portable cabin or trailer for a period not exceeding 24 weeks during a calendar year; (*camping saisonnier*)

"serviced public campground" means a public campground having central fixed structures equipped with cooking, washing and toilet facilities; (*terrain de camping public aménagé*)

"Superintendent" [Revoked, SOR/91-236, s. 1]

"tent" means a portable and collapsible shelter made from
(a) canvas, cloth, synthetic or similar materials and supported by a pole, poles or ropes, or
(b) a pliable membrane that achieves and maintains its shape and support by internal air pressure; (*tente*)

"trailer" means a vehicle that is designed to be attached to or drawn by another vehicle, and is licensed under the laws of a province or under the laws of a country other than Canada and includes any vehicle that is designed, constructed or equipped to be used as living quarters or a sleeping place either permanently or temporarily; (*roulotte*)

"vehicle" means a device in, on or by which any person or property may be transported or drawn on land. (*véhicule*) SOR/85-427, s. 1; SOR/86-706, s. 1; SOR/89-142, s. 1; SOR/91-236, s. 1; SOR/93-166, ss. 9(E), 10(F).

APPLICATION

2.1 These Regulations do not apply in the Town of Banff. SOR/90-235.

PROHIBITION OF USE ON PUBLIC LANDS

3. (1) No person shall use or occupy or reside or camp on any public land in a Park or park any vehicle on such land for the purpose of camping unless he is

(a) the holder of a valid camping permit authorizing him to use that land for that purpose; or

(b) a member of a group in respect of which a camping permit has been issued and is still valid.

(2) No person shall locate, erect or use in a Park a portable cabin, storage shed, tent, trailer or other similar structure except as provided in these Regulations.

(3) Nothing in this section prevents a person from using the facilities provided in a public picnic ground for the preparation and consumption of meals. SOR/91-236, s. 2(F); SOR/93-166, s. 10(F).

CAMPING PERMITS

4. (1) On receipt of an application for a camping permit, the superintendent shall, subject to subsections (2) and (3), issue a camping permit to the applicant authorizing the following persons to camp at the campsite specified in the camping permit:

(a) the applicant, or

(b) where the applicant represents a group, the group.

(2) No person who holds a camping permit is eligible to apply for another camping permit for the period or any part of the period for which his camping permit is valid.

(3) The superintendent may refuse to issue a camping permit where, in his opinion, it is necessary to do so for the preservation, control or management of the Park or for the safety of the public. SOR/86-706, s. 2; SOR/87-271, s. 1; SOR/91-236, ss. 3, 10(F), 11(F); SOR/93-166, ss. 1, 9(E); SOR/94-439, s. 1.

(4) to (7) [Revoked, SOR/91-236, s. 3]

4.1 [Revoked, SOR/91-236, s. 4]

5. (1) In every camping permit, the superintendent shall

(a) specify the campsite to which the permit applies; and

(b) specify the period for which the permit is valid.

(2) On a notice located at the entrance to a public campground or in a camping permit, the superintendent may

(a) prescribe conditions under which the holder of a camping permit may keep a domestic animal in the public campground; or

- (b) set out any prohibitions made pursuant to section 13.
- (3) No person shall camp in a public campground except in compliance with any conditions prescribed pursuant to paragraph (2)(a) and any prohibitions set out pursuant to paragraph (2)(b).
- (4) The superintendent may, in a camping permit, authorize
- (a) in Riding Mountain National Park or in Prince Albert National Park, seasonal camping; or
 - (b) in any Park, the erection of a tent and the parking of a motor vehicle or trailer on the campsite to which the camping permit applies. SOR/91-236, ss. 5(F), 10(F), 11(F); SOR/93-166, s. 9(E).
6. (1) A camping permit is not transferable and is valid only during such period as the campsite to which the camping permit applies is occupied.
- (2) For the purposes of subsection (1) and paragraph 16(a), the campsite to which a camping permit applies is deemed to be not occupied where a tent or trailer has been unoccupied for a period exceeding 48 hours or has been removed from the campsite for a period exceeding 24 hours. SOR/91-236, s. 10(F).
7. A camping permit expires
- (a) on the expiry date specified therein; and
 - (b) at the time specified therein or at the time specified by the superintendent on a notice located at the entrance to the public campground. SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).
8. [Revoked, SOR/94-439, s. 2]
9. The holder of a camping permit shall, at all times, maintain the campsite to which the permit applies in a condition satisfactory to the superintendent. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, s. 9(E).

RESERVATION SERVICE

- 9.1 (1) The superintendent may establish and operate a service for the reservation of campsites located within a public campground.
- (2) The superintendent shall, through the media and by posting notices in conspicuous places in the Park, advise the public of those public campgrounds for which a reservation service is available. SOR/86-706, s. 3; SOR/87-271, s. 3; SOR/89-142, s. 3; SOR/91-236, s. 11(F); SOR/91-530, s. 1; SOR/92-252, s. 1; SOR/93-166, s. 9(E); SOR/94-439, s. 3.
- (3) and (4) [Revoked, SOR/94-439, s. 3]

PROHIBITIONS

10. No person shall
- (a) use or occupy any kitchen shelter, service building, pavilion or other public building in a Park for sleeping accommodation;
 - (b) erect or affix any tarpaulin, blanket, structure of wood, wood products, metal or other material to the walls or superstructure of any public building in a Park;
 - (c) leave any food, equipment or personal effects in a kitchen shelter or on a picnic table, grill, stove, barbecue or fireplace provided by the superintendent for public use in a Park, except during such reasonable period as such facilities are required for the purpose of preparing and consuming a meal or for cleaning up immediately thereafter;
 - (d) use the campsite to which a camping permit applies or any public building, structure or appurtenance on the campsite to the detriment or inconvenience of other persons in a Park;
 - (e) attempt to kindle, renew or maintain any fire or allow any fire to burn in the open in a public campground or in a public picnic ground except
 - (i) in a grill, stove, barbecue or fireplace provided by the superintendent for public use,
 - (ii) in a privately owned barbecue, hibachi or portable stove when used at a location satisfactory to the superintendent, or
 - (iii) when in possession of a permit issued under the *National Parks Fire Protection Regulations*; or
 - (f) locate or erect more than one portable cabin, or a tent or trailer on the campsite to which a camping permit applies except as
11. (1) No person shall use fuel provided by the superintendent in a Park except in a grill, stove, barbecue or fireplace provided by the superintendent for public use.
- (2) Notwithstanding subsection (1), the holder of a camping permit, other than a camping permit for seasonal camping, may use fuel provided by the superintendent in a privately owned barbecue, hibachi or portable stove when such fuel is made available by the superintendent for such purpose in the public campground to which the holder's permit applies. SOR/91-236, ss. 7(F), 10(F), 11(F); SOR/93-166, s. 9(E).
12. No person shall, on a campsite,
- (a) remove the wheels or understructure from a trailer or mount or erect a trailer on blocks or any other foundation; or
 - (b) extend, construct or otherwise alter a portable cabin, a trailer, storage shed or any other structure without first obtaining a building permit issued under the *National Parks Building Regulations*.

POWERS OF THE SUPERINTENDENT

[SOR/91-236, s. 11(F)]

13. The superintendent may, at any time and for such period as he deems necessary for the management and control of a public campground, prohibit
- (a) the use within the campground of any radio, musical instrument or anything whatever that causes excessive noise;
 - (b) the possession or consumption of alcoholic beverages in the campground;
 - (c) any conduct or behaviour in the campground that unreasonably disturbs other persons in the Park or unreasonably interferes with their enjoyment of the Park;
 - (d) any action in the campground that unreasonably interferes with fauna or the natural beauty of the Park; or
 - (e) the keeping of domestic animals in the campground. SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).
14. The superintendent may
- (a) specify, on a notice located at the entrance to a public campground or in a camping permit
 - (i) the hours during which any public building or facility provided in the campground for the use of camping permit holders may be used, and
 - (ii) the hours during which quiet shall be maintained in the campground;
 - (b) require that a public campground be vacated in an emergency or for any reason that in the opinion of the superintendent requires such action;
 - (c) designate areas of land in a Park as public campgrounds;
 - (d) designate areas of land within public campgrounds as campsites;
 - (e) designate public campgrounds for use by groups equipped with tents or bed rolls for the purpose of group tenting;
 - (f) designate public campgrounds that are equipped with fixed-structure facilities for cooking, eating and sleeping for use by groups for the purpose of group camping subject to advance reservation;
 - (f.1) designate any public campground that is not accessible by road and that has a source of potable water, pit toilets and other basic campground amenities, as a primitive campground;
 - (f.2) designate an area in a Park as a public picnic-ground;
 - (g) at any time enter any campsite for the inspection thereof;
 - (h) order the removal from a Park, or the repair or alteration of any portable cabin, trailer or other vehicle or structure thereon that, in the opinion of the superintendent, is unsightly or a health or fire hazard or is likely to cause injury to persons or damage to other property;
 - (i) require that any outside wall or side of a portable cabin, trailer or any other structure be erected at a fixed or minimum distance from a boundary of the campsite to which a camping permit applies or from any other structure or vehicle on that campsite or structures on an adjoining campsite;
 - (j) notwithstanding paragraph 10(e), prohibit the use of or specify the conditions under which a stove or other device used for cooking or heating may be used on a campsite;

(k) require that all washing of clothes and other laundering operations be carried out at designated locations in a Park; and
(l) require that clothes, blankets or other articles be aired or dried only at the rear of any structure erected in a campsite to which a camping permit applies. SOR/86-706, s. 4; SOR/91-236, ss. 8, 10(F), 11(F); SOR/93-166, ss. 9(E), 10(F).

15. The superintendent may refuse entry to or remove from a public campground any person who is unable to demonstrate to the superintendent that he is a person described in paragraph 3(1)(a) or (b). SOR/81-381, s. 1; SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).

CANCELLATION OF PERMITS

16. The superintendent may cancel a camping permit where

- (a) without the written authorization of the superintendent, the campsite to which the permit applies is not occupied;
- (b) the holder of the permit fails to keep the campsite occupied by him or any portable cabin, trailer or structure thereon in a condition satisfactory to the superintendent;
- (c) the holder of the permit has furnished incorrect, false or misleading information to the superintendent in order to secure the permit or maintain it in force; or
- (d) the holder of the permit fails to comply with
 - (i) the conditions of the permit,
 - (ii) a directive or prohibition of the superintendent made pursuant to these Regulations, or
 - (iii) any instructions that may be posted by the superintendent at the entrance to a public campground. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, s. 9(E).

17. No person, other than the holder of a camping permit for seasonal camping, whose camping permit has been cancelled under section 16 shall, within 48 hours from the time of the cancellation of his camping permit, enter any public campground. SOR/91-236, s. 10(F).

18. (1) Any person, other than the holder of a camping permit for seasonal camping, whose camping permit has been cancelled under section 16 shall forthwith remove from the campsite to which the permit applies any trailer or other vehicle, structure, chattel or article placed there by him.

(2) The superintendent may remove any trailer or other vehicle, structure, chattel or article left in a Park in violation of these Regulations. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, ss. 9(E), 10(F).

SEASONAL CAMPING

19. (1) The superintendent may, in a camping permit issued for seasonal camping, authorize for a period not exceeding 24 weeks,
- (a) the use of a portable cabin of one storey in Waskesiu campground in Prince Albert National Park; or
 - (b) the use of a portable cabin of one storey or a trailer in Clear Lake campground in Riding Mountain National Park.
- (2) No person shall, in seasonal camping, use a portable cabin or trailer that
- (a) in the opinion of the superintendent is too large for any available campsite; or
 - (b) does not conform to standards required for recreational vehicles or mobile home housing under the *National Building Code of Canada* or the *Dominion Fire Regulations*. SOR/89-142, s. 4; SOR/91-236, s. 11(F); SOR/93-166, s. 9(E).
20. No person shall locate a portable cabin or trailer on a campsite unless there is sufficient space remaining in the campsite to permit the parking of a motor vehicle on the campsite.
21. (1) Subject to subsection (2), no holder of a camping permit for seasonal camping shall locate, construct or alter a storage shed in a Park.
- (2) The superintendent may authorize in writing the holder of a camping permit for seasonal camping to locate, construct or alter a storage shed on a campsite subject to such conditions as the superintendent specifies in the authorization. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, s. 9(E).
22. (1) Where a camping permit for seasonal camping is cancelled, the superintendent shall give notice of cancellation to the holder of the permit by
- (a) mailing a copy of the notice to the holder of the permit at his post office address in the Park; or
 - (b) posting a copy of the notice in the vicinity of the entrance to the portable cabin or the trailer on the campsite to which the permit applied.
- (2) The date of giving notice pursuant to subsection (1) shall be the date the notice was so mailed or posted.
- (3) Where a notice of cancellation has been given pursuant to subsection (1), the person who was issued the camping permit for seasonal camping shall forthwith remove the portable cabin or trailer and any other vehicles, structures, chattels and articles from the campsite to which the permit applies within 48 hours from the date the notice was given. SOR/91-236, ss. 10(F), 11(F); SOR/93-166, ss. 9(E), 10(F).

SCHEDULE

[Revoked, SOR/94-439, s. 4]

NATIONAL PARKS GENERAL REGULATIONS

March 31, 2007

Warning

These regulations have been prepared for reference purposes only and therefore have no legal sanction. All amendments up to March 31, 2007 are included.

For more information, please contact:

Legislative and Regulatory Affairs
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SOR/78-213

Registration March 3, 1978

CANADA NATIONAL PARKS ACT

NATIONAL PARKS GENERAL REGULATIONS

General Regulations for the Control and Management of National Parks

SHORT TITLE

1. These Regulations may be cited as the *National Parks General Regulations*.

INTERPRETATION

2. In these Regulations,

"Act" means the *National Parks Act*, (*version anglaise seulement*)

"cave" means any subterranean cavern or area, either natural or man-made; (*cavernes*)

"commercial boat" means a vessel that carries persons or cargo for hire or reward and includes a vessel chartered or hired for pleasure purposes by or on behalf of the persons carried on the vessel. (*bateau commercial*)

"Director" [Repealed, SOR/93-167, s. 1]

"explosive" means gunpowder, blasting powder, nitroglycerine, gun-cotton, dynamite, blasting gelatine, gelignite, fulminates of mercury or other metals, coloured fires and every other substance made, manufactured or used to produce a violent effect by explosion or a pyrotechnic effect and includes fuses, fireworks, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, railway track torpedoes, fusees and other signals and every other adaptation or preparation of any such substance; (*explosifs*)

"flora" means any plant matter, living or dead, and includes fungi and moulds; (*version anglaise seulement*)

"Minister" [Repealed, SOR/93-167, s. 1]

"moor" means to make fast or tie up a watercraft to a wharf or to another watercraft or to use a space or stall at a wharf and includes to dock, beach, store or anchor a watercraft; (*amarrage*)

"natural object" means any natural material, soil, sand, gravel, rock, mineral, fossil or other object of natural phenomenon not included within the terms flora and fauna that is located within a Park; (*matières naturelles*)

"Park" [Repealed, SOR/94-267, s. 1(E)]

"public recreational facilities" means a lawn bowling green, golf course, swimming pool and assembly hall in a park; (*installation récréative publique*)

"Superintendent" [Repealed, SOR/93-167, s. 1]

"watercourse" means any river, stream, brook, lake, pond, creek or other flowing or standing water in a Park; (*version anglaise seulement*)

"watercraft" means any boat, canoe, raft, amphibious craft or other type or class of vessel; (*embarcation*)

"wharf" means any wharf, dock, pier, jetty, quay, landing, breakwater, mole or sea-wall or any floating structure or device that may be used to moor watercraft. (*quais*) SOR/82-949, s. 1; SOR/88-12, s. 1; SOR/91-142, s. 1(F); SOR/93-167, s. 1; SOR/94-267, s. 1(E); SOR/94-512, s. 1.

APPLICATION

2.1 Sections 28 to 35, 37 and 39 do not apply in the Town of Banff. SOR/90-235; SOR/98-252, s. 1.

USE OF PUBLIC LANDS OR OTHER PUBLIC PROPERTY WITHIN A PARK

3. A person may use or occupy public lands or other public property within a Park if that person does so in accordance with the Act, the regulations made thereunder and any agreement made between the Government of Canada and the government of the province within which the Park is situated.

4. The Minister may, from time to time, arrange to have public lands in a Park surveyed or resurveyed

(a) into lots in townsites or other subdivisions;

(b) for any right-of-way of the type referred to in subsection 6(2) of the Act;

(c) for the purposes of schools, hospitals, churches and the entertainment of persons visiting the Park; and

(d) for the purposes of a cemetery.

PUBLIC RECREATIONAL FACILITIES

5. (1) The superintendent may, by posting notices on or in the immediate vicinity of public recreational facilities, fix the days and the hours of the day during which such facilities shall be open to the public.

(2) Except with the permission of the superintendent, no person shall enter on or use public recreational facilities when they are closed to the public.

(3) and (4) [Repealed, SOR/94-512, s. 2]

(5) In Georgian Bay Islands National Park and St. Lawrence Islands National Park, no person shall use firewood supplied by the superintendent unless that person is issued a camping permit pursuant to the *National Parks Camping Regulations* or is issued a firewood permit.

(6) In Georgian Bay Islands National Park and St. Lawrence Islands National Park, a shower permit, a firewood permit and a mooring permit may be obtained at designated self-registration sites. SOR/82-949, s. 1(F); SOR/86-582, s. 1; SOR/88-12, s. 2; SOR/89-287, s. 1; SOR/91-560, s. 1; SOR/92-251, s. 1; SOR/93-167, s. 6(E); SOR/94-512, s. 2.

(7) and (8) [Repealed, SOR/94-512, s. 2]

HAZARDOUS ACTIVITIES

6. (1) The superintendent may require any person to register at the office of the superintendent or at such other place as may be specified by the superintendent prior to and on completing, in a Park, any activity that, in the opinion of the superintendent, may present a hazard to the person.

(2) The superintendent shall designate any activity in respect of which registration is required pursuant to subsection (1) by posting notices at the office of the superintendent, at all information offices or centres located in a Park and at any place specified by the superintendent pursuant to subsection (1).

(3) No person shall, in a Park, undertake any activity designated by the superintendent pursuant to subsection (2) without registering as required by the superintendent

- (a) prior to undertaking any such activity; and
- (b) immediately on completing or returning from such activity.

(4) Where an activity has not been designated by the superintendent pursuant to subsection (2), a person who wishes to do so may, prior to undertaking that activity, register at the office of the superintendent or at such other place as may be specified by the superintendent, on condition that the person register again immediately on completing or returning from that activity. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

RESTRICTED AND PROHIBITED ACTIVITIES, USES AND TRAVEL

7. (1) The superintendent may, where it is necessary for the proper management of the Park to do so, designate certain activities, uses or entry and travel in areas in a Park as restricted or prohibited.

(2) Notice of a restriction or prohibition referred to in subsection (1) shall be posted by the superintendent at park warden offices and information bureaus in the Park or at entrances to the Park.

(3) A notice posted in accordance with subsection (2) shall include

- (a) a description of the activity or use to which the restriction or prohibition applies;
- (b) the extent of restriction, where an activity or use is being restricted;
- (c) a description of the area to which the restriction or prohibition of entry or travel in that area applies; and
- (d) a map of the area in which the restriction or prohibition, applies, where that area is not the total area of the Park.

(4) No person shall engage in an activity or use or enter and travel in an area that has been designated as restricted or prohibited pursuant to subsection (1) otherwise than in accordance with the terms and conditions prescribed in a permit issued under subsection (5).

(5) The superintendent may, on application to him by any person, in respect of any activity or use restricted or prohibited pursuant to subsection (1) or any entry

and travel in an area that has been restricted or prohibited, pursuant to that subsection, issue to that person a permit to

(a) engage in that activity or use, or

(b) enter and travel in that area

on such terms and conditions as the superintendent may prescribe in the permit.

(6) Where the superintendent has issued a permit pursuant to subsection (5), he may, if it is necessary for the preservation, control and management of the Park, suspend or cancel it. SOR/82-949, ss. 1(F), 2; SOR/93-167, s. 6(E).

AUTHORIZATION

7.1 (1) In this section,

"authorization" means a pass, licence, ticket or other form of permission authorizing the holder to carry on any designated activity; (*autorisation*)

"designated activity" means any activity in a park, including travel, entry in an area of a park and the use of any facility in a park, that is designated in accordance with subsection (2). (*activité désignée*)

(2) The superintendent may, where it is necessary for the proper management of the park, designate the activities other than those referred to in section 7 that may be carried on only by the holder of an authorization for that purpose.

(3) The superintendent shall post a list of designated activities and their description in the park warden offices and information bureaus in the park or at the entrances to the park.

(4) No person other than the holder of an authorization issued for that purpose in accordance with this section shall engage in a designated activity.

(5) The superintendent may, on request, issue an authorization and may prescribe terms and conditions in any such authorization, taking into account

- (a) the natural and cultural resources of the park;
- (b) the safety, health and enjoyment of persons visiting or residing in the park;

and

- (c) the preservation, control and management of the park.

(6) The holder of an authorization shall, at the request of the superintendent or a park warden or other park officer, produce the authorization for inspection.

(7) The superintendent may

- (a) suspend an authorization, where the holder of it fails to comply with any prescribed term or condition;

- (b) reinstate the authorization, when the failure referred to in paragraph (a) has been remedied; and
- (c) revoke an authorization, where the holder of it is convicted of a contravention of these Regulations. SOR/95-151, s. 1.

8. Except where it is indicated by a notice posted by the superintendent at the entrance to a cave that entry therein is permitted, no person shall enter any cave in a Park without the permission, in writing, of the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

9. [Repealed, SOR/98-252, s. 2]

PRESERVATION OF PROPERTY

10. No person shall remove, deface, damage or destroy any flora or natural objects in a Park except in accordance with a permit issued under subsection 11(1) or 12(1).

11. (1) A director-general may issue a permit to any person authorizing the person to take flora or natural objects for scientific purposes from a Park or to remove natural objects for construction purposes within a Park.

(2) A permit issued by the director-general under subsection (1) shall specify the kind and amount of and the location from which flora or natural objects may be removed and the conditions applicable to the permit.

(3) Where natural objects are removed for the purpose of constructing other than a public work within a Park, every person on removal of such natural objects shall pay to the superintendent the sum of 25 cents for each cubic yard of such natural objects or fraction thereof. SOR/82-949, s. 1(F); SOR/93-167, ss. 5, 6(E).

12. (1) The superintendent may issue a permit to any person authorizing the person to remove, deface, damage or destroy any flora or natural objects in a Park for purposes of Park management.

(2) A permit issued by the superintendent under subsection (1) shall specify the kind and amount of and the location from which flora or natural objects may be removed, defaced, damaged or destroyed and the conditions applicable to the permit. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

13. No person shall remove, deface, damage or destroy any signboard, sign or notice placed, posted or erected in a Park by the superintendent, or any public building, fence or other structure in a Park. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

14. (1) Subject to subsection (2), no person shall wilfully remove, deface, damage or destroy any prehistoric or historic artifacts or structures in a Park.
(2) A director-general may issue a permit to any person authorizing that person to remove specimens of prehistoric or historic artifacts or structures from a Park for the purpose of public display in a museum. SOR/82-949, s. 3; SOR/93-167, s. 5.

AIRCRAFT OPERATIONS

15. and 15.1 [Repealed, SOR/97-149, s. 1]

USE OF WATER RESOURCES

16. No person shall pollute any watercourse.

17. No person shall obstruct or divert, by means of a pipe or otherwise, any watercourse, except as authorized by a permit issued by a director-general. SOR/93-167, s. 5.

18. (1) A director-general may issue a permit to any person for a period not exceeding 10 years authorizing the person to take water for domestic, business or railway water supply purposes within a Park from

- (a) any watercourse;
- (b) any Park well; or
- (c) any Park water supply system other than a waterworks system for a townsite or subdivision.

- (2) Notwithstanding subsection (1), a director-general shall not issue a permit to any person to take water unless the person submits to the director-general
- (a) a statement specifying the purpose for which the water is required;
 - (b) a description of the method to be used to take the water;
 - (c) a statement specifying the location of any equipment to be installed in taking the water;
 - (d) a document setting out the results of a water quality test that show that the quality of the water to be taken is suitable for the purpose for which it is required; and
 - (e) a description of any impairment to the resources of the Park that may result from the installation of the equipment referred to in paragraph (c).

- (3) [Repealed, SOR/98-252, s. 3]

- (4) On the expiration or cancellation of a permit issued pursuant to subsection (1), the person who was issued that permit shall forthwith remove any equipment installed in taking the water and restore the site of the equipment in so far as practicable to its original state. SOR/82-949, s. 5; SOR/93-167, s. 5; SOR/98-252, s. 3.

19. The superintendent may permit the temporary taking of water from any watercourse or Park water supply system to a place outside the Park in the case of drought, fire, contamination of a water supply or other emergency, for the duration of such emergency. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

20. (1) The Minister may enter into an agreement with a municipality or water district adjacent to a Park for the supply of water from the Park.

(2) The Minister may enter into an agreement with persons residing on land adjacent to a Park for the supply of water from the Park for domestic purposes and for use in establishments providing tourist accommodation.

WATERCRAFT AND AQUATIC SPORTS

21. The use on a watercourse of any type of motorized watercraft, water-skiing equipment or sub-surface diving equipment is prohibited except as permitted by a sign or notice placed, posted or erected by the superintendent at or near the watercourse. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

22. (1) [Repealed, SOR/82-949, s. 6]

(2) No person shall use on a watercourse a watercraft that contains washroom facilities unless that watercraft is equipped with a holding tank and a pumping system. SOR/82-949, s. 6.

23. No person shall moor any watercraft in the approach to or in the lee of any wharf in such a manner as to obstruct the free flow of water traffic to and from such wharf.

24. (1) The superintendent may erect lettered or symbolic signs or devices designating a wharf or other location in a Park as requiring a mooring permit.

(2) No person shall moor a watercraft at a wharf or other location designated pursuant to subsection (1) without a mooring permit issued by the superintendent or obtained in the manner described in subsection 5(7). SOR/79-750, s. 1; SOR/80-166, s. 1; SOR/82-949, s. 1(F); SOR/88-12, s. 3; SOR/91-560, s. 2; SOR/93-167, s. 6(E); SOR/94-512, s. 3.

(3) and (4) [Repealed, SOR/94-512, s. 3]

25. (1) The superintendent may erect signs or devices at a stall or space in or alongside a wharf, or at any other location designated pursuant to subsection 24(1), reserving the stall, space or location for use by a type or class of watercraft and for the period set out on the signs or devices.

(2) Where a stall or space or other location is reserved for a particular type or class of watercraft for a period of time, no person shall moor any watercraft of another type or class in that stall, space or location during that period. SOR/88-12, s. 4; SOR/93-167, s. 6(E).

26. (1) The superintendent may erect signs or devices specifying the period of time during which any watercraft may be moored at any wharf or at any other location designated pursuant to subsection 24(1).

(2) No person shall moor a watercraft at a wharf or other location for a period longer than that specified by the superintendent pursuant to subsection (1).

SOR/79-750, s. 2; SOR/80-166, s. 2; SOR/82-949, s. 1(F); SOR/88-12, s. 4; SOR/93-167, s. 6(E).

PREVENTION OF NUISANCES

27. (1) Where, in the opinion of the superintendent or of a Park Medical Officer or a medical or sanitary inspector, a nuisance exists on any premises in a Park, the superintendent may order the owner, lessee, licensee or any other occupier of the premises to abate the nuisance and cleanse the premises.

(2) Where the owner, lessee, licensee or any other occupier of any premises where a nuisance exists fails, after reasonable notice from the superintendent, to abate the nuisance and cleanse the premises, the superintendent may take such steps as are necessary to abate the nuisance and to cleanse the premises.

(3) The owner, lessee, licensee or other occupier of the premises shall pay the costs of abating the nuisance and cleansing any premises referred to in subsection (2) that are incurred by the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

28. No person shall deposit any snow, leaves, rubbish or any matter of an offensive nature in a Park except in such places, at such times and under such conditions as the superintendent specifies. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

29. (1) No earth-pit privy, out-closet or privy vault shall be erected or used in any townsite or subdivision in a Park in which a water and sewer system has been installed.

(2) All earth-pit privies, out-closets or privy vaults on property that is not capable of being serviced by a Park water and sewer system shall be designed, located and maintained in accordance with standards approved by the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

30. (1) All buildings in a Park used for the purpose of residence, business or tourist accommodation shall have a plumbing system including an adequate

supply of potable water and suitable sanitary fixtures, except that such buildings in outlying areas not serviced by a Park water supply and sewer system shall have sanitary privies, chemical closets or other such conveniences as the superintendent may approve.

(2) Where there is no Park water supply and sewer system in a Park, sewage or water waste shall be drained into a septic tank or other disposal system approved by the superintendent, which shall, where considered necessary by the superintendent, be equipped to chlorinate or otherwise treat the effluent.

SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

31. (1) Any person occupying or using a public area in a Park shall
- (a) at all times maintain the area in a condition satisfactory to the superintendent; and
 - (b) when vacating the area, restore the area to its natural condition as nearly as possible.

(2) Where incinerators or trash receptacles are provided in a Park, all refuse, waste paper or other material being discarded shall be placed therein. SOR/93-167, s. 6(E).

PROHIBITED CONDUCT

32. (1) No person shall, in a Park,
- (a) cause any excessive noise;
 - (b) conduct or behave in a manner that unreasonably disturbs other persons in the Park or unreasonably interferes with their enjoyment of the Park; or
 - (c) carry out any action that unreasonably interferes with fauna or the natural beauty of the Park.

(2) The superintendent may remove or have removed from a Park any person who by his disorderly conduct, behaviour or action is in violation of subsection (1).

(3) No person who has been removed from a Park under subsection (2) shall enter or attempt to enter that Park for one year following the date of removal unless that person applies for and obtains permission from the director-general to enter the Park. SOR/82-949, ss. 1(F), 7; SOR/93-167, ss. 5, 6(E).

33. No person shall display or distribute any advertisement or handbill in a Park, except as authorized in writing by the superintendent. SOR/82-949, ss. 1(F), 7; SOR/93-167, s. 6(E).

CLEANING OF SIDEWALKS

34. (1) The owner, lessee, licensee or other occupier of any lot in a townsite in a Park on which residence or the operation of a business is permitted shall remove

snow, leaves or other material that has accumulated on any sidewalk bordering the lot in accordance with subsections (2) and (3).

(2) Any snow required to be removed by subsection (1) shall be removed within a period of 12 hours after it has fallen or within such longer period as may be specified by the superintendent.

(3) Any leaves or other material required to be removed by subsection (1) shall be removed whenever such leaves or other material interferes with or endangers pedestrian traffic or creates an obstructive, dangerous or unsightly condition or whenever removal is directed by the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

EXPLOSIVES

35. (1) Subject to subsection (4), no person shall, without an appropriate permit issued by the superintendent pursuant to subsection (2), bring into a Park or, in a Park, have in his possession, store, use, sell or offer for sale, any explosive.

(2) The superintendent may, on any conditions that he may prescribe, issue a permit to have in possession, store, use or sell any explosive in a Park to a person described in subsection (3) who is authorized under the *Explosives Act* to have in possession, store, use, make, manufacture or sell such an explosive in any other part of Canada.

(3) For the purposes of subsection (2), the following persons are described:

(a) a person engaged in construction or demolition work who requires the explosive for his work;

(b) a person representing a fraternal organization, service or other group that is sponsoring recreational or sport activities and requires the explosive in order to present a fireworks display on the occasion of a public holiday or celebration; or

(c) a person who is licensed under the *National Parks Businesses Regulations* to sell small arms ammunition.

(4) Any person may, without obtaining a permit under this section,

(a) transport any explosive through a Park by railway in a manner authorized by the *Railway Act* or a regulation or order under that Act;

(b) transport explosives through a Park in accordance with the *Explosives Act* or any provincial regulation respecting explosives;

(c) be in possession of flares or fuses for use as safety equipment for motor vehicles, trains or boats in accordance with any provincial or federal requirements; or

(d) be in possession of small arms ammunition for his personal use. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

CLOSING OF AREAS AND WAYS

36. (1) Where the superintendent deems it necessary for the prevention of any seasonal or temporary danger to persons, flora, fauna or natural objects in a Park, he may by notice in writing close to public use or traffic any area in the Park for the period he considers the danger will continue.

(2) A notice referred to in subsection (1) shall be displayed on each approach road, trail or other way of access to the area in the Park closed to public use or traffic.

(3) No person shall enter any area in a Park during the period that it is closed to public use or traffic pursuant to subsection (1) except with the permission of the superintendent. SOR/82-949, s. 1(F); SOR/93-167, s. 6(E).

37. Where the Minister is of the opinion that any road, street, sidewalk, trail, wharf, bridge or other way or portion thereof in a Park has been rendered unnecessary for public use or traffic, he may by order close to public use or traffic that way or portion thereof.

UTILITIES

38. The Minister may enter into an agreement with a province or any person for the development, operation and maintenance in a Park of

(a) telephone, telegraph, electrical, other than hydro-electrical, and natural gas services for use only in the Park; and

(b) hydro-electrical power, pursuant to the *Dominion Water Power Act*, for the use of such power only in the Park. SOR/81-563, s. 1.

MISCELLANEOUS

39. No person shall sell any intoxicating beverage in a Park unless he has obtained a licence for such a sale under the *National Parks Businesses Regulations* and the sale

(a) is in accordance with the laws of the province in which the Park is situated; and

(b) has been approved by the director-general. SOR/93-167, s. 5.

40. and 41. [Repealed, SOR/98-252, s. 4]

SCHEDULES I AND II

[Repealed, SOR/94-512, s. 4]