



CHAPTER 22

An Act respecting forest operations and woodsmen

[Assented to, the 20th of April, 1934]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative Assembly
of Quebec, enacts as follows:

1. The Revised Statutes, 1925, are amended by inserting R. S., c.44A, therein, after chapter 44 thereof, the following chapter: added.

"CHAPTER 44A

"AN ACT RESPECTING THE COMMISSION FOR THE SUPERVISION AND CONTROL OF FOREST OPERATIONS

"1. This act may be cited as the *Quebec Forest Operations Short title. Commission Act.*

"DIVISION I

"INTERPRETATIVE PROVISIONS

"2. In this act, unless the context otherwise requires: Interpretation:

1. The word "Commission" designates the Quebec Forest Operations Commission established under this act; "Commission";

2. The words "timber-limit holder" mean and include every person, corporation, firm or association of persons holding a license to cut timber issued under the Lands and Forests Act (Chap. 44), or any previous act to the same effect, and they include the foreman employed by a timber-limit holder within the above meaning; "Timber-limit holder";

3. The word "employees" means and includes any person who is in any manner whatsoever ordinarily employed to carry out forest operations within the meaning of this act; "Employees";

4. The word "contractor" means and includes any person, corporation, firm or association of persons under- "Contractor";

taking forest operations for a timber-limit holder; and it includes any person, corporation, firm or association of persons contracting with such contractor to carry out, in whole or in part, the forest operations which such contractor undertook to carry out;

"Forest operations".

5. The words "forest operations" mean and include the cutting of timber on public lands under a license to cut timber, the removal of such wood from the forest, its floating or rafting and its descent by way of rivers or water-courses, or any one whatsoever of such operations.

"DIVISION II

"ORGANIZATION OF THE COMMISSION

"Quebec Forest Operations Commission".

"3. The Lieutenant-Governor in Council may appoint a commission called the "Quebec Forest Operations Commission", consisting of two members, one of whom to be designated as president.

Appointments, etc., thereto.

The members of such Commission shall be appointed during pleasure and their remuneration shall be determined by the Lieutenant-Governor in Council.

Replacing of member unable to act.

"4. If any member or members of the Commission is or are unable to act by reason of sickness, absence or other cause, the Lieutenant-Governor in Council may appoint one or two persons, as the case may be, to act in the place of such member or members; and any person so appointed may complete any unfinished business in which he has taken part, even if the member of the Commission whom he has replaced has returned or has become able to act.

Powers of Commission.

"5. The Commission, in the exercise of the powers conferred upon it by this act, may investigate in any way it may deem useful, by itself, by one of its members or by any person appointed by it, all matters and all facts the knowledge whereof may assist in the performance of its attributions, and, for such purpose, it shall have access, through its delegates, to the books and documents of any timber-limit holder or contractor.

Vacancy.

"6. The Commission shall not be dissolved by the death or resignation of any of its members.

Residence.

"7. Each member of the Commission shall, during his term of office, reside in such place as the Lieutenant-Governor in Council may, from time to time, determine.

"8. The Lieutenant-Governor in Council shall fix the ^{Sittings, etc.} place where the Commission shall sit and have its office, and shall also provide it with suitable quarters for the holding of its sittings and the transaction of its business generally.

"9. There shall be a secretary of the Commission, ^{Appointing, etc., of secretary.} who shall be appointed and whose remuneration shall be determined by the Lieutenant-Governor in Council. Such secretary shall hold office during pleasure and his duties shall be those determined by the Commission.

"10. In the event of the secretary of the Commission ^{If secretary being unable to act.} being unable to act by reason of sickness, absence or other cause, any member of the Commission may act in his stead, or the Commission may replace him temporarily by appointing another person to such office.

"11. Neither the Commission, nor any member thereof, ^{No personal liability.} nor the secretary of the Commission, nor any person as designated in section 16, shall be personally liable for anything done by it or by him in the exercise of its or his functions.

"12. The above remuneration, and all the expenses in- ^{How remuneration, etc., to be paid.} curred by the Commission in the performance of its duties and attributions, including all reasonable travelling expenses actually incurred by the persons contemplated by section 11, shall be paid out of the consolidated revenue fund of the Province.

"DIVISION III

"APPROVAL OF FOREST OPERATIONS

"13. Every timber-limit holder or contractor must, ^{Obligation upon contractor, etc.} before starting forest operations, submit to the Commission all the details contemplated in section 14 respecting the forest operations he wishes to undertake.

"14. The details of the forest operations contemplated ^{Details to be submitted:} by section 13 are such as concern:

1. The wages or salaries of employees, the method used ^{Wages, etc.;} in calculating such wages or salaries, the hours and duration of work and the mode of payment of such wages or salaries;

2. The quantity and quality of the food to be supplied ^{Food;} to employees, whether such food be supplied as part of the wages or salaries of the employees or be paid for by the latter, or whether it be deducted from their wages or salaries;

Meal, etc., charges;	3. The price to be charged for meals, living comforts, clothing, footwear, supplies, tools, tobacco and other articles to be furnished or offered for sale to the employees;
Deductions;	4. The amount to be deducted from the wages or salaries of employees for medical and dental attendance, postage, transportation or other services of any kind whatsoever;
Fines, etc.;	5. The charges, fines, penalties or other deductions to be taken from the wages or salaries of the employees;
Contracts, etc.;	6. The details of every contract, sub-contract, arrangement or agreement, in writing or otherwise, effecting the hiring of employees for forest operations;
Working conditions;	7. The conditions in which the employees will have to work and the methods to be employed in the forest operations;
Other information.	8. All other information respecting the forest operations which the Commission may ask for.

"DIVISION IV

"INVESTIGATIONS BY THE COMMISSION

Investigations.	"15. The Commission may of its own initiative and must, if thereunto requested by the Minister of Lands and Forests, make investigation into the forest operations carried on by a timber-limit holder or by a contractor.
Scope of same.	Such investigation shall bear on all the matters contemplated in section 14 and on all matters connected with or incidental to forest operations.
Delegation of powers.	"16. The Commission may authorize one of its members or any other person whom it may designate, to hold any investigation which the Commission is authorized to make under section 15.
Powers of delegate.	For the purpose of such investigation, the Commission, a member of the Commission, or any other person thereunto authorized, shall possess and exercise all the powers conferred upon a commissioner appointed under the Public Inquiry Commission Act (Chap. 8).
Report of investigation.	"17. If the investigation has been made by a member of the Commission or by another person authorized by the latter, such member or such person must report to the Commission the result of the investigation held and acquaint it with his conclusions in writing.
Id., to Minister.	"18. The Commission shall make a report to the Minister of Lands and Forests of every investigation held under this division.

"DIVISION V

"GENERAL PROVISIONS

"19. The Commission may make regulations for its Regulations, internal government.

"20. Any summons served upon a witness may be ^{Serving of} signed by a member of the Commission or by the secretary, ^{summons.} and shall be served in the same manner as a like summons issued from the Superior Court.

"21. Every bailiff of the Superior Court shall be *ex* ^{Ex officio} *officio* a bailiff for the Commission and may make his return, ^{bailiff.} under his oath of office, of all services or other proceedings effected by him.

"22. The Commission, each of its members, or any ^{Powers of} person appointed by it to make an investigation under this ^{Commission:} act, may:

1. Enter any place, building or work used in the carrying ^{Entry;} out of forest operations;

2. Inspect all works, constructions and material used in ^{Inspection;} forest operations;

3. Require the attendance of any person whom it may ^{Requiring} be deemed useful to summon and question, and take the ^{attendance;} evidence of such persons and require the production of all books, contracts or other documents;

4. Administer the oath and receive affirmations or decla- ^{Oaths;} rations;

And the Commission, each of its members, and any ^{Additional} person appointed by it to make an investigation, shall, for ^{powers.} the summoning of witnesses and compelling them to appear, to give testimony and to produce the books and other documents of any nature whatsoever, have the same powers as those mentioned in the second paragraph of section 16.

"23. Every timber-limit holder or contractor who ^{Offences and} begins forest operations without having submitted the ^{penalties.} details to the Commission in conformity with section 13, commits an infringement of this act and shall be liable, in addition to the payment of the costs, to a fine of not less than two hundred dollars and not more than five hundred dollars.

"24. Every employee who receives lower wages or ^{Claim by} salary than those contemplated in the details respecting ^{employee in} certain case.

forest operations, submitted under section 13, shall be entitled to claim the difference before any court of competent jurisdiction.

Furnishing
of reports.

"25. The Commission shall be bound to furnish to the Minister of Lands and Forests all the reports which the latter may require.

Posting up
of statement
of wages,
etc.

"26. Upon the opening of each lumber camp or shanty there shall be posted up and kept posted up, during all the time that the camp is open, on the inside of the main door of the camp, a statement of the wages that will be paid, and the prices that will be charged for articles sold, as well as the other details mentioned in paragraphs 1 to 5 inclusive of section 14 of this act, under penalty of a fine of ten dollars for each day that this is not done.

Sale of
articles.

"27. No article shall be sold at a price higher than that mentioned in the said statement, under penalty of a fine of five dollars for each article so sold.

Penalties.

"28. The penalties imposed by this act shall be recoverable before the courts of civil jurisdiction by any employee in the said lumber camp or shanty either from the limit-holder or from the contractor for whose account the camp is open or from the person in charge of the camp, or from the two jointly and severally, in the case of section 26, or from the owner of the article sold at the increased price or from the person who shall have made the sale or from the two jointly and severally in the case of section 27."

Coming into
force.

2. This act shall come into force on the day of its sanction.