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**2**

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**Laws and Regulations**

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**Summary**

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Legal deposit – 1st Quarter 1968  
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## Coming into force of Acts

Gouvernement du Québec

### **O.C. 180-2002**, 28 February 2002

**An Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions (2001, c. 11)**

— **Coming into force**

COMING INTO FORCE of the Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions

WHEREAS the Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions (2001, c. 11) was assented to on 1 June 2001;

WHEREAS under section 35 of the Act, the provisions of the latter come into force on the date fixed by the Government;

WHEREAS it is expedient to fix 4 March 2002 as the date of coming into force of the Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Culture and Communications and Minister of Culture and Communications:

THAT 4 March 2002 be fixed as the date of coming into force of the Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions (2001, c. 11).

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

4905

Gouvernement du Québec

### **O.C. 191-2002**, 28 February 2002

**An Act to amend the Forest Act and other legislative provisions (2001, c. 6)**

— **Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend the Forest Act and other legislative provisions

WHEREAS the Act to amend the Forest Act and other legislative provisions (2001, c. 6) was assented to on 23 May 2001;

WHEREAS under section 189 of the Act, its provisions come into force not later than 1 April 2005, on the date or dates to be fixed by the Government;

WHEREAS the second and third paragraphs of that section fix 23 May 2001, 1 September 2002, 31 March 2004, 1 April 2005 and 31 August 2006 as the dates of coming into force of several provisions of the Act;

WHEREAS by Order in Council 825-2001 dated 27 June 2001, the Government fixed 27 June and 1 September 2001, 1 January and 1 September 2002, 31 March 2004 and 1 April 2005 as the dates of coming into force of several other provisions of the Act;

WHEREAS it is expedient to fix 1 April 2002 as the date of coming into force of the provisions of section 1, 54, 58 and 158 of the Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT 1 April 2002 be fixed as the date of coming into force of the provisions of section 1, 54, 58 and 158 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6).

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

4906



## Regulations and other acts

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Gouvernement du Québec

### **O.C. 192-2002, 28 February 2002**

Forest Act  
(R.S.Q., c. F-4.1)

#### **Forest royalties Forest management plans and reports — Amendments**

Regulation to amend the Regulation respecting forest royalties and the Regulation respecting forest management plans and reports

WHEREAS under section 5 of the Forest Act (R.S.Q., c. F-4.1), no one may hold a forest permit unless he pays the dues prescribed by the Minister;

WHEREAS under section 172 of the Act, as amended by section 119 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), the Government may, by regulation,

— determine, for each species, group of species and quality of timber or, where applicable, for each area of land, the unit rate or the rules of calculation of the unit rate at which the Minister is to determine, for any class of forest management permit, the dues payable by the permit holder;

— establish forest tariffing zones for the establishment of the unit rates at which the amounts of dues are to be determined by the Minister;

— establish rules for calculating the value of silviculture treatments and other activities as well as contributions to the financing of the treatments or activities admitted as payment of prescribed dues and establish the conditions governing the granting of credits applicable to the payment of dues referred to in the fourth paragraph of section 73.1, including the information, reports or other documents to be prepared or submitted;

— prescribe the form and content of the progress report on silvicultural treatments or other forest management activities submitted to the Minister under section 73.2;

— prescribe the form and content of a general forest management plan, of a five-year forest management plan, of an annual forest management plan, of updatings of a general forest management plan and the form and content of the progress reports an agreement holder is required to submit to the Minister and the times at which the plans and reports are to be submitted;

— establish the rules of calculation of the stumpage value to which the unit rate of the dues prescribed by the Minister for the carrying out of a timber supply and forest management agreement corresponds;

— prescribe a schedule for the payment of the dues payable under the Act;

WHEREAS the Government made the Regulation respecting forest royalties by Order in Council 372-87 dated 18 March 1987;

WHEREAS the Government made the Regulation respecting forest management plans and reports by Order in Council 418-89 dated 22 March 1989;

WHEREAS it is expedient to further amend those Regulations;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 10 October 2001, with notice that on the expiry of 45 days from that publication, it could be made by the Government;

WHEREAS it is expedient to make that Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT the Regulation to amend the Regulation respecting forest royalties and the Regulation respecting forest management plans and reports, attached hereto, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Regulation respecting forest royalties and the Regulation respecting forest management plans and reports

Forest Act

(R.S.Q., c. F-4.1, s. 172, pars. 1 to 3.1 and 7 to 9; 2001, c. 6, s. 119)

**1.** The Regulation respecting forest royalties<sup>1</sup> is amended

(1) by substituting “(R.S.Q., c. F-4.1, s. 172, pars. 1 to 3.1, 8 to 10 and 18.1)” for “(1986, c. 108, s. 172, pars. 1 to 3 and 8 to 10)” before section 1; and

(2) by adding the following before section 1, after the foregoing:

### “DIVISION I FOREST TARIFFING

*§1. Forest tariffing zones”.*

**2.** The following paragraph is added after the second paragraph of section 1:

“Those zones are established for the establishment of the unit rates on which the dues prescribed by the Minister are based, except for the unit rates applicable to the holder of a management permit for the harvest of a volume of bushes or shrubs or only their branches to supply a wood processing plant, for sugar bush management for acericultural purposes or for the harvest of firewood for domestic purposes fixed in section 3, in the first and second paragraphs of section 4 and in section 5.”.

**3.** The following is added after section 1:

*“§2. Unit rates”.*

**4.** Section 2 is amended

(1) by inserting the words “the first paragraph of” after the word “under” in the first paragraph;

(2) by deleting the third paragraph.

**5.** The following is substituted for sections 3 to 11:

“**3.** The unit rate applicable to the holder of a management permit for the harvest of a volume of bushes or shrubs or only their branches for the supply of a wood processing plant is fixed at \$400 per green metric ton, for the Canadian yew.

That rate shall be indexed on 1 April 2003 and thereafter on 1 April of each year, on the basis of the rate of increase in the general Consumer Price Index for Québec during the calendar year preceding the indexing. The index for one year shall be the average of the monthly indexes for Québec as published by Statistics Canada.

The rate thus increased shall be reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it shall be increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.

The Minister of Natural Resources shall publish the result of the indexing in Part I of the *Gazette officielle du Québec*. He may also use any other means to ensure wider publicity.

**4.** The unit rate applicable to the holder of a sugar bush management permit for acericultural purposes is fixed, for 2002, at \$50, \$45, \$40, \$35 or \$30 per hectare according to the location of the sugar bush in one of the following forest tariffing zones:

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#### ZONE 1 (\$50 per hectare)

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1. Région administrative 05 Estrie
2. Région administrative 12 Chaudière-Appalaches, except L'Islet and Montmagny regional county municipalities.
3. Région administrative 16 La Montérégie
4. Région administrative 17 Centre-du-Québec

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#### ZONE 2 (\$45 per hectare)

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1. Région administrative 01 Bas Saint-Laurent, except La Matapédia and Matane regional county municipalities
2. La Jacques-Cartier and Portneuf regional county municipalities
3. Région administrative 04 Mauricie, except Le Haut-Saint-Maurice regional county municipality
4. La Vallée-de-la Gatineau, Les Collines-de-l'Outaouais and Papineau regional county municipalities
5. L'Islet and Montmagny regional county municipalities
6. Régions administratives 14 Lanaudière and 15 les Laurentides

<sup>1</sup> The Regulation respecting forest royalties, made by Order in Council 372-87 dated 18 March 1987 (1987, *G.O.* 2, 1099), was last amended by the Regulation made by Order in Council 96-2001 dated 7 February 2001 (2001, *G.O.* 2, 1221). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.



**ZONE 3** (\$40 per hectare)

1. Charlevoix, Charlevoix-Est and La Côte-de-Beaupré regional county municipalities
2. Municipalité régionale de comté Pontiac

**ZONE 4** (\$35 per hectare)

1. La Matapédia and Matane regional county municipalities
2. Municipalité régionale de comté Avignon
3. Municipalité régionale de comté Témiscamingue

**ZONE 5** (\$30 per hectare)

1. All other territories of Québec not included in zones 1 to 4.

The administrative regions are those determined by the Government by Décret 2000-87 dated 22 December 1987, as it reads at the time of its application.

As of 2003, the unit rate applicable to the holder of a sugar bush management permit for acericultural purposes is fixed to the amounts per hectare according to the location of the sugar bush in one of the following forest tariffing zones :

**ZONE 1** (\$65 per hectare)

1. Région administrative 05 Estrie
2. Région administrative 12 Chaudière-Appalaches, except Bellechasse, Les Etchemins, Montmagny and L'Islet regional county municipalities
3. Région administrative 16 La Montérégie
4. Région administrative 17 Centre-du-Québec

**ZONE 2** (\$50 per hectare)

1. Bellechasse, Les Etchemins, Montmagny and L'Islet regional county municipalities
2. Région administrative 03 La Capitale-Nationale, except Charlevoix and Charlevoix-Est regional county municipalities
3. Région administrative 04 Mauricie, except Mékinac and Le Haut-Saint-Maurice regional county municipalities
4. Région administrative 14 Lanaudière, except Municipalité régionale de comté Matawinie
5. Région administrative 15 Les Laurentides, except Municipalité régionale de comté Antoine-Labelle

**ZONE 3** (\$50 per hectare)

1. Région administrative 01 Bas Saint-Laurent, except Matane, La Matapédia, La Mitis and Rimouski-Neigette regional county municipalities
2. Municipalité régionale de comté Mékinac
3. Municipalité régionale de comté Matawinie
4. Municipalité régionale de comté Antoine-Labelle

**ZONE 4** (\$45 per hectare)

1. Matane, La Matapédia, La Mitis and Rimouski-Neigette regional county municipalities
2. Région administrative 07 Outaouais, except Municipalité régionale de comté Pontiac

**ZONE 5** (\$35 per hectare)

1. Charlevoix and Charlevoix-Est regional county municipalities
2. Municipalité régionale de comté Le Haut-Saint-Maurice
3. Municipalité régionale de comté Pontiac
4. Municipalité régionale de comté Avignon

**ZONE 6** (\$35 per hectare)

1. Municipalité régionale de comté Témiscamingue
2. Bonaventure and La Haute-Gaspésie regional county municipalities

**ZONE 7** (\$30 per hectare)

1. All other territories of Québec not included in zones 1 to 6.

The administrative regions are those determined by the Government by Décret 2000-87 dated 22 December 1987, as it reads at the time of its application.

The unit rate applicable to the holder of a sugar bush management permit for acericultural purposes is, for timber harvested while carrying out silvicultural work intended to favour the production of sap, the rate provided for in section 5 or 6, depending on whether the wood is intended for domestic heating or for another use.

Notwithstanding the foregoing, no dues are exigible from the permit holder where the timber harvested is used in the context of acericultural activities.

5. The unit rate applicable to the holder of a forest management permit for the harvest of firewood for domestic purposes is fixed at \$1.15/ apparent m<sup>3</sup> for any species or group of species.

That rate shall be indexed on 1 April 2003 and thereafter on 1 April of each year, by applying to the \$1.15 amount the annual rates of increase in the general Consumer Price Index for Québec for the period beginning on 1 January 2002 and ending on 31 December of the year preceding the indexing year. The index for one year shall be the average of the monthly indexes for Québec as published by Statistics Canada.

The rate thus increased shall be reduced to the nearest fraction of 0,10 \$/m<sup>3</sup> where it contains a fraction less than 0,03 \$/m<sup>3</sup>; it shall be rounded off to the nearest fraction of 0,05 \$/m<sup>3</sup> where it contains a fraction equal to or greater than 0,03 \$/m<sup>3</sup> but less than 0,08 \$/m<sup>3</sup>; and it shall be increased to the nearest fraction of 0,10 \$/m<sup>3</sup> where it contains a fraction equal to or greater than 0,08 \$/m<sup>3</sup>.

The Minister of Natural Resources shall publish the result of the indexing in Part I of the *Gazette officielle du Québec*. He may also use any other means to ensure wider publicity.

6. The unit rate applicable to the holder of a forest management permit for the harvest of firewood for commercial purposes, for public utility works, for mining activities or for a wildlife, recreational or agricultural development project is the same as the rate applicable to the holder of a timber supply and forest management agreement and of a forest management permit to supply wood processing plants.

The foregoing also applies to the holder of a wood processing plant operating permit referred to in section 92.1 of the Forest Act or the holder of a wood processing plant operating permit for energy production or metallurgical purposes where the permit holder harvests timber under a management permit for the supply of a wood processing plant.

### §3. *Payment of dues*

7. The dues to be paid by the holder of a management permit referred to in section 3 are payable every year upon presentation of an invoice transmitted by the Minister.

8. The dues prescribed for the operation of a sugar bush to be paid by the holder of a management permit referred to in the first and second paragraphs of section 4 are payable every year in two equal instalments, on 31 January and 31 July.

9. The dues to be paid by the holder of a management permit referred to in section 5 are payable upon issuance of the permit.

10. The dues to be paid by the holder of a management permit not referred to in sections 7 to 9 or the holder of a mining right who obtains an authorization under section 213 of the Mining Act (R.S.Q., c. M-13.1) are payable monthly, upon presentation of an invoice transmitted by the Minister, prepared on the basis of scaling or inventory data.

Notwithstanding the foregoing, except for dues that must be paid by the holder of a management permit to supply wood processing plants or those to be paid under section 14.3 of the Forest Act, in exchange for the timber harvested, by the holder of the permit referred to in that section, which remain governed by the provisions of the first paragraph, the dues referred to in that paragraph are payable upon request, upon issuance of the management permit or authorization, or upon presentation of an invoice transmitted by the Minister, where the permit or authorization allows the harvest of a volume of timber less than 500 cubic metres.

## DIVISION II

### VALUE ADMITTED AS PAYMENT OF DUES FOR CERTAIN ACTIVITIES AND PROGRESS REPORT ON FOREST MANAGEMENT ACTIVITIES

§1. *Value of silvicultural treatments and other activities to protect or develop forest resources admitted as payment of dues*

11. The value of silvicultural treatments and other activities intended to promote the protection or development of forest resources carried out by an agreement holder in forests in the domain of the State and admitted as payment of the dues prescribed by the Minister, in accordance with section 73.1 of the Forest Act, shall correspond to the lesser of:

(1) the average unit cost for the carrying out of silvicultural treatments and other similar forest management activities carried out by the Minister under sections 65 and 96 of the Forest Act and calculated by the Minister each year; notwithstanding the foregoing, where the Minister has not, under the above-mentioned sections, carried out silvicultural treatments or other forest management activities similar to those admitted as payment of dues, the value of the silvicultural treatments and other forest resource protection and development activities admitted as such shall be established each year according to the cost approach applicable in matters of real estate assessment, by comparing those treatments and activities to similar treatments and management activities whose unit cost is known;

(2) the cost of carrying out those treatments and activities.

Costs related to management planning such as research of areas to be treated and inventories, costs related to monitoring, costs related to repair of road infrastructures providing access to the work sites, as well as any other cost not directly incurred for the carrying out of silvicultural treatments or other activities to protect or develop forest resources, shall not be considered as part of the cost of carrying out the silvicultural treatments and other activities to protect or develop forest resources. These costs are payable by the agreement holder and are not admitted as payment of dues.

Upon submitting the report referred to in section 70 of the Act, the agreement holder shall provide documents evidencing the cost of carrying out the silvicultural treatments and other activities to protect or develop forest resources, or a financial report related to those costs and audited by an accountant not employed by the agreement holder.

The admissible value shall be expressed in dollars per hectare, per thousand plants, per thousand microsites or per linear or cubic metre.

**12.** The admissible value of silvicultural treatments and other activities to protect or develop forest resources carried out by the agreement holder under an experimental protocol concluded pursuant to section 12 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2) may be increased up to 50% to taken into account the costs of the experiment.

A credit applicable to the payment of the prescribed dues, corresponding to no more than 75% of the admissible value so increased, may, after the conclusion of the experimental protocol, be granted to the agreement holder according to the nature, duration and cost of the project.

An additional credit corresponding to the balance of that value shall be granted to the agreement holder after he files the experimental report.

**13.** The value of the activities to protect or develop forest resources carried out by a third person in a forest management unit, a public forest reserve or a private forest and provided for in an agreement, in accordance with the fourth paragraph of section 73.1 of the Act, shall either be

(1) the unit cost determined by the Minister in accordance with subparagraph 1 of the first paragraph of section 11, if the activities are carried out in a forest in the domain of the State; or

(2) 80% of the sum of the costs for the carrying out of those activities and of the related technical costs, as established in the list of financial assistance rates for the assistance program for the development of private forests elaborated under section 118 of the Act, where forest management activities are carried out in a private forest.

Notwithstanding the foregoing, where the unit cost of an activity has not been fixed by the Minister in accordance with subparagraph 1 of the first paragraph of section 11, or where the value of an activity may not be established using the list referred to in subparagraph 2 of the first paragraph, the value of the activity shall be fixed by the Minister according to the cost approach applicable in matters of real estate assessment, by comparing those activities to similar activities whose unit cost is known.

Ninety percent of the value established in the first or second paragraph or 100% of that value, where the third person carrying out the activities is a non-profit organization, is admissible as payment of the dues prescribed by the Minister.

A credit applicable to the payment of the dues prescribed, corresponding to no more than 75% of the admissible value fixed in accordance with the third paragraph, shall be granted to the agreement holder upon submission of proof of payment of the activities provided for in the agreement.

An additional credit corresponding to the balance of that value shall be granted to the agreement holder following the presentation, by the third person having carried out the activities, of the annual report referred to in the fourth paragraph of section 73.1 of the Act that the third person must make public on that occasion.

## *§2. Progress report on silvicultural treatments and other forest management activities*

**14.** In this Subdivision,

“parcel” means a subdivision of the forest management unit that makes it possible to locate, describe or record biophysical characteristics used as a basis for forest management; (*parcelle*)

“forest management sector” means a part of the forest area measuring a maximum of 250 hectares located within a parcel of the forest management unit and to which the same silvicultural treatment is applied in a given year. (*secteur d'intervention*)

**15.** The progress report on silvicultural treatments and other forest management activities approved by a forest engineer that an agreement holder may submit periodically to the Minister under section 73.2 of the Forest Act shall indicate

(1) the silvicultural treatments and other forest management activities that the latter has carried out in each of the forest management sectors, their area and the number of plants planted, as well as the cost for carrying them out and name of the person who carried them out;

(2) the regional county municipalities where the silvicultural treatments and other forest management activities have been carried out;

(3) a declaration by the agreement holder indicating whether or not he has concluded or not a written contract with a third person for the carrying out of the silvicultural treatments referred to in the progress report and, where applicable, indicating the number and duration of those contracts and the amount of the costs related to the activities referred to in the second paragraph of section 11 that were paid over and above the cost of carrying out those silvicultural treatments.

If several contracts cover the same management unit, the report shall be submitted by the person designated by all the agreement holders carrying on their activities in that unit, in accordance with the Act, and the declaration referred to in subparagraph 3 of the first paragraph shall be signed that person. The report shall contain the information in respect of all agreement holders and shall also describe the distribution among the agreement holders of the provisional credits corresponding to the admissible value of the silvicultural treatments and other forest management activities carried out on that unit.

**16.** For the purposes of the provisions of this Division in respect of forest management activities prior to 1 April 2005, a reference to the management unit is a reference to the common area.”

**6.** The Regulation respecting forest management plans and reports<sup>2</sup> is amended by substituting “(R.S.Q., c. F-4.1, s. 172, pars. 7 and 19)” for “(R.S.Q., c. F-4.1, s. 172, pars. 3.1, 7 and 19)” before section 1.

**7.** Section 6.1 is revoked.

**8.** Division V, comprising section 10, is revoked.

**9.** The following is substituted for section 11 :

“**11.** The annual report of activities referred to in section 70 of the Forest Act shall be submitted no later than 1 September of each year in the form and tenor determined in section 12. That report shall give an account of the forest management activities carried out by the agreement holder under his management permit during the 12 months preceding 1 April of the year where the report must be submitted.”

**10.** The following is substituted for paragraphs 1 and 2 of section 12:

“(1) Part I: Silvicultural treatments and other forest management activities

This part contains the following items, by forest management sector:

— a list of the silvicultural treatments and other forest management activities carried out by the agreement holder under his forest management permit during the year in question;

— the proportion of those treatments or activities provided for in the annual management plan that were completed during that year;

— the area of the territory where those treatments or activities were carried out and the number of plants planted on that territory;

— if several contracts cover the same common area, the distribution among the agreement holders of the credits admissible for the silvicultural treatments and other forest management activities carried out on that area;

This part also contains, by forest management sector, the result of the evaluations referred to in section 170 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), namely:

— an evaluation of the quality of the silvicultural treatments and other forest management activities carried out by the agreement holder during the year in question;

— an evaluation of the state of the forest stands resulting from the silvicultural treatments or other forest management activities carried out by the agreement holder in order to determine their ability to achieve the expected results;

— an evaluation of the volume of ligneous matter usable but not harvested and left on the management sector by the agreement holder, once all silvicultural treatments and other forest management activities have been carried out in that sector.

<sup>2</sup> The Regulation respecting forest management plans and reports, made by Order in Council 418-89 dated 22 March 1989 (1989, G.O. 2, 1553), was amended by the Regulations made by Orders in Council dated 713-92 dated 12 May 1992 (1992, G.O. 2, 2734) and 1594-95 dated 6 December 1995 (1995, G.O. 2, 3574).

## (2) Part II: Destination of timber

This part states the volume of round timber, by the species or group of species specified in the agreement and by the quality of the timber, that the agreement holder has intended for the plant mentioned in the agreement during the year in question.”.

**11.** The following is added after section 16:

“**16.1.** Sections 2 to 6 and 7 to 9 cease to have effect on 31 March 2004.

**16.2.** Sections 1 and 11 to 16 cease to have effect on 31 August 2006 and apply only in respect of forest management activities prior to 1 April 2005.”.

**12.** This Regulation comes into force on 1 April 2000, except sections 4 and 8 introduced by section 5 of this Regulation which come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

4904

Gouvernement du Québec

**O.C. 205-2002, 6 March 2002**

Animal Health Protection Act  
(R.S.Q., c. P-42)

**Cattle**  
— **Identification**

## Regulation respecting the identification of cattle

WHEREAS under section 22.1 of the Animal Health Protection Act (R.S.Q., c. P-42), enacted by section 14 of Chapter 40 of the Statutes 2000, the Government may, by regulation, to ensure animal traceability, establish an identification system for any species or category of animal it determines, require animals to be identified subject to the conditions and according to the rules or procedure it fixes, prescribe the obligations of owners or custodians of animals or of any other person it determines and determine the applicable fees payable;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting the identification of cattle was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2001, with notice that it may be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make that Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation respecting the identification of cattle, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Regulation respecting the identification of cattle

Animal Health Protection Act  
(R.S.Q., c. P-42, s. 22.1; 2000, c. 40, s. 14)

### DIVISION I

#### SCOPE

**1.** An identification system is introduced for all animals of the *Bos taurus* or *Bos indicus* species kept or raised in Québec.

**2.** The animal identification system that the Minister of Agriculture, Fisheries and Food or, where applicable, the managing agency administers shall comprise the following information:

(1) the name and address of the farm of origin of the animal;

(2) the name and address of the owners or, where applicable, of the successive custodians of the animal;

(3) the registration number of the farm if it is registered under the provisions of Division VII.2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14);

(4) the species to which the animal belongs;

(5) the category to which the animal belongs;

(6) the animal's identification, including that recognized under another identification system established by a government in Canada or by the appropriate authority of the country of origin of the animal;

(7) the date of issue of the tags;

(8) the date of identification of the animal;

(9) the animal's sex;

(10) the animal's age;

(11) where applicable, the identification substitute number in case of a loss of the identification number;

(12) where applicable, the transits of the animal outside the farm of origin; and

(13) if the farm comprises more than one production site, the location of each site and the transits of the animal from one site to the other.

In this Regulation, unless the context indicates otherwise,

“farm” means an agricultural operation;

“farm of origin” means the farm where an animal was born or the first farm that receives an animal born in Québec outside a farm;

“management agency” means the agency responsible for the management of the identification system under section 22.3 of the Animal Health Protection Act (R.S.Q., c. P-42; 2000, c. 40, s. 14); and

“production site” means the livestock building or the pasture where the animals of the species referred to in section 1 are kept.

## **DIVISION II** **TAGS**

**3.** The chip tag, the bar code tag or the blank tag used to identify the animals must have the following features:

(1) be made of non toxic materials and be fitted with a fastener;

(2) be designed so as to remain on the animal on which they are affixed at all times;

(3) not be easily modified or falsified;

(4) not be easily counterfeit; and

(5) be of the single-use type.

In addition, the chip tag or the bar code tag must have an identification number of at least seven numbers that can be read easily and correctly and show a sketch of the fleur-de-lys.

**4.** The Minister or, where applicable, the management agency, shall issue or have issued chip tags, bar code tags or blank tags:

(1) at the request of the owner or custodian of the animals on the farm;

(2) at the request of the importer for the animals he imports from outside Canada; or

(3) at the request of the operator of the establishment for livestock auctions in cases where tags are lost.

The person referred to in subparagraphs 1 or 2 of the first paragraph must send, at the time of his request, his name and address as well as the information referred to in subparagraphs 3 and 4 of the first paragraph of section 2 to the person issuing the tags. The person referred to in subparagraph 3 of the first paragraph must send to him his name and address and the information referred to in subparagraph 4 of the first paragraph of section 2.

**5.** The tags issued may be affixed only to animals that are found on the farm or at the establishment for livestock auctions for which the tags were issued. Where tags are issued to the importer, the tags may also be affixed to the animals he imports.

The tags are valid as long as they remain on the animals on which they were affixed. They are no longer valid when lost or removed from the animals or when the fastener is modified or altered.

The tags that have not been used must be kept on the farm or the establishment for livestock auctions, except in the case of an importer. The tags must be shown on request to an inspector under section 22.2 of the Act. The number of those which are lost, destroyed or damaged and of those which are not used when the farm, the establishment for livestock auctions or the importer cease their activities must be sent to the Minister or, where applicable, to the management agency, within 30 days following their loss, destruction, damage or the cessation of their activities.

**6.** Subject to Division VII, no one may remove or have removed the tags that were affixed on animals.

**7.** No one may use on an animal a tag which resembles a tag referred to in section 3, unless the tag is blank.

## **DIVISION III** **IDENTIFICATION**

**8.** Any animal owner, custodian or importer must identify or have any animal that is kept in Québec identified by affixing a chip tag to one of the animal's ears and a bar code tag to the animal's other ear. The tags must comply with the provisions of section 3 and bear the same identification number.

Identification may be carried out on the farm only. An importer may also identify the animal before its importation.

**9.** Where the animal is identified by approved tags, of which one is a chip tag and the other a bar code tag, those tags serve as the corresponding tags referred to in section 8.

Where the animal is identified by a single approved tag, with a bar code or a chip, that tag serves as the corresponding tag referred to in section 8 if the identification of the animal is completed by affixing a complementary tag which bears the same number as that on the approved tag to the animal's other ear.

In this Regulation, "approved tag" means a tag which has been approved under Part XV of the Health of Animals Regulations (C.R.C., c. 296; SOR/91-525; SOR/2000-416).

**10.** Where the animal is identified by the official tags of the country of origin, of which one is a chip tag and the other a bar code tag, those tags serve as the corresponding tags referred to in section 8.

Where the animal is identified only by a chip tag, that tag serves as the chip tag referred to in section 8.

In this Regulation, "official tag of the country of origin" means a tag officially recognized by the appropriate authority of the animal's country of origin and which meets the requirements of Part XV of the Health of Animals Regulations.

**11.** Any animal owner, custodian or importer whose animal is identified only by an approved bar code tag or by an official bar code tag from the country of origin, shall identify it or have it identified in accordance with section 8.

Notwithstanding the first paragraph, the identification of the animal identified by an approved bar code tag may be completed by affixing a chip tag on the animal's other ear which bears the same number as that on the bar code tag.

Where the animal is already identified by an approved chip tag or an official chip tag from the country of origin, the identification shall be completed either by:

(1) affixing a blank tag which must bear the same number as that on the chip tag to the animal's other ear; or

(2) affixing a bar code tag bearing the same number as that on the chip tag to the animal's other ear.

In the cases provided for in the second paragraph and in subparagraph 2 of the third paragraph, the identification must be completed at the farm and the required tags must be ordered as soon as the animal arrives on the farm.

**12.** The identification must be carried out:

(1) for an animal born in Québec:

(a) within seven days following its birth or before its transfer from the farm of origin, whichever comes first;

(b) if the animal is born in pasture and remains there with its mother, within five months following its birth or on its transfer from the pasture, whichever comes first;

(2) for an animal born outside of Québec:

(a) before it is imported or as soon as it arrives at the farm, if it comes from outside Canada; or

(b) as soon as it arrives on the farm, if it is from Canada;

(3) in the cases provided for in the second or third paragraphs of section 11, on the receipt of the tags, except for blank tags which must be affixed as soon as the animal arrives on the farm.

Where the farm comprises more than one production site, the transfer of an animal from such a site is equal to its transfer from the farm if a distance of ten kilometres or more separates the site from the centre of operations.

In this section, "centre of operations" means the place where most of the farm operations are carried out.

**13.** Following the identification, any animal owner, custodian or importer must send to the Minister or, where applicable, to the management agency, the following information, in the following cases and within the following time limits:

(1) is name and address as well as the information referred to in subparagraphs 1 and 3 to 10 and 13 of the first paragraph of section 2, for an animal born in Québec, within seven days following its birth or on the day following its transfer from the farm, whichever comes first; however, if the animal is born in pasture and remains there with its mother, that information must be sent within five months following its birth or on the day following its transfer from the pasture, whichever comes first;

(2) his name and address, the information referred to in subparagraphs 3 to 10 and 12 and 13 of the first

paragraph of section 2 and the name and address of the owner or, where applicable, the previous custodian or, if he cannot send this information, the name and address of the carrier as well as the identification of the vehicle used to transport the animal, for an animal from outside Québec which arrives on the farm, within seven days following the arrival of the animal on the farm or before its transfer from the farm, whichever comes first.

**14.** Except where otherwise provided for in the Act, where a first farm receives an animal born in Québec outside a farm, where an animal is transported in a road vehicle which is only crossing through the territory of Québec without being left there and in the cases provided for in item *a* of subparagraph 2 of the first paragraph of section 12 and in sections 16, 25 and 27, no one may remove or have an animal removed from a place, transport it or have it transported, receive it or have it received, if it is not identified by at least one chip tag or bar code tag. However, no one may remove or have an animal removed from a farm if the animal is not identified in accordance with section 8.

**15.** No one may make a declaration which he knows or should have known to be erroneous, or a false or misleading declaration concerning the information to be provided in accordance with this Regulation.

#### DIVISION IV LOSS OF TAGS

**16.** Any animal owner or custodian shall, in accordance with section 8, identify or have any unidentified animal which has lost its tags reidentified immediately at the farm.

If the labels are lost during the transportation to the farm or establishment for livestock auctions, the animal may be continue to be transported and received. However, it must be identified immediately in accordance with the first paragraph of section 8, at the expense of the animal's owner. The person referred to in the first paragraph or, as the case may be, the operator of the establishment must keep a register and record therein enough information to establish the origin of the animal such as the following:

(1) if they are known or should have been known, the number of the lost tags and, where more than one tag has been affixed to the animal since its birth, the number of each one;

(2) the date on which the animal arrived at the farm or establishment and was reidentified, as well as the name and address of the animal's owner or custodian on that date and its place of origin;

(3) the identification of the vehicle used to transport the animal to the farm or establishment where the new tags were affixed and the name and address of the carrier;

(4) the number of the new tags; and

(5) the species to which the animal belongs.

Moreover, if the tags are lost during transportation to an establishment for livestock auctions, the operator of the establishment must notify the owner that the animal will be auctioned as livestock and will then be taken to the slaughterhouse, and he must inform the purchaser thereof. After the auction, the purchaser of the animal must have the animal taken directly to the slaughterhouse for slaughter.

If the tags are lost during transportation to the slaughterhouse, the animal may be received. The slaughterhouse operator must keep a register and record therein the information referred to in the second paragraph, *mutatis mutandis*.

Any supporting document used to establish the origin of the animal and the registers must be kept at the farm, at the establishment for livestock auctions or at the slaughterhouse, as the case may be. The supporting documents must be kept during at least three years in chronological order from their receipt or drawing up and the registers from the last entry. These supporting documents and registers must be shown on request to an inspector provided for in section 22.2 of the Act.

**17.** Any animal owner or custodian shall, in accordance with section 8, identify or have an animal which has lost its chip tag identified at the farm as soon as the loss is observed.

Notwithstanding the first paragraph, the identification of an animal may be completed by affixing a chip tag bearing the same number as the one on the bar code tag to the animal's other ear.

If the animal loses the bar code tag or that replacing it, the identification must be completed in one of the following manners:

(1) by affixing a blank tag bearing the same number as that on the chip tag to the animal's other ear, as soon as the loss is observed; or

(2) by affixing a bar code tag bearing the same number as the chip tag to the animal's other ear.



In the cases referred to in the second paragraph and in subparagraph 2 of the third paragraph, the identification must be completed at the farm and the required tags must be ordered as soon as the loss is observed, and affixed as soon as they are received.

**18.** In the cases referred to in the first or second paragraph of section 16, the animal owner or custodian or, where applicable, the operator of the establishment for livestock auctions must send to the Minister, or, where applicable, to the management agency, his name and address as well as, where applicable, the information referred to in the second paragraph of this section within seven days following the observation of the loss or before the transfer of the animal from the farm, whichever comes first or, if the animal comes from outside Canada, within seven days following the arrival of the animal on the farm.

**19.** In the case referred to in the first paragraph of section 17, the animal owner or custodian must send to the Minister or, where applicable, to the management agency, his name and address, the name and address of the farm as well as the information referred to in subparagraphs 3, 6, 8 and 11 of the first paragraph of section 2 within seven days following the observation of the loss or before the transfer of the animal from the farm, whichever comes first.

#### **DIVISION V TRANSITS**

**20.** Any person who receives an animal must send to the Minister or, where applicable, to the management agency, the following information, in the following cases and time limits:

(1) his name and address, the information referred to in subparagraphs 3, 4, 6, 9, 10, 12 and 13 of the first paragraph of section 2 and the name and address of the owner or, where applicable, of the previous custodian or, if he cannot provide that information, the name and address of the carrier as well of the identification of the vehicle used to transport the animal, for an animal received at the farm, except if the information is sent in accordance with Divisions III or IV, within seven days following the animal's arrival on the farm or before its transfer from the farm, whichever comes first;

(2) his name and address, the information referred to in subparagraphs 6 and 12 of the first paragraph of section 2 and the name and address of the owner or, where applicable, the previous custodian or, if he cannot provide that information, the name and address of the carrier as well as the identification of the vehicle used to transport the animal, for an animal received in any place other than a farm or community pasture and except if the

information is sent in accordance with Divisions III or IV or section 25, within seven days following the receipt or the end of the exhibition of the animal or following the recuperation or receipt of the dead animal, as the case may be.

**21.** Any animal owner or custodian, except for a carrier, who sends an animal to a community pasture must send to the Minister or, where applicable, to the management agency, his name and address, those of the manager of the pasture and the information referred to in subparagraphs 3, 6 and 12 of the first paragraph of section 2 within seven days following the arrival of the animal at the pasture, or before its transfer from the pasture, whichever comes first.

In this Regulation, "community pasture" means a site where animals from different farms may be found.

**22.** Any animal owner or custodian, except for a carrier, who transfers an animal outside of Québec must send to the Minister or, where applicable, to the management agency, his name and address, the name and address of the farm, the information referred to in subparagraphs 3, 6 and 12 of the first paragraph of section 2 and the name and address of the owner or, where applicable, of the following custodian or, where he cannot send that information, the name and address of the carrier as well as the identification of the vehicle used to transport the animal within seven days following its transfer outside Québec.

**23.** Any person who transports an animal must send to the Minister or, where applicable, to the management agency, his name and address, those of the owner or, where applicable, of the previous and following custodian as well as the information referred to in subparagraphs 6, 12 and 13 of the first paragraph of section 2 within seven days following the transportation.

#### **DIVISION VI TRANSFER OF OWNERSHIP**

**24.** Where the ownership of a farm is transferred, the assignor must send to the Minister or, where applicable, to the management agency, the name and address of the farm and the information referred to in subparagraphs 2 and 3 of the first paragraph of section 2 within 30 days following the transfer.

#### **DIVISION VII DEATH OR SLAUGHTER OF AN ANIMAL**

**25.** The operator of a slaughterhouse may receive an unidentified animal from outside Canada for immediate slaughter. In such a case, he must keep a register for at least three years from the last entry and record therein the following information:

(1) the date on which the animal arrived at the slaughterhouse as well as the name and address of the animal's owner or custodian on that date and its site of origin;

(2) the identification of the vehicle used to transport the animal to the slaughterhouse and the name and address of the carrier; and

(3) the species to which the animal belongs.

Moreover, the operator of the slaughterhouse must send to the Minister or, where applicable, to the management agency, within seven days following the arrival of the animal at the slaughterhouse, his name and address as well as the information referred to in the first paragraph.

**26.** The operator of a slaughterhouse may remove the tags from an animal which is slaughtered there.

In the same way, the operator of a rendering plant or the person in charge of an animal pathology laboratory who keeps a dead animal elsewhere than at the farm where the animal died and the inspector provided for in section 22.2 of the Act may remove its tags.

**27.** A waste collector who recovers an unidentified dead animal must send to the Minister or, where applicable, to the management agency, within the seven days following the recovery, his name and address, those of the owner or custodian of the animal on that date as well as the date and place of the recovery.

**28.** Any animal owner or custodian must, within seven days following the death at the farm of an animal which has not been recovered by a waste collector or a rendering plant, report it to the Minister or, where applicable, to the management agency and send to him his name and address as well as the information referred to in subparagraphs 3, 6 and 13 of the first paragraph of section 2.

## DIVISION VIII

### MISCELLANEOUS AND FINAL

**29.** Any animal owner or custodian shall, before 15 April 2002, identify or have all the animals he keeps in Québec on 14 April 2002 identified at the farm by affixing a chip tag on one of the animal's ears and a bar code tag on the other; both tags shall comply with the requirements of section 3 and bear the same identification number. Furthermore, he must send to the Minister or, where applicable, to the management agency, his name and address, the name and address of the farm as well as the information referred to in subparagraph 1 of the first paragraph of section 2, if in this last case he knows that information or should have known it, and

that referred to in subparagraphs 3 to 10 and 13 of that paragraph before 1 June 2002 or before the transfer of the animal from the farm, whichever comes first.

**30.** Until 15 April 2005 and notwithstanding the provisions of sections 13, 18 and 19, of paragraph 1 of section 20, of sections 21, 22 and 28, the person who owns a farm has a time limit of 45 days from the date of the event instead of the time limit of seven days prescribed by those provisions to send to the Minister or, where applicable, to the management agency, the information required by those provisions. However, in the case of paragraph 2 of section 13 and of sections 18 and 20 for an animal from outside Canada and of section 22 if the animal is sent outside Canada, the person operating a farm has a time limit of 30 days from the date of the event instead of the time limit of seven days prescribed by these provisions.

**31.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 8 to 15, the first, second and fourth paragraphs of section 16 and sections 17 to 22 and 24 to 28 which come into force on 15 April 2002 and the third paragraph of section 16 and section 23 which come into force on 1 January 2004.

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Gouvernement du Québec

## O.C. 218-2002, 6 March 2002

Nurses Act  
(R.S.Q., c. I-8)

### Nurses

— Acts contemplated in section 36 of the Act which may be performed by classes of persons other than nurses

### — Amendment

Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses

WHEREAS under subparagraph *a* of the first paragraph of section 12 of the Nurses Act (R.S.Q., c. I-8), the Bureau of the Ordre des infirmières et infirmiers du Québec shall, by regulation, determine from among the acts contemplated in section 36 of the Act those which, under certain prescribed conditions, may be performed by classes of persons other than nurses, particularly by nursing assistants;

WHEREAS in accordance with the second paragraph of section 12 of the Nurses Act, the Bureau of the Order consulted the Office des professions du Québec and the Ordre des infirmières et infirmiers auxiliaires du Québec prior to the adoption of the Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses;

WHEREAS the Bureau of the Ordre des infirmières et infirmiers du Québec adopted the Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 31 October 2001, with a notice that it could be submitted to the Government which could approve it with or without amendment, upon the expiry of 45 days following the date of its publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses\***

Nurses Act  
(R.S.Q., c. I-8, s. 12, 1st par., subpar. a)

**1.** Section 5.03 of the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses is amended by adding the following paragraph at the end:

“Notwithstanding the foregoing, the first paragraph does not apply to a person who is a nursing assistant as of 28 March 2002.”.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

**O.C. 219-2002, 6 March 2002**

Medical Act  
(R.S.Q., c. M-9)

**Physicians**  
— **Acts contemplated in section 31 of the Act which may be done by classes of persons other than physicians**  
— **Amendments**

Regulation to amend the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians

WHEREAS under subparagraph *b* of the first paragraph of section 19 of the Medical Act (R.S.Q., c. M-9), the Bureau of the Collège des médecins du Québec shall by regulation determine among the acts contemplated in section 31 of the Act those which, under certain prescribed conditions, may be done by classes of persons other than physicians;

\* The Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses (R.R.Q., 1981, c. I-8, r. 1) has not been amended.

WHEREAS in accordance with the second paragraph of section 19 of the Medical Act, the Office des professions du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec and the Ordre des technologistes médicaux du Québec were consulted prior to the adoption of the Regulation to amend the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians;

WHEREAS the Bureau of the Collège adopted the Regulation to amend the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 31 October 2001 with a notice that it could be submitted to the Government which could approve it with or without amendment, upon the expiry of 45 days following the date of its publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## **Regulation to amend the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians\***

Medical Act  
(R.S.Q., c. M-9, s. 19, 1st par., subpar. b)

**1.** Section 5.06 of the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians is amended by adding the following paragraph at the end:

“The first and second paragraphs do not apply to nursing assistants as of 28 March 2002.”.

**2.** Section 5.07 is amended by adding the following paragraph at the end:

“Notwithstanding the foregoing, the first paragraph does not apply to medical technologists as of 28 March 2002.”.

**3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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\* The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on 18 September 1981 (1982, *G.O.* 2, 22) was last amended by the Regulation approved by Order in Council 964-2001 dated 23 August 2001 (2001, *G.O.* 2, 4862). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

**M.O. 2002-003****Order of the Minister responsible for Wildlife and Parks dated 22 February 2002**

Replacement of Schedule 19 to Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 15 of Chapter 48 of the Statutes of 2000, which provides that the Minister may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view, primarily, of increased utilisation of wildlife resources and secondarily, the practice of recreational activities ;

CONSIDERING that the Government, by Order in Council 573-87 dated 8 April 1987, as amended by Orders in Council 497-91 dated 10 April 1991, 534-93 dated 7 April 1993, 904-95 dated 28 June 1995, 25-96 dated 10 January 1996, 952-97 dated 30 July 1997, 1439-97 dated 5 November 1997, 98-98 dated 28 January 1998, 245-98 dated 4 March 1998 and 739-98 dated 3 June 1998, designated and delimited the areas on land in the domain of the State described in Schedules 1 to 201 to that Order in Council in view to increasing utilization of wildlife resources ;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced by an order of the Minister ;

CONSIDERING the making by the Government of Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State ;

CONSIDERING that it is expedient to replace schedule 19 of Order in Council 573-87 dated 8 April 1987 ;

ORDERS that :

Schedule 19, attached hereto be substituted for Schedule 19 to Order in Council 573-87 dated 8 April 1987.

This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 22 February 2002

RICHARD LEGENDRE,  
*Minister responsible for Wildlife and Parks*

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## Draft Regulations

### Draft Regulations

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

#### Hunting and fishing controlled zones — Amendments

#### Salmon fishing controlled zones — Amendments

#### Wildfowl hunting controlled zones — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting hunting and fishing controlled zones, the Regulation to amend the Regulation respecting salmon fishing controlled zones and the Regulation to amend the Regulation respecting wildfowl hunting controlled zones, the texts of which appear below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulations is to amend each of the Regulations applicable to ZECs to follow-up on the new legislative provisions concerning recreational activities, as well as to make technical and concordance amendments.

To that end, one of them imposes, in respect of fishing and hunting ZECs, the obligation to pay fees for the carrying on of a recreational activity forming part of a development plan approved by the Société de la faune et des parcs du Québec on the person who carries on such an activity. It also allows any agency managing the ZECs to divide the territory into sectors for the carrying on of recreational activities.

In respect of hunting and fishing ZECs and salmon fishing ZECs, the draft Regulation also proposes a new registration procedure which is to provide the licence plate number of each vehicle used in the ZEC.

To date, study of the matter has revealed some negative impact since users will eventually have to pay fees in order to carry on certain recreational activities in hunting and fishing ZECs.

Further information may be obtained by contacting

Michel Jean  
Société de la faune et des parcs du Québec  
Direction des territoires fauniques et de la réglementation  
675, boulevard René-Lévesque Est, 11<sup>e</sup> étage, boîte 96  
Québec (Québec)  
G1R 5V7

Telephone: (418) 521-3880 extension 4095  
Fax: (418) 646-5179

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 900, boulevard René-Lévesque Est, bureau 336, Québec (Québec) G1R 2B5.

RICHARD LEGENDRE,  
*Minister responsible for Wildlife and Parks*

### Regulation to amend the Regulation respecting hunting and fishing controlled zones \*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 110, 1st par., subpars. 2, 2.1 and 6, par. d, and 2nd par.; 2000, c. 48, s. 20)

**1.** Section 1 of the Regulation respecting hunting and fishing controlled zones is amended by substituting “section 2” for “section 1” in the definition of “small game”.

**2.** Section 3 is amended by adding the following at the end of subparagraph 2 of the second paragraph:

“and provide the officer with the licence plate number of each vehicle he uses;”.

**3.** Section 5 is amended by substituting the words “, into fishing sectors or into sectors for other recreational activities ” for the words “or into fishing sectors”.

\* The Regulation respecting hunting and fishing controlled zones was made by Order in Council 1255-99 dated 17 November 1999 (1999, G.O. 2, 4381) and has not been amended since.

**4.** The second paragraph of section 19 is amended

(1) by substituting the words “dont la propriété est privée” for the word “privé” in subparagraph 2 of the French text; and

(2) by substituting the words “domain of the State” for the words “public domain” and the words “granted, in a wildlife reserve, in another controlled zone” for the word “granted” in subparagraph 5.

**5.** The Regulation is amended by inserting the following after section 19:

“**19.1** A person may not, in a ZEC, carry on a recreational activity forming part of a development plan approved by the Société in accordance with section 106.01 of the Act respecting the conservation and development of wildlife unless that person has paid the amount of fees fixed under that provision.”.

**6.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

**Regulation to amend the Regulation respecting salmon fishing controlled zones\***

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C- 61.1, s. 110, 1st par., subpar. 2, 2nd par. ; 2000, c. 48, s. 20)

**1.** Section 3 of the Regulation respecting salmon fishing controlled zones is amended by adding the following at the end of subparagraph 2 of the second paragraph:

“and provide the officer with the licence plate number of each vehicle used by that person;”.

**2.** The second paragraph of section 16 is amended

(1) by substituting the words “dont la propriété est privée” for the word “privé” in subparagraph 2 of the French text; and

(2) by substituting the words “domain of the State” for the words “public domain” and the words “granted, in a wildlife reserve, in another controlled zone or in” for the words “granted or to reach” in subparagraph 5.

**3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

**Regulation to amend the Regulation respecting wildfowl hunting controlled zones\***

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s 110; 2000, c. 48, s. 20)

**1.** Section 1 of the Regulation respecting wildfowl hunting controlled zones is amended by substituting “section 2” for “section 3” in the definition of “wildfowl”.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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\* The Regulation respecting salmon fishing controlled zones was made by Order in Council 1255-99 dated 17 November 1999 (1999, G.O. 2, 4381) and has not been amended since.

\* The Regulation respecting wildfowl hunting controlled zones was made by Order in Council 1255-999 dated 17 November 1999 (1999, G.O. 2, 4381) and has not been amended since.



## Municipal Affairs

Gouvernement du Québec

### **O.C. 178-2002, 28 February 2002**

Amalgamation of Municipalité de Northfield, Village de Gracefield and Canton de Wright

WHEREAS each of the municipal councils of Municipalité de Northfield, Village de Gracefield and Canton de Wright adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objections were sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT the application be granted and that a local municipality be constituted through the amalgamation of Municipalité de Northfield, Village de Gracefield and Canton de Wright, on the following conditions:

1. The name of the new town shall be “Ville de Wright-Gracefield Northfield”.

In conjunction with the first general election, a referendum shall be held, in accordance with section 517 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) to consult the qualified voters on the name to be given to the new municipality among the following: Ville de Wright, Ville de Gracefield, Ville de Northfield or any other name determined by the provisional council members. The elected council members shall, as soon as possible and in accordance with the Act respecting municipal territorial organization, apply to have the name changed so that the name chosen by referendum is attributed. The second paragraph of section 517 of the Act respecting elections and referendums in municipalities does not apply to the election held under this paragraph.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 6 December 2001; that description appears as a Schedule to this Order in Council.

3. The new town shall be governed by the Cities and Towns Act (R.S.Q., c. C-19).

4. The territory of municipalité régionale de comté de la Vallée-de-la-Gatineau covers the territory of the former municipalities.

5. Until a majority of the candidates elected in the first general election takes office, the new town shall be administered by a provisional council made up of the council members of the former municipalities who were in office at the time of the coming into force of this Order in Council.

If a seat on the council of a former municipality is vacant upon the coming into force of this Order in Council or for each seat that becomes vacant thereafter, an additional vote on the provisional council shall be granted to the mayor of the municipality of origin of the council member whose seat has become vacant.

Should the vacant seat be that of the mayor, the mayor's votes shall be allotted to the councillor who was acting mayor of the same former municipality before the coming into force of this Order in Council; should that councillor's seat also be vacant, the votes shall be allotted to a provisional council member from that former municipality and designated by the other provisional council members from that former municipality.

6. Until the mayor elected in the first general election takes office and

(1) upon the coming into force of this Order in Council, the mayor of the former Canton de Wright, the mayor of the former Village de Gracefield and the mayor of the former Municipalité de Northfield shall alternate every month in that order as mayor of the new town;

(2) upon the coming into force of this Order in Council, the mayor of the former Municipalité de Northfield, the mayor of the former Canton de Wright and the mayor of the former Village de Gracefield shall alternate every month in that order as acting mayor of the new town.

Until the mayor elected in the first general election takes office, the mayors shall continue to sit on the council of Municipalité régionale de comté de La Vallée-de-la-Gatineau and shall have the same number of votes as before the coming into force of this Order in Council. They shall continue to take part in the committees and carry out any other duties related to the regional county municipality.

A majority of the members in office at any time shall constitute the quorum for the provisional council meetings.

7. The first sitting of the provisional council shall be held at the Centre récréatif et communautaire Vallée-de-la-Gatineau.

8. The members of the provisional council shall continue to receive the same salary as before the amalgamation in their respective municipalities.

9. Jacques A. Bédard, secretary-treasurer of the former Municipalité de Northfield, shall act as the first clerk of the new town.

10. The first general election shall be held on 4 August 2002.

The second general election shall be held in 2005.

11. For the first general election and for any partial election held before the second general election, the only persons eligible for seats 1 and 2 are the persons who would be eligible under the Act respecting elections and referendums in municipalities if such an election were an election of the council members of the former Canton de Wright, the only persons eligible for seats 3 and 4 are the persons who would be eligible under that Act if such election were an election of the council members of the former Village de Gracefield and the only persons eligible for seats 5 and 6 are the persons who would be eligible under that Act if such election were an election of the council members of the former Municipalité de Northfield.

12. The terms and conditions for apportioning the cost of shared recreation services provided for in intermunicipal agreements shall apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

13. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Wright-Gracefield-Northfield". The name of the bureau may be changed the first time by a simple resolution of the board of directors within one year of its constitution. Notice of the name change must be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

The municipal housing bureau shall succeed on the date of coming into force of this Order in Council to the municipal housing bureau of the former Village de Gracefield, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) shall apply to the new municipal housing bureau as though it had been incorporated by letters patent under section 57 of that Act.

The bureau shall be administered by a board of directors formed of seven members. Three members shall be appointed by the council of Ville de Wright-Gracefield-Northfield, two elected by all the lessees of the bureau, in accordance with the Act respecting the Société d'habitation du Québec and two shall be appointed by the Minister of Municipal Affairs and Greater Montréal, after consultation, from among the most representative socio-economic groups of the bureau's territory.

Until a majority of the candidates elected in the first general election takes office, the board members shall be the members of the former bureau.

The directors shall elect from among themselves a chair, vice-chair and any other officer they deem necessary to appoint.

The term of the board of directors is three years and is renewable. If their term expires, the board members shall remain in office until reappointed or replaced.

The quorum for the meetings shall be the majority of the members in office.

The directors may, from the coming into force of this Order in Council,

(1) secure loans on behalf of the bureau ;

(2) issue debentures or other securities of the bureau and use them as a guarantee or dispose of them for the price and amount deemed appropriate ;

(3) hypothecate or use as collateral the present or future immovables or movables of the bureau to ensure the payment of such debentures or other securities, or give only part of the guarantees for those purposes ;

(4) hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of surety, to ensure the payment of loans secured other than by the issue of debentures, as well as the payment or execution of other debts, contracts and commitments of the bureau ; and

(5) subject to the Act respecting the Société d'habitation du Québec, the regulations made under that Act and the directives issued by the Société, adopt any by-law deemed necessary or useful for the internal management of the bureau.

The employees of the bureau that has been dissolved shall become, without reduction in salary, employees of the bureau, and shall retain their seniority and fringe benefits.

Within fifteen days of their adoption, the bureau shall send to the Société d'habitation du Québec a certified true copy of the by-laws and resolutions appointing or dismissing a member or administrator.

14. If a budget was adopted by a former municipality for the fiscal year in which this Order in Council comes into force:

(1) the budget shall remain applicable;

(2) the expenditures and revenues of the new town, for the remaining part of the fiscal year in which this Order in Council comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

(3) an expenditure recognized by the council of the new town as resulting from the amalgamation shall be charged to the former municipality, based on its standardized property value in proportion to the total values of the former municipalities, as they appear on the financial statements of the former municipalities for the fiscal year preceding the year in which this Order in Council comes into force;

(4) the subsidy paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), after deducting the expenditures recognized by the council under paragraph 3 and financed by the subsidy, shall constitute a reserve to be paid into the general working fund of the new town for the first fiscal year for which it adopts a budget for the entire territory it covers; and

(5) if the new town receives an additional \$50 per inhabitant under the Programme d'aide financière au regroupement municipal (PAFREM), which corresponds to the population of the former Village de Gracefield, the amount shall be paid into the surplus accumulated on behalf of that former municipality.

15. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall

be used for the benefit of the ratepayers of the sector made up of the territory of the former municipality to carry out work in that sector or to repay any debt charged to the sector.

16. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year in which separate budgets were adopted shall continue to be charged to all the taxable immovables of the sector made up of the territory of the former municipality.

17. The annual repayment of the instalments in principal and interest of the loan made by the former Village de Gracefield under By-law 181 shall be charged to all the taxable immovables of the sector made up of the territory of the former municipality, in accordance with the tax clauses provided for in the by-law. The annual repayment of the instalments in principal and interest of the loan made by the former Municipalité de Northfield under by-laws 197 and 217 shall be charged to all the taxable immovables of the sector made up of the territory of the former municipality, in accordance with the tax clauses provided for in the by-laws.

If the new town decides to amend the tax clauses in accordance with the law, the amendments may only apply to the taxable immovables located in the sector made up of the territory of the former municipality that adopted the by-law.

If applicable, the available balance of all the loan by-laws referred to above shall be used for the annual repayment in principal and interest of the loans, or, if the negotiable instruments were issued for a shorter term that originally determined, they shall be used to reduce the balance of the loans.

18. For the first five fiscal years following the coming into force of this Order in Council, a tax rebate shall be credited to all the taxable immovables of the sector made up of the territory of the former Canton de Wright and the former Municipalité de Northfield, based on the values that appear on the assessment roll in effect each year.

Following the amalgamation, the tax rebate shall be,

for the first year, \$0.25 per \$100 assessment;

for the second year, \$0.20 per \$100 assessment;

for the third year, \$0.15 per \$100 assessment;

for the fourth year, \$0.10 per \$100 assessment;

for the fifth year, \$0.05 per \$100 assessment.

19. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new town in order to replace all the zoning and subdivision by-laws applicable to the territory of the new town by a new zoning by-law and a new subdivision by-law applicable to the entire territory of the new town respectively, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the entire territory of the new town.

Such regulation must be approved in accordance with the Act respecting elections and referendums in municipalities by the qualified voters of the entire territory of the new town.

20. Any debt or gain that may result from legal proceedings for any act performed by a former municipality before the coming into force of this Order in Council shall continue to be charged or credited to all the taxable immovables of the sector made up of the territory of the former municipality.

For the first five years following the coming into force of this Order in Council, any proceeds from the sale of an asset belonging to a former municipality shall be paid into the surplus accumulated on behalf of the former municipality.

21. This Order in Council shall come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## SCHEDULE

### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF VILLE DE WRIGHT-GRACEFIELD-NORTHFIELD IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA VALLÉE-DE-LA-GATINEAU

The territory of the new Ville de Wright-Gracefield-Northfield, in Municipalité régionale de comté de La Vallée-de-la-Gatineau, following the amalgamation of the Canton de Wright, Municipalité de Northfield and Village de Gracefield, in Municipalité régionale de comté

de La Vallée-de-la-Gatineau, includes all the lots of the cadastres of the townships of Blake, Northfield, Wright and Village de Gracefield, lines of communication, hydrographic and topographic features, built-up lots and the parts thereof within the perimeter starting at the apex of the northeastern angle of Lot 57 of Rang 5 of the cadastre of Canton de Blake and running along, successively, the following lines and demarcations: southerly, the dividing line between ranges 5 and 4 of the cadastre of Canton de Blake, that line crossing several lakes that it meets; westerly, successively, part of the southern line of the cadastre of Canton de Blake crossing Baie Bertrand in Lac Pemichangan, the southern line of the cadastre of Canton de Northfield across Lac Heney and extending through Rivière Gatineau, then the southern line of the cadastre of Canton de Wright, the latter crossing Route 105, the railway (Lot 59 of the said cadastre), Rivière Picanoc and the secondary roads that it meets; northerly, the dividing line between the cadastres of the townships of Wright and Dorion; easterly, part of the dividing line between the cadastres of the townships of Wright and Bouchette to the dividing line between ranges 7 and 6 and the former cadastre, that line crossing the Lac des îles that it meets; in reference to the cadastre of Canton de Wright, southerly, part of the dividing line between the said ranges extended into Lac Profond to the westerly extension of the northern line of Lot 55 of Rang 6; easterly, the said extension and the northern line of the said lot; southerly, part of the dividing line between ranges 6 and 5 to the southern line of Lot 53 of Rang 5; easterly, the southern line of the said lot, that line extended through Lac Perreault that it meets; northerly, the dividing line between ranges 4 and 5 to the northern line of Lot 4 of Rang 4; easterly, the northern line of the said lot, that line crossing the railway (Lot 60 of the said cadastre); northerly, the western shore of Lac du Castor Blanc to the northern line of the said cadastre; easterly, successively, part of the northern line of the said cadastre and its extension to the centre line of Rivière Gatineau, that line crossing, in its first section, Route 105 that it meets; southerly, the centre line of the said river downstream and skirting to the left the islands closest to the right bank and to the right the islands closest to the left bank to the westerly extension of the northern line of Lot 51 of Rang 3 of the cadastre of Canton de Northfield; in reference to that cadastre, easterly, the said extension and the said lot line, that line extended, in its last section, across Chemin de Bouchette that it meets; northerly, part of the dividing line between ranges 4 and 3 to the dividing line between the cadastres of the townships of Northfield and Cameron; easterly, part of the broken line dividing the cadastres of the townships of Northfield and Blake from the cadastre of Canton de Cameron to the apex of the southeastern angle of Lot 1 of Rang 6 of the cadastre of Canton de Cameron situated on the west bank of Baie Malone;

northeasterly, a straight line across the said bay, passing north of île 21 and île 22 of Lac des Trente et Un Milles of the cadastre of Canton de Cameron to the east bank of Baie Malone; in a general southerly direction, the east bank of the said bay to the southernmost point of Lot A of Rang 6 of the cadastre of Canton de Cameron; into Lac des Trente et Un Milles, easterly, a straight line to the southernmost point of île à la Croix, that is, facing the centre of île 39 of Lac des Trente et Un Milles of the cadastre of Canton de Blake; successively, easterly and northerly, the southern and eastern borders of the said island to a straight line on a bearing of  $220^{\circ}00'$ , originating from the meeting point of the east bank of Lac des Trente et Un Milles with the northern line of Lot 57 of Rang 5 of the cadastre of Canton de Blake; northeasterly, in Lac des Trente et Un Milles, the said straight line; finally, easterly, the northern line of Lot 57 of Rang 5 of the cadastre of the said township to the starting point.

The directions are astronomical azimuths in reference to the local meridian.

Ministère des Ressources naturelles  
Direction de l'information foncière sur le territoire public  
Division de l'arpentage foncier

Charlesbourg, December 6, 2001

Prepared by: JEAN-PIERRE LACROIX,  
*Land surveyor*

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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