

Gazette
officielle
DU Québec

Part

2

No. 9

3 March 2010

Laws and Regulations

Volume 142

Summary

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Part 2 – LAWS AND REGULATIONS

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Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Partie 1 “Avis juridiques”:	\$185	\$163
Partie 2 “Lois et règlements”:	\$253	\$219
Part 2 “Laws and Regulations”:	\$253	\$219

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$9.54 per copy.
3. Downloading of documents from the Internet version of the *Gazette officielle du Québec* Part 2: \$6.74.
4. Publication of a notice in Partie 1: \$1.29 per agate line.
5. Publication of a notice in Part 2: \$0.85 per agate line. A minimum rate of \$186 is applied, however, in the case of a publication of fewer than 220 agate lines.

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The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

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1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

Internet: www.publicationsduquebec.gouv.qc.ca

Printed:

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
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Regulations and other Acts

Gouvernement du Québec

O.C. 104-2010, 17 February 2010

An Act respecting threatened or vulnerable species
(R.S.Q., c. E-12.01)

Threatened or vulnerable plant species and their habitats — Amendments

Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats

WHEREAS, under section 10 of the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01), the Government may, upon the joint recommendation of the Minister of Sustainable Development, Environment and Parks and the Minister of Natural Resources and Wildlife, and after consultation with the ministers mentioned in the third paragraph of section 6 of the Act, designate, as a threatened or vulnerable species, any species requiring it;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats was published in Part 2 of the *Gazette officielle du Québec* of 2 September 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments were received following the publication of the draft Regulation in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks, the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats*

An Act respecting threatened or vulnerable species
(R.S.Q., c. E-12.01, s. 10)

1. The Regulation respecting threatened or vulnerable plant species and their habitats is amended in section 2

(1) by replacing

(a) “l’arnica de Griscom sous-espèce de Griscom (*Arnica griscomii* Fernald subsp. *griscomii*)” in the French text by “l’arnica de Griscom (*Arnica griscomii* Fernald subsp. *griscomii*)”;

(b) “l’asclépiade tubéreuse variété de l’intérieur (*Asclepias tuberosa* (Linnaeus) var. *interior* (Woodson) Shinners)” in the French text by “l’asclépiade tubéreuse (*Asclepias tuberosa* (Linnaeus) var. *interior* (Woodson) Shinners)”;

(c) “l’aster du Saint-Laurent (*Symphyotrichum laurentianum* (Fernald) Nesom)” in the French text by “l’aster du golfe Saint-Laurent (*Symphyotrichum laurentianum* (Fernald) Nesom)”;

(d) “l’astragale de Robbins variété de Fernald (*Astragalus robbinsii* (Oakes) A. Gray var. *fernaldii* (Rydberg) Barneby)” in the French text by “l’astragale de Fernald (*Astragalus robbinsii* (Oakes) A. Gray var. *fernaldii* (Rydberg) Barneby)”;

(e) “l’athyrie alpestre sous-espèce américaine (*Athyrium alpestre* (Hoppe) Clairville subsp. *americanum* (Butters) Lellinger)” in the French text by “l’athyrie alpestre (*Athyrium alpestre* (Hoppe) Clairville subsp. *americanum* (Butters) Lellinger)”;

(f) “false hop sedge (*Carex lupuliformis* Sartwell)” by “false hop sedge (*Carex lupuliformis* Sartwell ex Dewey)”;

* The Regulation respecting threatened or vulnerable plant species and their habitats, made by Order in Council 757-2005 dated 17 August 2005 (2005, G.O. 2, 3611), has not been amended since it was made.

(g) “meadow thistle (*Cirsium scariosum* Nuttall)” by “meadow thistle (*Cirsium scariosum* Nuttall var. *scariosum*)”;

(h) “la cicutaire maculée variété de Victorin (*Cicuta maculata* Linnaeus var. *victorinii* (Fernald) Boivin)” in the French text by “la cicutaire de Victorin (*Cicuta maculata* Linnaeus var. *victorinii* (Fernald) Boivin)”;

(i) “autumn coral-root (*Corallorhiza odontorhiza* (Willdenow) Poirét var. *pringlei* (Greenman) Freudenstein)” by “autumn coralroot (*Corallorhiza odontorhiza* (Willdenow) Poirét var. *odontorhiza*)”;

(j) “dwarf huckleberry (*Gaylussacia dumosa* (Andrews) Torrey & A. Gray var. *bigeloviana* Fernald)” by “dwarf huckleberry (*Gaylussacia bigeloviana* (Fernald) Sorrie & Weakley)”;

(k) “Macoun’s fringed gentian (*Gentianopsis procera* (Th. Holm) Ma subsp. *macounii* (Th. Holm) Iltis var. *macounii*) where it grows in the territory of Municipalité régionale de comté de Bonaventure” by “Macoun’s fringed gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *macounii* (Th. Holm) J.S. Pringle) where it grows in the territory of Municipalité régionale de comté de Bonaventure”;

(l) “Victorin’s gentian (*Gentianopsis procera* (Th. Holm) Ma subsp. *macounii* (Th. Holm) Iltis var. *victorinii* (Fernald) Iltis)” by “Victorin’s gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *victorinii* (Fernald) Lammers)”;

(m) “slender muhly (*Muhlenbergia tenuiflora* (Willdenow) Britton, Sterns and Poggenburg var. *tenuiflora*)” by “slender muhly (*Muhlenbergia tenuiflora* (Willdenow) Britton, Sterns and Poggenburg)”;

(n) “l’onosmodie velue variété hispide (*Onosmodium bejariense* A. de Candolle var. *hispidissimum* (Mackenzie) B.L. Turner)” in the French text by “l’onosmodie hispide (*Onosmodium bejariense* A. de Candolle var. *hispidissimum* (Mackenzie) B.L. Turner)”;

(o) “la sagittaire à sépales dressés sous-espèce des estuaires (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) C. Bogin)” in the French text by “la sagittaire des estuaires (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) C. Bogin)”;

(p) “la verge-d’or simple variété à bractées vertes (*Solidago simplex* Kunth subsp. *simplex* var. *chlorolepis* (Fernald) Ringius)” in the French text by “la verge-d’or à bractées vertes (*Solidago simplex* Kunth subsp. *simplex* var. *chlorolepis* (Fernald) Ringius)”;

(q) “Provancher’s fleabane (*Erigeron philadelphicus* Linnaeus subsp. *provancheri* (Victorin and Rousseau) J.K. Morton)” by “Provancher’s fleabane (*Erigeron philadelphicus* Linnaeus var. *provancheri* (Marie-Victorin & J. Rousseau) B. Boivin)”;

(r) “la woodsie à lobes arrondis sous-espèce à lobes arrondis (*Woodsia obtusa* (Sprengel) Torrey subsp. *obtusata*)” in the French text by “la woodsie à lobes arrondis (*Woodsia obtusa* (Sprengel) Torrey subsp. *obtusata*)”;

(2) by inserting the following in the same order as the French text:

— forked three-awned grass (*Aristida basiramea* Engelman ex Vasey);

— glacier sedge (*Carex glacialis* Mackenzie), populations of the Côte-Nord administrative region;

— dense whitlowgrass (*Draba pycnosperma* Fernald & C.H. Knowlton);

— southern twayblade (*Listera australis* Lindley);

— spotted beebalm (*Monarda punctata* Linnaeus var. *villicaulis* (Pennell) E.J. Palmer & Steyermark);

— meadow barley (*Hordeum brachyantherum* Nevski subsp. *brachyantherum*);

— purple cliffbrake (*Pellaea atropurpurea* (Linnaeus) Link”).

2. Section 3 is amended

(1) by replacing

(a) “l’asaret gingembre (*Asarum canadense* Linnaeus)” in the French text by “l’asaret du Canada (*Asarum canadense* Linnaeus)”;

(b) “Douglas’ knotweed (*Polygonum douglasii* E.L. Greene subsp. *douglasii*)” by “Douglas’ knotweed (*Polygonum douglasii* E.L. Greene)”;

(c) “le sumac aromatique variété aromatique (*Rhus aromatica* Aiton var. *aromatica*)” in the French text by “le sumac aromatique (*Rhus aromatica* Aiton var. *aromatica*)”;

(d) “l’uvulaire grande-fleur (*Uvularia grandiflora* J.E. Smith)” in the French text by “l’uvulaire à grandes fleurs (*Uvularia grandiflora* J.E. Smith)”;

(e) “marsh valerian (*Valeriana uliginosa* (Torrey and A. Gray) Rydberg ex Britton)” by “marsh valerian (*Valeriana uliginosa* (Torrey & A. Gray) Rydberg ex Britton)”;

(2) by inserting the following in the same order as the French text:

— “lanceleaf arnica (*Arnica lanceolata* Nuttall subsp. *lanceolata*) populations of Capitale-Nationale, Chaudière-Appalaches and Estrie administrative regions;

— flax-leaf aster (*Ionactis linariifolia* (Linnaeus) E.L. Greene)”.

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

9702

Gouvernement du Québec

O.C. 105-2010, 17 February 2010

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Alcoholic beverages made with beer

Regulation respecting alcoholic beverages made with beer

WHEREAS, under subparagraphs 1, 2, 3 and 5 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), the Government, upon the recommendation of the Minister of Economic Development, Innovation and Export Trade and the Minister of Public Security, may make regulations on the matters set forth therein, including determining the conditions of making, bottling, and sale of alcoholic beverages, determining the composition and alcoholic content of alcoholic beverages, establishing classes or categories, and determining the specifications of alcoholic beverage containers and the inscriptions or indications they are required to bear;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting alcoholic beverages made with beer was published in Part 2 of the *Gazette officielle du Québec* of 4 March 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Economic Development, Innovation and Export Trade and the Minister of Public Security:

THAT the Regulation respecting alcoholic beverages made with beer, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting alcoholic beverages made with beer

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, 1st par., subpars. 1, 2, 3 and 5)

DIVISION I INTERPRETATION

1. In this Regulation,

“acquired alcoholic content” means the number of volumes of ethylic alcohol at a temperature of 20°C contained in 100 volumes of the product considered at that temperature, expressed in percentage of alcohol by volume; (*titre alcoométrique acquis*)

“aromatic substance” means herbs, spices, fruit, plants or other aromatic vegetal substances, extract or essence thereof as well as honey and maple syrup; (*substance aromatique*)

“beer blend” means an alcoholic beverage referred to in subparagraph 2 of the first paragraph of sections 24.2 and 25 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), obtained by blending exclusively beer with fruit juice, water, carbon dioxide or flavouring, that does not have the aroma, taste and character commonly attributed to beer and that as a finished product is not beer; (*mélange à la bière*)

“beer blended with other alcoholic beverages” means an alcoholic beverage referred to in subparagraph 3 of the first paragraph of section 25 of the Act respecting the Société des alcools du Québec, obtained by blending a product made by the holder of a brewer’s permit with at least one of the alcoholic beverages provided for in section 4 of this Regulation, and that as a finished product is not beer, cider, wine, alcohol or spirits; (*mélange de bière avec d’autres boissons alcooliques*)

“permit holder” means the holder of a brewer’s permit, of a beer distributor permit or of a small-scale beer producer’s permit. (*titulaire*)

DIVISION II MANUFACTURING CONDITIONS

§1. *Beer blend*

2. The ingredients used in making a beer blend must not contain alcohol.

3. The acquired alcoholic content of a beer blend must be at least 1.5% and no more than 11.9% of alcohol by volume and must be derived from the fermentation of the beer.

§2. *Beer blended with other alcoholic beverages*

4. The alcoholic beverages that may be used in making beer blended with other alcoholic beverages are beer, weak cider, wine and alcohol.

The holder of a brewer’s permit must purchase the alcoholic beverages from the holder of an industrial permit issued pursuant to the Act respecting the Société des alcools du Québec who authorizes the making of the alcoholic beverages.

5. The acquired alcoholic content of beer blended with other alcoholic beverages must be at least 1.5% by volume.

6. When beer blended with other alcoholic beverages is being made, the alcoholic beverages purchased by the holder of a brewer’s permit and the aromatic substances used by the permit holder may contribute to the acquired alcoholic content of the finished product in a maximum proportion of 49%.

DIVISION III INSCRIPTIONS ON CONTAINERS

7. A beer blend container or the container of beer blended with other alcoholic beverages must, by means of a label or otherwise, provide the following inscriptions in bold, indelible, legible and contrasting characters:

(1) the words “beer blend” or “beer blended with other alcoholic beverages”, as the case may be, or “beer-based alcoholic beverage”, “beer cooler”, “malt-based alcoholic beverage”, “alcoholic malt beverage”, “malt alcoholic beverage” or “malt cocktail”;

(2) the name of the alcoholic beverage used, where applicable;

(3) the name and address of the permit holder and the number of the permit under which the permit holder made the beer blend or the beer blended with other alcoholic beverages;

(4) the acquired alcoholic content;

(5) the net volume;

(6) the words “made in Québec”, “product of Québec”, “product of Canada”, “made in Canada” or, where the product comes solely from a country other than Canada, the words “product of” followed by the name of the country of origin;

(7) the alphanumeric code identifying the production lot of the beer blend or beer blended with other alcoholic beverages; and

(8) a list of ingredients.

The inscriptions required under subparagraphs 1 to 6 must appear on the principal visible surface of the container.

8. Any inscription or picture appearing on a beer or beer blend container or the container of beer blended with other alcoholic beverages, including any mark used to distinguish the alcoholic beverage, must be true and accurate and create no risk of confusion or error in the consumer’s mind, particularly as regards the nature or composition of the alcoholic beverage.

In particular, it may not refer to any other alcoholic beverage, so as to avoid any risk of confusion between the product concerned and such beverage.

9. A beer or beer blend container or the container of beer blended with other alcoholic beverages, as well as any packaging, must not create in the consumer’s mind any risk of confusion with the container or other packaging associated with another alcoholic beverage.

DIVISION IV TRANSITIONAL, MISCELLANEOUS AND FINAL PROVISIONS

10. A beer blend or beer blended with other alcoholic beverages, made or being made on the date of coming into force of this Regulation and not complying with this Regulation, may be marketed by the permit holder for 6 months from that date.

Labels, containers and packages for beer blends and beer blended with other alcoholic beverages that do not comply with this Regulation on the date of its coming into force may be used for 6 months from that date.

11. Where a beer blend or beer blended with other alcoholic beverages is made with a view to being shipped outside Québec, the provisions of this Regulation that are incompatible with the legislation of the place of destination do not apply.

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

9703

Gouvernement du Québec

O.C. 120-2010, 17 February 2010

Highway Safety Code
(R.S.Q., c. C-24.2)

Accident reports
— **Amendments**

Regulation to amend the Regulation respecting accident reports

WHEREAS, under paragraph 5 of section 620 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation determine the form, content and mode of transmission of the report that a peace officer must transmit to the Société de l'assurance automobile du Québec;

WHEREAS, under paragraph 5.1 of section 620 of the Code, the Government may by regulation determine the cases in which a peace officer and an insurer are required to make a report to the Société in respect of an accident that causes property damage only and does not give rise to a failure to stop at the scene of an accident;

WHEREAS the Government made the Regulation respecting accident reports by Order in Council 708-99 dated 16 June 1999;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting accident reports was published in Part 2 of the *Gazette officielle du Québec* of 14 October 2009, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Regulation to amend the Regulation respecting accident reports, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting accident reports*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 620, pars. 5 and 5.1)

1. The Regulation respecting accident reports is amended by replacing section 1 by the following:

“**1.** Every peace officer who, pursuant to sections 173 and 176 of the Highway Safety Code (R.S.Q., c. C-24.2), is called to the scene of an accident in which a person has sustained bodily injury, must report the accident by filling out the form provided for in Schedule I.”

2. Section 2 is amended

(1) by replacing “section I of the paper form provided for in Schedule I or by computer using section I of the form provided for in Schedule II” in the part preceding subparagraph 1 of the first paragraph by “section I of the form provided for in Schedule I”;

(2) by striking out subparagraph 1 of the first paragraph;

(3) by replacing “\$1000” in subparagraph 2 of the first paragraph by “\$2,000”.

3. Schedule I is replaced by the following:

* The Regulation respecting accident reports, made by Order in Council 708-99 dated 16 June 1999 (1999, *G.O.* 2, 1685), was amended once, by the regulation made by Order in Council 508-2003 dated 31 March 2003 (2003, *G.O.* 2, 1395).

SCHEDULE I
(ss.1 and 2)

Société de l'assurance automobile Québec

RAPPORT D'ACCIDENT DE VÉHICULES ROUTIERS

Réserve à la Société R

Accident sur chemin public
 Oui Non

SECTION 1

1 Heure: 2 0 Année: Mois: Jour: Numéro d'événement: C.R.P.Q.: Année: Mois: Jour: N° séquentiel: Faute: 27

2 Délit de fuite: Oui Non Dommages matériels: 1- Jusqu'à 2 000 \$ 2- Plus de 2 000 \$ Préjudices corporels: Nombre de personnes: Tués Blessés Nombre de véhicules: 28

3 S.I.A. Lieu de l'accident - Municipalité: Code municipal: N° d'arrondissement: 29

4 Route: Direction: Borne (km): N° onique: Suffixe: Rue/rang/chemin: 30

5 1- Intersection OU 2- Autre repère: Distance: N S E O Vitesse autorisée (km/h): 31

6 Longitude: O Degre Min Sec /100 Sec Latitude: N Degre Min Sec /100 Sec: 32

7 **PARTIE CONDUCTEUR**
Nom et prénom: N° de permis de conduire: Prov./État: Date de naissance: Sexe: M/F: 33

8 Adresse (n° , rue, app.): Municipalité: Code postal: Téléphone (ind. rég. et n°): 34

9 **VÉHICULE**
A Marque: Année: N° d'immatriculation: Prov./État: Dommages: 35
B Montant des dommages: 1- Jusqu'à 2 000 \$ 2- Plus de 2 000 \$ 3- Aucun: Véhicule: Classe matières dangereuses: 36
C Nombre d'occupants: ASSURANCE: 1- Non porteur 2- Non valide 3- Non assuré 4- Non obligatoire: Nom de la compagnie: N° de police: 37

10 **PARTIE PROPRIÉTAIRE**
Nom et prénom: Adresse (n° , rue, app.): Municipalité: N° d'identification de l'exploitant (NI, NIR, NSC, USDOT): Provenance: 38

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2 Position des véhicules avec identification
3 Direction des véhicules et point d'impact
4 Traces et distance de freinage
5 Largeur de la chaussée
6 Panneaux, signaux, lignes, etc.

PERSONNES CONCERNÉES / **NE BIEN INSCRIRE DANS DES CHAMPS**

	16	17	18	19	20	21	22	23	Année	Mois	Jour	25	Inscrire les noms, prénoms, adresses		
A															
B															
C															
D															
E															
F															
G															
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5185 03 (PROJET 2009) SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

SECTION 1		
GENRE D'ACCIDENT		
1 G1	COLLISION AVEC 31- Véhicule roulant 32- Piéton 33- Cycliste 34- Train 35- Chevreuil (cerf de Virginie) 36- Autre grande faune 37- Autre animal 38- Obstacle temporaire 39- Objet projeté/détaché	OBJET FIXE 40- Lampadaire 41- Poteau (service public) 42- Support/feu de signalisation 43- Arbre 44- Section de gibetière 45- Extrémité de ossilère 46- Plier (pont/ tunnel) 47- Aménagement de neige 48- Atafumeleur d'impact 49- Bâtiment/Édifice/Mur 50- Boqueteur/trottoir 51- Borne fontaine 52- Clôture/Barrière
	OBJET FIXE (suite) 53- Fosse/Pente de talus 54- Paroi rocheuse 55- Ponceau (calvrière) 59- Autre objet fixe*	
2 G2-V1	SANS COLLISION 71- Capotage 72- Renversement 73- Surmarchés/Cours d'eau 74- Feu/explosion 75- Quille la chaussée 99- Autre sans collision*	
3 G2-V2		
SITUATIONS PARTICULIÈRES		
4	1- Déversement 2- Perte de chargement 3- Autres 9- Autre*	
CONDITIONS MÉTÉOROLOGIQUES		
5	11- Clair 14- Pluie/brume 17- Neige/enfne 12- Couvert 15- Averse (pluie forte) 18- Poudrière/tempête de neige 13- Brouillard/brume 16- Vent fort (pas de poudrière, pas de pluie) 19- Verglas 99- Autre*	
ÉTAT DE SURFACE		
6	11- Séche 15- Gedeau/neige fondante 19- Boueuse 12- Mouillée 16- Enneigée 20- Huileuse 13- Accumulation d'eau (aquaplanage) 17- Neige durcie 99- Autre* 14- Saale, gravier sur la chaussée 18- Glacée	
ÉCLAIREMENT		
7	JOUR 1- Clair 2- Demi-obscurité 3- Chemin éclairé 4- Chemin non éclairé	
ENVIRONNEMENT		
8	1- Sociale 4- Industriel/manufacturier 7- Recréatif/Parc/Camping 2- Résidentiel 5- Rural 9- Autre (ex. la*) 3- Affaires/commercial 6- Forestier	
CATÉGORIE DE ROUTE		
9	CHEMIN PUBLIC 11- Route numérotée 12- Breche/Collecteur d'autoroute/Voie de service 13- Arête principale 14- Rue résidentielle 15- Chemin/rang 16- Rueille 19- Autre chemin public*	HORS CHEMIN PUBLIC 21- Terrain de stationnement 22- Terrain privé 23- Chemin privé 24- Chemin forestier 25- Sentier balisé 29- Autre hors chemin public*
ASPECT DE LA ROUTE		
10	DROIT 11- Plat 12- En haut de la pente 13- Dans la pente 14- En bas de la pente (creux)	COURBE 21- Plat 22- En haut de la pente 23- Dans la pente 24- En bas de la pente (creux)
CONFIGURATION		
11	1- Sens unique 4- Séparée par aménagement « franchissable » 2- Route à 2 sens, une voie par direction 5- Séparée par aménagement « infranchissable » 3- Route à 2 sens, plus d'une voie par direction 9- Autre (ex.: balises, VVG 2.5, ...)*	
LOCALISATION		
12	31- Carrefour giratoire/Rond-point 35- Passage à niveau 39- Sous le pont 32- En intersection (moins de 5 mètres) ou viaduc 33- Plus d'une intersection/carrefour giratoire 40- Centre commercial 34- Entre intersections (100 mètres et +) 37- Autre pont (viaduc) 99- Autre* 38- Tunnel	
SECTION 2		
POSITIONNEMENT		
13	1- Voie réservée en service 5- Voie cyclable/voie désignée 9- Trottoir 2- Voie lente/voie de déassement 6- Voie de circulation 3- Reroute/pai de voie 7- Accotement (au bord de la chaussée) 4- Voie de virage à gauche dans les 2 sens 8- Terre-plein central ou trot	10- Autre*
NATURE DE LA CHAUSSEE		
14	1- Asphaltée 3- Gravier 5- Pavé uni 2- Béton de ciment 4- Terre 9- Autre*	
ÉTAT DE LA CHAUSSEE		
15	1- En bon état 4- Ombrée/affaïssement 6- Trou/Nids de poule/Canot 2- En construction/en réparation 5- Fissures importantes 7- Déchiffonnage 9- Autre*	
FONCTION		
16	1- Conducuteur 2 à 7- Passager 8- Accoré au véhicule 9- Piéton	COUSSIN GONFLABLE 1- Pas de coussin 4- Coussin latéral déployé 2- Coussin ne s'est pas déployé 5- Coussin frontal et latéral déployés 3- Coussin frontal déployé 6- Ne s'applique pas
VÉHICULE OCCUPÉ		
16	1- Mort 2- Blessures graves 3- Blessures légères 4- Sans blessure apparente	CASQUE PROTECTEUR 7- Portait un casque 8- Casque mal ou non utilisé
ÉLECTION		
16	1- Oui 2- Non	ÉTAT DE LA VICTIME 1- Sexe M/F 2- Numéro d'assurance maladie
DISPOSITIF DE RETENUE		
16	1- Inéchantonné 4- Ceinture mal utilisée 7- Portait un casque 2- Non utilisé 5- Siège d'auto pour enfants utilisé 8- Casque mal ou non utilisé 3- Ceinture utilisée 6- Siège d'auto pour enfants mal utilisé	
ZONE DE TRAVAU		
17	1- Aux approches de la zone 2- Dans la zone	
SENS DES VÉHICULES AVANT L'IMPACT		
17	Numéro de route pair: Est-Ouest Numéro de route impair: Nord-Sud	
MOUVEMENT DES VÉHICULES		
18	41- Circulait tout droit 52- Reculait 42- Journal à droite 43- Sortait/Entrait dans la circulation (accès ou chemin privé) 44- Journal à gauche 54- Sortait/Entrait dans une voie rapide (autoroute) 45- Portait dans la circulation 46- Ralentissait ou arrêtait 55- Dépassait 47- Arrêt dans la circulation 48- Stationné 56- Changeait de voie 49- Stationné légalement 57- Effectuait un demi-tour 50- Stationné illégalement 58- Évitaît un obstacle sur la chaussée 51- Quittaît stationnement en bordure 59- Autre*	
SIGNALISATION		
18	31- Aucune 41- Signal « CEDEX » 32- Feux d'extinction 42- Vitesse recommandée (panneau jaune) 33- Feu de circulation avec restriction VDFR 43- Dépassement interdit (panneau, panneau) 34- Feu de circulation sans restriction VDFR 44- Construction (orange) 35- Feu clignotant rouge 45- Pôlicier/Brigadier/Signaleur 36- Feu clignotant jaune 46- Passage à niveau 37- Feu vert prioritaire 47- Passage signalé pour motoneige ou VTT 38- Feu de voie 48- Signalisation d'obstacle 39- Feu d'écoliers/piétons 49- Feux clignotants d'autobus/d'écoliers 40- Signal « ARRÊT » 99- Autre*	
TYPE DE VÉHICULE		
18	61- Automobile/camion léger 69- Véhicule d'urgence 62- Camion 70- Moto/cyclette 63- Tracteur routier 71- Cycloporteur 64- Véhicule-outil 72- Véhicule récréatif (campeur) 65- Véhicule d'équipement 73- Véhicule tout terrain (VTT) 66- Autobus 74- Motoneige 67- Minibus 75- Bicyclette 68- Taxi 99- Autre*	
Le véhicule servait-il au transport scolaire?		1- Oui 2- Non
Le véhicule transportait-il des matières dangereuses?		1- Oui 2- Non
TYPE D'ESPACE DE CHARGEMENT DU CAMION LOURD		
19	11- Fourgon 15- Bétonnière 12- Fourgon à châssis rétractables 16- Porte-conteneur 19- Remorque à réelles 13- Benne 17- Plate-forme 99- Autre* 14- Chêne 18- Plate-forme surbaissée	
TYPE ET ÉTAT DES PNEUS		
19	1- Pneus d'été/4 saisons—en bon état 4- Pneus d'été/4 saisons—usés 2- Pneus d'hiver—en bon état 5- Pneus d'hiver—usés 3- Pneus mixtes—en bon état 6- Pneus mixtes—usés 7- Non ventilé/non disponible	
VISIBILITÉ		
19	31- Bonne 37- Éblouissement par le soleil 32- Arête/naké/obture 38- Autre éblouissement (ex.: éclairage) 33- Bâtiment 39- Saleté/vergis/néige sur volants 34- Remblai (bank de neige) 40- Écoubousses causées par un autre véhicule 35- Véhicule 41- Vapeur/fumée/poussière 36- Phares éblouissants 42- Temps (conditions météorologiques) 99- Autre*	
UTILISATION D'UN TÉLÉPHONE CELLULAIRE		
19	1- Combiné 3- N'utilisait pas de téléphone cellulaire 2- Main-libres 4- Inconnu	
ACTION DU PIÉTON		
19	11- Traversait en respectant la signalisation 18- Marchait/déambulait—transport scolaire 12- Traversait à l'encontre de la signalisation 19- Marchait/déambulait—autre véhicule 13- Traversait en diagonale 20- Pousssait/travaillait sur un véhicule 14- Traversait 21- Travaillait 15- Se déplaçait dans le sens contraire de la circulation 22- Journal 16- Se déplaçait dans le sens de la circulation 23- Était immobile 17- Se déplaçait 99- Autre*	
LOCALISATION DU PIÉTON		
19	11- Chaussée, à un passage piétonnier 16- Ligne médiane 12- Chaussée, à une intersection 17- Rue 13- Chaussée, hors intersection et hors passage piétonnier 18- Entrée (prévue ou commerciale) 14- Trottoir 19- Hors de la voie publique 15- Accotement (ou bord de la chaussée) 99- Autre*	
MODE DE DÉPLACEMENT DU PIÉTON		
19	1- À pied 3- Alée à la main 5- Trottoir 9- Autre* 2- Pâti à roues alignées 4- Planche à roulettes 6- Véhicule jouet	

4. Schedule II is revoked.

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

9704

M.O., 2010

Order number AM 2010-007 of the Minister of Natural Resources and Wildlife, the Minister for Natural resources and Wildlife and the Minister of Sustainable Development, Environment and Parks dated 14 January 2010

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01)

CONCERNING the establishment of a list of threatened or vulnerable wildlife species which are likely to be so designated

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE, THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE AND THE MINISTER OF SUSTAINABLE DEVELOPMENT, ENVIRONMENT AND PARKS,

CONSIDERING section 1 of the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01), which stipulates that this Act applies to threatened or vulnerable wildlife and plant species designated under the Act which live in Québec or are imported into Québec;

CONSIDERING the first paragraph of section 9 of this Act which stipulates that the Minister of Sustainable Development, Environment and Parks and the Minister of Natural Resources and Wildlife may establish jointly, by order, a list of threatened or vulnerable species which are likely to be so designated;

CONSIDERING section 57 of this Act which stipulates that the Minister of Sustainable Development, Environment and Parks is responsible for the administration of the Act respecting threatened or vulnerable species, except where it applies to the protection and management of wildlife species and their habitats, the administration of the provisions relating to wildlife species and their habitats shall be under the responsibility of the Minister of Natural Resources and Wildlife;

CONSIDERING that the Minister of the Environment and the Minister of Recreation, Hunting and Fishing ordered, June the 23th 1993, a list of threatened or vulnerable vascular plant species which are likely to be

so designated, replaced by order n° MO 2000-015 of May 16, 2000 (*G.O.* of May 31, 2000) and by the order of July 6, 2001 (*G.O.* of July 25, 2001), and a list of threatened or vulnerable vertebrate wildlife species which are likely to be so designated, replaced by the order n° MO 2003002 of March 13, 2003 (*G.O.* of March 26, 2003) and by the order n° MO 2006-037 of September 20, 2006 (*G.O.* of October 11, 2006);

CONSIDERING that it is expedient to replace the list of threatened or vulnerable wildlife species which are likely to be so designated, published in the *Gazette officielle du Québec* of October 11, 2006;

ORDER THAT:

The list of threatened or vulnerable wildlife species which are likely to be so designated, appended hereto, be established.

This order enter into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 14 January 2010

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*

NATHALIE NORMANDEAU,
*Minister of Natural
Resources and Wildlife*

LINE BEAUCHAMP,
*Minister of Sustainable
Development, Environment
and Parks*

SCHEDULE

LIST OF THREATENED OR VULNERABLE WILDLIFE SPECIES WHICH ARE LIKELY TO BE SO DESIGNATED

Scientific name	French name	English name
FISHES		
<i>Acipenseridae</i>		
<i>Acipenser fulvescens</i>	Esturgeon jaune	Lake sturgeon
<i>Acipenser oxyrinchus</i>	Esturgeon noir	Atlantic sturgeon
<i>Anarhichadidae</i>		
<i>Anarhichas denticulatus</i>	Loup à tête large	Northern wolffish
<i>Anarhichas lupus</i>	Loup atlantique	Atlantic wolffish
<i>Anarhichas minor</i>	Loup tacheté	Spotted wolffish
<i>Anguillidae</i>		
<i>Anguilla rostrata</i>	Anguille d'Amérique	American eel
<i>Carcharhinidae</i>		
<i>Prionace glauca</i>	Requin bleu	Blue shark
<i>Centrarchidae</i>		
<i>Lepomis megalotis</i>	Crapet à longues oreilles	Longear sunfish
<i>Cottidae</i>		
<i>Myoxocephalus thompsonii</i>	Chabot de profondeur	Deepwater sculpin
<i>Triglopis quadricornis</i>	Chaboisseau à quatre cornes	Fourhorn sculpin
<i>Cyprinidae</i>		
<i>Hybognathus hankinsoni</i>	Méné laiton	Brassy minnow
<i>Notropis rubellus</i>	Tête rose	Rosyface shiner
<i>Esocidae</i>		
<i>Esox americanus vermiculatus</i>	Brochet vermiculé	Grass pickerel
<i>Esox niger</i>	Brochet maillé	Chain pickerel
<i>Gadidae</i>		
<i>Gadus morhua</i>	Morue franche, pop. des Maritimes	Atlantic cod, Maritimes population
<i>Gadus morhua</i>	Morue franche, pop. nord-laurentienne	Atlantic cod, Laurentian North population
<i>Ictaluridae</i>		
<i>Ameiurus natalis</i>	Barbotte jaune	Yellow bullhead
<i>Noturus flavus</i>	Chat-fou des rapides	Stonecat
<i>Noturus insignis</i>	Chat-fou liséré	Margined madtom
<i>Lamnidae</i>		
<i>Lamna nasus</i>	Maraîche	Porbeagle
<i>Lotidae</i>		
<i>Brosme brosme</i>	Brosme	Cusk

Percidae

<i>Etheostoma caeruleum</i>	Dard arc-en-ciel	Rainbow darter
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Rajidae

<i>Leucoraja ocellata</i>	Raie tachetée	Winter skate
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Salmonidae

<i>Coregonus artedi</i>	Cisco de printemps	Spring cisco
<i>Salvelinus alpinus oquassa</i>	Omble chevalier <i>oquassa</i>	Landlocked Arctic char

AMPHIBIANS

Hylidae

<i>Pseudacris maculata</i>	Rainette faux-grillon boréale	Boreal chorus frog
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Plethodontidae

<i>Desmognathus fuscus</i>	Salamandre sombre du Nord	Northern dusky salamander
<i>Hemidactylium scutatum</i>	Salamandre à quatre orteils	Four-toed salamander

Ranidae

<i>Lithobates palustris</i>	Grenouille des marais	Pickerel frog
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TURTLES

Emydidae

<i>Clemmys guttata</i>	Tortue ponctuée	Spotted turtle
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SNAKES

Colubridae

<i>Lampropeltis triangulum</i>	Couleuvre tachetée	Milksnake
<i>Lichlorophis vernalis</i>	Couleuvre verte	Smooth greensnake

Natricidae

<i>Nerodia sipedon</i>	Couleuvre d'eau	Northern watersnake
<i>Storeria dekayi</i>	Couleuvre brune	Dekay's brownsnake
<i>Thamnophis sauritus</i>	Couleuvre mince	Eastern ribbonsnake

Xenodontidae

<i>Diadophis punctatus</i>	Couleuvre à collier	Ring-necked snake
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BIRDS

Apodidae

<i>Chaetura pelagica</i>	Martinet ramoneur	Chimney swift
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Caprimulgidae

<i>Caprimulgus vociferus</i>	Engoulevent bois-pourri	Whip-poor-will
<i>Chordeiles minor</i>	Engoulevent d'Amérique	Common nighthawk

Emberizidae

<i>Ammodramus nelsoni</i>	Bruant de Nelson	Nelson's sharp-tailed sparrow
<i>Ammodramus savannarum</i>	Bruant sauterelle	Grasshopper sparrow

Falconidae

<i>Falco peregrinus tundrius</i>	Faucon pèlerin <i>tundrius</i>	Peregrine falcon <i>tundrius</i>
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Hydrobatidae

<i>Oceanodroma leucorhoa</i>	Océanite cul-blanc	Leach's storm-petrel
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Icteridae

<i>Euphagus carolinus</i>	Quiscale rouilleux	Rusty blackbird
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Parulidae

<i>Seiurus motacilla</i>	Paruline hochequeue	Louisiana waterthrush
<i>Vermivora chrysoptera</i>	Paruline à ailes dorées	Golden-winged warbler
<i>Wilsonia canadensis</i>	Paruline du Canada	Canada warbler

Scolopacidae

<i>Calidris canutus rufa</i>	Bécasseau maubèche <i>rufa</i>	Red knot <i>rufa</i>
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Strigidae

<i>Asio flammeus</i>	Hibou des marais	Short-eared owl
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Troglodytidae

<i>Cistothorus platensis</i>	Troglodyte à bec court	Sedge wren
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Tyrannidae

<i>Contopus cooperi</i>	Moucherolle à côtés olive	Olive-sided flycatcher
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Tytonidae

<i>Tyto alba</i>	Effraie des clochers	Barn owl
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MAMMALS

Balaenidae

<i>Eubalaena glacialis</i>	Baleine noire	Black right whale
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Balaenopteridae

<i>Balaenoptera musculus</i>	Rorqual bleu	Blue whale
<i>Balaenoptera physalus</i>	Rorqual commun	Fin whale

Cricetidae

<i>Microtus chrotorrhinus</i>	Campagnol des rochers	Rock vole
<i>Microtus pinetorum</i>	Campagnol sylvestre	Woodland vole
<i>Synaptomys cooperi</i>	Campagnol-lemming de Cooper	Southern bog lemming

Felidae

<i>Puma concolor</i>	Cougar	Cougar
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Monodontidae

<i>Delphinapterus leucas</i>	Béluga, population de la baie d'Ungava	Beluga whale, Ungava bay population
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<i>Delphinapterus leucas</i>	Béluga, population de l'est de la baie d'Hudson	Beluga whale, Eastern Hudson bay population
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Mustelidae

<i>Mustela nivalis</i>	Belette pygmée	Least weasel
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Odobenidae

<i>Odobenus rosmarus</i>	Morse	Walrus
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Phocidae

<i>Phoca vitulina mellonae</i>	Phoque commun des lacs des Loups Marins	Lacs des Loups Marins harbour seal
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Phocoenidae

<i>Phocoena phocoena</i>	Marsouin commun	Harbour porpoise
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Sciuridae

<i>Glaucomys volans</i>	Petit polatouche	Southern flying squirrel
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Soricidae

<i>Sorex dispar</i>	Musaraigne longicaude	Long-tailed shrew
<i>Sorex gaspensis</i>	Musaraigne de Gaspé	Gaspé shrew

Vespertilionidae

<i>Lasiurus borealis</i>	Chauve-souris rousse	Red bat
<i>Lasiurus cinereus</i>	Chauve-souris cendrée	Hoary bat
<i>Lasionycteris noctivagans</i>	Chauve-souris argentée	Silver-haired bat
<i>Myotis leibii</i>	Chauve-souris pygmée de l'Est	Eastern small-footed myotis
<i>Perimyotis subflavus</i>	Pipistrelle de l'Est	Eastern pipistrelle

BIVALVIA**Margaritiferidae**

<i>Margaritifera margaritifera</i>	Mulette-perlière de l'Est	Eastern pearlshell
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Unionidae

<i>Alasmidonta marginata</i>	Alasmidonte rugueuse	Elkoe
<i>Anodonta implicata</i>	Anodonte du gaspareau	Alewite floater
<i>Elliptio crassidens</i>	Elliptio à dents fortes	Elephantear
<i>Elliptio dilatata</i>	Elliptio pointu	Spike
<i>Leptodea fragilis</i>	Leptodée fragile	Fragile papershell
<i>Obovaria olivaria</i>	Obovarie olivâtre	Hickorynut
<i>Potamilus alatus</i>	Potamile ailé	Pink heelsplitter

GASTEROPODS**Acroloxidae**

<i>Acroloxus coloradensis</i>	Patelle d'eau douce pointue	Rocky Mountain capshell
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Hydrobiidae

<i>Birgella subglobosus</i>	Somatogyre globuleux	Globe siltsnail
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INSECTS**Coleoptera****Carabidae**

<i>Cicindela lepida</i>	Cicindèle blanche	White tiger beetle
<i>Cicindela patruela</i>	Cicindèle verte des pinèdes	Northern barrens tiger beetle
<i>Trechus crassiscapus</i>	Tréchine à scapes larges	—

Cerambycidae

<i>Neospondylis upiformis</i>	Spondyle ténébrion	Longhorned beetle
<i>Phymatodes maculicollis</i>	Phymatode à col maculé	Phymatodes maculicollis

Coccinellidae

<i>Adalia bipunctata</i>	Coccinelle à deux points	Twospotted lady beetle
<i>Coccinella novemnotata</i>	Coccinelle à neuf points	Ninespotted lady beetle

Scarabaeidae

<i>Xyloryctes jamaicensis</i>	Dynaste rhinocéros	Rhinoceros beetle
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Stenotrachelidae

<i>Cephaloon unglare</i>	Faux-longicorne scalaire	False longhorned beetle
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Hymenoptera**Apidae**

<i>Bombus affinis</i>	Bourdon à tache rousse	Rusty-patched bumble bee
<i>Bombus terricola</i>	Bourdon terricole	Yellow-banded bumble bee

Formicidae

<i>Dolichorus mariae</i>	—	—
<i>Lasius minutus</i>	—	—

Lepidoptera**Adelidae**

<i>Adela caeruleella</i>	Fée noire aux longues antennes	Longhorned fairy moth
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Hesperiidae

<i>Erynnis martialis</i>	Hespérie tachetée	Mottled duskywing
<i>Euphyes dion</i>	Hespérie de Dioné	Dion skipper
<i>Pompeius verna</i>	Hespérie à taches vitreuses	Little glassywing

Lycaenidae

<i>Lycaena dospassosi</i>	Cuivré des marais salés	Maritime copper
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Noctuidae

<i>Acronicta rubricoma</i>	Acronicta à virgules rougeâtres	Ruddy dagger moth
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Nymphalidae

<i>Euptoieta claudia</i>	Fritillaire panachée	Variegated fritillary
<i>Oeneis bore gaspeensis</i>	Nordique à nervures blanches de Gaspé	Gaspé white-veined arctic

Odonata**Aeshnidae**

<i>Gomphaeschna furcillata</i>	Aeschna pygmée	Harlequin darner
<i>Nasiaeschna pentacantha</i>	Aeschna Cyrano	Cyrano darnier

Corduliidae

<i>Somatochlora incurvata</i>	Cordulie incurvée	Incurvate emerald
<i>Williamsonia fletcheri</i>	Cordulie bistrée	Ebony boghaunter

Gomphidae

<i>Gomphus ventricosus</i>	Gomphe ventru	Skillet clubtail
<i>Ophiogomphus anomalus</i>	Ophiogomphe bariolé	Extra-striped snaketail

Lestidae*Lestes vigilax*

Leste matinal

Swamp spreadwing

Libellulidae*Erythemis simplicicollis*

Érythème des étangs

Eastern pondhawk

Erythrodiplax berenice

Érythrodiplax côtier

Seaside dragonlet

Sympetrum corruptum

Sympétrum bagarreur

Variegated meadowhawk

Orthoptera**Acrididae***Melanoplus gaspensiensis*

Mélanople de Gaspésie

Spur-throated grasshopper

9700

M.O., 2010**Order number A-26-2010-05 of the Minister of Finance dated 19 February 2009**Deposit Insurance Act
(R.S.Q., c. A-26)

CONCERNING the Regulation amending the Regulation respecting the application of the Deposit Insurance Act

CONSIDERING that paragraph *p* of section 43 of the Deposit Insurance Act (R.S.Q., c. A-26) stipulates that the Autorité des marchés financiers shall prescribe, by regulation, the cases in which a deposit made by a person with an institution or with a bank may be considered as separate from any other deposit made by the same person with the same institution or with the same bank;

CONSIDERING that the first paragraph of section 45 of such Act stipulates that a regulation made by the Autorité des marchés financiers is subject to the approval, with or without amendment, of the Minister of Finance;

CONSIDERING that the third paragraph of this section stipulates that a draft regulation may not be submitted for approval or be made before 30 days have elapsed since the publication of the draft in the Bulletin of the Autorité des marchés financiers and that it enters into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified therein;

CONSIDERING that the Regulation respecting the application of the Deposit Insurance Act was approved by order-in-council n° 819-93 of June 9, 1993 (1993, *G.O.* 2, 3333) and was amended by the regulation approved by order-in-council n° 820-2006 of September 13, 2006 (2006, *G.O.* 2, 3065);

CONSIDERING that it is expedient to amend this regulation;

CONSIDERING that the Regulation amending the Regulation respecting the application of the Deposit Insurance Act was published in the Bulletin of the Autorité des marchés financiers, volume 6, n° 50 of December 18, 2009;

CONSIDERING that the Autorité des marchés financiers, by the decision no. 2010-PDG-0024 dated January 26, 2010, made the Regulation amending the Regulation respecting the application of the Deposit Insurance Act;

CONSIDERING that it is expedient to amend this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves, without amendment, the Regulation amending the Regulation respecting the application of the Deposit Insurance Act, whose text is appended to this decision.

February 19, 2010

RAYMOND BACHAND,
Minister of Finance

Regulation to amend the Regulation respecting the application of the Deposit Insurance Act*

Deposit Insurance Act
(R.S.Q, c. A-26, s. 43, par. *p*)

1. Section 15 of the Regulation respecting the application of the Deposit Insurance Act is amended by adding the following paragraph after paragraph 5:

“(6) the aggregate of a person’s interests in one or more deposits received by a bank or institution under one or more tax-free savings accounts in accordance with the Taxation Act or the Income Tax Act”.

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

9701

* The Regulation respecting the application of the Deposit Insurance Act, approved by Order-in-Council No. 819-93 dated June 9, 1993 (1993, *G.O.* 2, 3333), was amended by the regulation approved by Order-in-Council No. 820-2006 dated September 13, 2006 (2006 *G.O.* 2, 3065).

Draft Regulations

Draft regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Exemptions from the obligation to hold a liability insurance contract — Amendment

Certificate of financial responsibility — Repeal

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 exemptions from the obligation to hold a liability insurance contract and to repeal the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act, the text of which appears below, may be made by the Government on the expiry of 45 days from this publication.

The purpose of the Draft Regulation is to exempt the cities of Laval, Longueuil, Montréal and Québec, as well as the Réseau de transport de Longueuil and the Société de transport de Montréal, from the obligation to contract the liability insurance provided for in section 84 of the Automobile Insurance Act (R.S.Q., c. A-25) guaranteeing compensation for property damage caused by the automobiles belonging to them. This amendment will maintain the status quo for those cities and public transit authorities, which are currently exempted by the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act (R.R.Q., 1981, c. A-25, r.1).

To date, analysis of this matter has shown no impact on citizens or on businesses, particularly small-and medium-sized businesses.

Additional information may be obtained by contacting Ms. Lucie Drouin, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-4-17, case postale 19600, Québec (Québec), G1K 8J6; telephone: 418 528-3898.

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec), G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting exemptions from the obligation to hold a liability insurance contract and to repeal the Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 196, par. c)

1. The Regulation respecting exemptions from the obligation to hold a liability insurance contract is amended by the adding the following at the end of section 1:

“(8) automobiles of the municipalities of Laval, Longueuil, Québec and Montréal;

(9) automobiles of the Réseau de transport de Longueuil and the Société de transport de Montréal.

The owners of the automobiles referred to in subparagraphs 8 and 9 of the first paragraph are bound by the direct compensation agreement established by the Groupement des assureurs automobiles in the same manner as an authorized insurer, in accordance with the Automobile Insurance Act.”.

2. The Regulation respecting the certificate of financial responsibility required under the Automobile Insurance Act (R.R.Q., 1981, c. A-25, r.1) is repealed.

* The most recent amendments to the Regulation respecting exemptions from the obligation to hold a liability insurance contract, made by Order in Council 614-84 dated 14 March 1984 (1984, *G.O.* 2, 1289), were made by the Regulation made by Order in Council 1753-88 dated 23 November 1988 (1988, *G.O.* 2, 3938). For earlier amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2009, updated to 1 November 2009.

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

9707

Draft Regulation

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Immigration consultants

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 respecting immigration consultants, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to regulate the activities of immigration consultants. For that purpose, it defines the expression “immigration consultant”, determines the conditions required to be recognized as an immigration consultant by the Minister, as well as the documents to be provided with an application for recognition. The draft Regulation also determines the obligations of immigration consultants. It also sets the fees payable for an application for recognition or for its renewal.

Lastly, the draft Regulation includes transitional measures so that the recognition of immigration consultants is gradually implemented.

The draft Regulation has an impact on persons who carry on activities as immigration consultants.

Further information may be obtained by contacting Lucy Wells, Assistant Deputy Minister, Immigration sector, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9; telephone: 514 873-0706, extension 21262; fax: 514 873-0453.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Immigration and Cultural Communities, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

YOLANDE JAMES,
*Minister of Immigration and
Cultural Communities*

Regulation respecting immigration consultants

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. *k* to *n*, *p* and *q*)

DIVISION I GENERAL

1. In this Regulation, “immigration consultant” means a natural person who, for remuneration, assists or represents a person who files an application with the Minister under the Act respecting immigration to Québec (R.S.Q., c. I-0.2) and the Regulation respecting the selection of foreign nationals (c. I-0.2, r.4).

2. Every immigration consultant must be recognized in accordance with this Regulation.

3. This Regulation does not apply to a member in good standing of the Barreau du Québec or the Chambre des notaires du Québec.

DIVISION II RECOGNITION OF IMMIGRATION CONSULTANTS

§1. Recognition

4. The Minister recognizes as an immigration consultant a person who

(1) carries on activities for an enterprise having an establishment in Québec or registered in the register of sole proprietorships, partnerships and legal persons in accordance with the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(2) is a member in good standing of the Canadian Society of Immigration Consultants;

(3) has neither communicated or contributed to the communication of information the person knows or should have known to be false or misleading to the Minister, an investigator or an inspector, nor committed an offence against the Act respecting immigration to Québec (R.S.Q., c. I-0.2) or its regulations in the 3 years preceding the application for recognition;

(4) has not defaulted repeatedly on one or more obligations as an immigration consultant in the 3 years preceding the application for recognition or its renewal;

(5) has passed the Minister's examination on Québec immigration rules; and

(6) shows a knowledge of French appropriate to the carrying on of his or her activities.

A person is deemed to have an appropriate knowledge of French if the person has

(1) passed an examination recognized by the Minister;

(2) received, full time, no less than 3 years of secondary or post-secondary instruction provided in French;

(3) passed the fourth or fifth year secondary level examinations in French as the first language; or

(4) obtained a secondary school certificate in Québec from and after the school year 1985-86.

Recognition is valid for 1 year.

5. To be recognized as an immigration consultant, a person must file an application on the form provided by the Minister and pay fees of \$500.

The person must demonstrate that the conditions to be recognized as an immigration consultant are met and provide the following documents, where applicable, with the application:

(1) a document proving that the person is registered in the register of sole proprietorships, partnerships and legal persons;

(2) a document proving that the person is a member in good standing of the Canadian Society of Immigration Consultants;

(3) a document proving that one of the conditions in subparagraphs 1 to 4 of the second paragraph of section 4 is met.

§2. Renewal, suspension and revocation

6. To renew recognition, a consultant must file an application for renewal on the form provided by the Minister not later than the 60th day preceding the recognition's date of expiry and pay fees of \$500.

Recognition is renewed for the same term if the consultant demonstrates that the conditions in subparagraphs 1 to 4 of the first paragraph of section 4 are still met.

7. The Minister may suspend an immigration consultant's recognition if the latter is suspended by the Canadian Society of Immigration Consultants or if the condition in subparagraph 1 of the first paragraph of section 4 is no longer met.

The Minister may lift the recognition suspension if the consultant provides evidence that the reason for suspension no longer exists.

8. The Minister may revoke an immigration consultant's recognition if the consultant

(1) ceases to be a member of the Canadian Society of Immigration Consultants;

(2) has communicated or contributed to the communication of information the consultant knows or should have known to be false or misleading to the Minister, an investigator or an inspector, or committed an offence against the Act respecting immigration to Québec (R.S.Q., c. I-0.2) or its regulations;

(3) has defaulted repeatedly on one or more obligations provided for in this Regulation; or

(4) was granted recognition by error.

In the cases provided for in subparagraphs 2 and 3, a consultant may not file a new application for recognition before the expiry of a 3-year period following the revocation date.

§3. Register

9. The Minister keeps an updated register of recognized immigration consultants and consultants whose recognition is suspended or revoked and makes the register public.

DIVISION III OBLIGATIONS OF IMMIGRATION CONSULTANTS

10. Immigration consultants must obtain a mandate in writing from the person they assist or represent and give that person a copy of the mandate at the time of signing.

The mandate must also indicate the fees, costs or other expenses required for it to be carried out.

11. Immigration consultants must certify in writing that they took the measures necessary to ensure the authenticity of the documents and the truthfulness of

the information communicated to the Minister in support of an application made by the person they assist or represent.

12. Immigration consultants must inform the Minister of any change in the address of their establishment in Québec or of the end of consulting activities within 30 days of the change or end of activities.

13. Where an immigration consultant is no longer a member of the Canadian Society of Immigration Consultants, or was the subject of a suspension or disciplinary or administrative penalty imposed by the Society, the consultant must inform the Minister within 10 days of the event.

14. Immigration consultants may not, by any means whatsoever, make false or misleading representations to a person who resorts to their services, in particular as regards their level of competence or the extent or effectiveness of their services and those generally provided by immigration consultants.

15. Immigration consultants may not communicate or contribute to the communication of information they know or should have known to be false or misleading to the Minister, an investigator or an inspector.

DIVISION IV MISCELLANEOUS

16. The fees payable under sections 5 and 6 are adjusted on 1 January of each year based on the percentage change in the general Consumer Price Index for Canada, as determined by Statistics Canada, for the period ending on 30 September of the preceding year.

The amounts are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister informs the public of the adjustment by such means as the Minister considers appropriate.

17. Any violation of section 10, 11, 12, 13, 14 or 15 of this Regulation constitutes an offence.

18. A person who, on *(insert the date of coming into force of this Regulation)*, acts as an immigration consultant within the meaning of section 1 of this Regulation may continue to do so until the 90th day following that date.

At the expiry of that period, the person must be recognized by the Minister to act as an immigration consultant.

Upon renewal of their recognition, that person and every person recognized between *(insert the date of coming into force of this Regulation)* and *(insert the date occurring 12 months after the date of coming into force of this Regulation)* must demonstrate that they meet the conditions in subparagraphs 5 and 6 of the first paragraph of section 4.

19. This Regulation comes into force on *(insert the date occurring 60 days after the date of its publication in the Gazette officielle du Québec)*, except subparagraphs 5 and 6 of the first paragraph of section 4, which come into force on *(insert the date occurring 12 months after the date of coming into force of this Regulation)*.

9706

Draft Regulation

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Selection of foreign nationals — 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 the selection of foreign nationals, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend the Regulation respecting the selection of foreign nationals to harmonize it with the draft Regulation respecting immigration consultants. The proposed amendment requires persons who apply for a selection certificate, a certificate of acceptance or an undertaking to indicate whether they have used the services of an immigration consultant and, if such is the case, to provide the consultant's identity.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Lucy Wells, Assistant Deputy Minister, Immigration sector, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9; telephone: 514 873-0706; fax: 514 873-0453.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Immigration and Cultural Communities, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

YOLANDE JAMES,
*Minister of Immigration and
Cultural Communities*

Regulation to amend the Regulation respecting the selection of foreign nationals*

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. *f* and *m*)

1. The Regulation respecting the selection of foreign nationals is amended by adding the following paragraph at the end of section 11:

“The foreign national or the sponsor must also indicate, on the application form provided by the Minister, whether the services of an immigration consultant have been used to assist or represent him in connection with his application and, if such is the case, the consultant’s identity.”.

2. This Regulation comes into force on (*insert the date occurring 60 days after the date of its publication in the Gazette officielle du Québec*).

9705

* The Regulation respecting the selection of foreign nationals (R.R.Q., c. I-0.2, r. 4) was last amended by the regulations made by Orders in Council 1289-2009 dated 2 December 2009 (2009, *G.O.* 2, 4088) and 77-2010 dated 3 February 2010 (2010, *G.O.* 2, 581). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 November 2009.

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

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