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Part

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Laws and Regulations

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Summary

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- (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;
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Coming into force of Acts

Gouvernement du Québec

O.C. 792-2010, 22 September 2010

An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector (2010, c. 11) — Coming into force of certain provisions of the Act

COMING INTO FORCE of certain provisions of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector

WHEREAS the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector (2010, c. 11) was assented to on 2 June 2010;

WHEREAS, under section 42 of the Act, the Act came into force on 2 June 2010, except:

(1) sections 11, 21 and 32, which came into force on 7 June 2010; and

(2) section 5, to the extent that it concerns section 22.1 of the Act respecting the Pension Plan of Management Personnel, sections 10 and 12, section 14, to the extent that it concerns paragraph 3.3 of Schedule II to that Act, section 24, to the extent that it concerns section 6.1 of the Act respecting the Government and Public Employees Retirement Plan, sections 25, 26, 31 and 33, and section 35, to the extent that it concerns paragraph 2.3 of Schedule I to that Act, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the date of coming into force of certain provisions of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT 22 September 2010 be set as the date of coming into force of the following sections of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector (2010, c. 11):

section 5, to the extent that it concerns section 22.1 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), sections 10 and 12, section 14, to the extent that it concerns paragraph 3.3 of Schedule II to that Act, section 24, to the extent that it concerns section 6.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), sections 25, 26, 31 and 33, and section 35, to the extent that it concerns paragraph 2.3 of Schedule I to that Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Regulations and other Acts

Gouvernement du Québec

O.C. 802-2010, 22 September 2010

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

Animals in captivity — Amendments

Regulation to amend the Regulation respecting animals in captivity

WHEREAS, under sections 42 and 43 and paragraphs 7 and 22 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, determine the norms and conditions according to which a person may keep an animal in captivity;

WHEREAS the Government made the Regulation respecting animals in captivity (R.R.Q., c. C-61.1, r. 5);

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 animals in captivity was published in Part 2 of the *Gazette officielle du Québec* of 10 March 2010 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 with amendments;

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

THAT the Regulation to amend the Regulation respecting animals in captivity, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting animals in captivity

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 42, 43 and 162, pars. 7 and 22)

1. The Regulation respecting animals in captivity (R.R.Q., c. C-61.1, r. 5) is amended by inserting the following after the heading of Division II “GENERAL OBLIGATIONS”:

“**2.1.** Only holders of a zoological garden licence, a wildlife observation centre licence, a licence to keep animals for exhibition purposes or a non-resident’s circus licence may display the animals they keep in captivity to the public for remuneration.”

2. Section 3 is amended in the part preceding paragraph 1 by inserting “, except an amphibian listed in Schedule I, kept in the fishing area and for fishing purposes,” after “animal in captivity”.

3. Section 8 is amended by replacing “personal or breeding purposes” by “personal, breeding or commercial purposes”.

4. Section 9 is amended

(1) by inserting “and maintain” after “erect” and “and the fence must be stretched tight near the ground so that no cervidae may pass under it “ after “minimum height of 2.4 metres” in the first paragraph;

(2) by adding “; in addition, the gates of the perimeter fence must remain closed, even in the absence of animals” at the end of the second paragraph.

5. Section 10 is amended

(1) by inserting “and maintain” in the part preceding subparagraph 1 of the first paragraph after “erect”;

(2) by replacing “30 centimetres above ground level” in subparagraph 2 of the first paragraph by “between 15 and 45 centimetres above ground level”;

(3) by adding “; in addition, the gates of the perimeter fence must remain closed, even in the absence of animals” at the end of the second paragraph.

6. Section 12 is amended by replacing “and 8” in the second paragraph by “, 7, 8, 9 and 10”.

7. Section 13 is amended

(1) by inserting “for fur trade” after “for breeding purposes”;

(2) by adding the following paragraph:

“The keeper referred to in the first paragraph must allow a wildlife protection officer or a person accompanying the officer to take samples from the animals kept in captivity or from the premises where they are kept.”

8. Section 16 is amended by inserting “listed in Schedule II” after “exotic species”.

9. Section 17 is amended by replacing “an aviculture permit” by “a permit”.

10. Section 18 is amended

(1) by adding “; the veterinary surgeon or licence holder must take all necessary means to avoid the domestication of the animals” at the end of the first paragraph;

(2) by adding “; the wildlife protection officer may kill the animal or entrust it to any person entitled to keep it” at the end of the second paragraph.

11. Section 19 is amended

(1) by inserting “in the case of a licence holder or veterinary surgeon,” at the beginning of paragraph 1;

(2) by inserting “in the case of a licence holder,” at the beginning of paragraph 2;

(3) by adding the following paragraph:

“(3) in the case of a veterinary surgeon, maintain a register and enter therein, for each animal received, its species, origin, the date of receipt, the date on which it was set free and the location, or the date on which it was put to death; the veterinary surgeon must also show that register upon request from a wildlife protection officer.”

12. Section 23 is amended by adding the following paragraph:

“(8) notify without delay a wildlife protection officer upon discovering that an animal has escaped from the zoological garden where it was kept.”

13. Section 29 is amended

(1) by inserting “, at least 30 hours a week,” in paragraph 5 after “employ”;

(2) by adding the following paragraph:

“(9) notify without delay a wildlife protection officer upon discovering that an animal has escaped from the wildlife observation centre where it was kept.”

14. Section 36 is amended

(1) by adding “; the licence holder must take all necessary means to avoid the domestication of the animal” at the end of the first paragraph;

(2) by adding “; the wildlife protection officer may kill the animal or entrust it to any person entitled to keep it” at the end of the second paragraph.

15. Section 46 is amended by replacing “no more than five white-tailed deer that must bear the tag used commercially to mark swine and sheep” in paragraph 3 by “at least 1 and not more than 5 white-tailed deer that must bear a tag, visible to the naked eye at least 10 metres from the animal”.

16. Section 47 is amended

(1) by adding “; the fence must be stretched tight near the ground so that no cervidae may pass under it” at the end of paragraph 1;

(2) by inserting “and the fence must be stretched tight near the ground so that no cervidae may pass under it” in paragraph 2 after “minimum height of 2.4 metres”;

(3) by replacing “, received or given away” in subparagraph *b* of paragraph 7 by “and received”;

(4) by replacing “no more than five white-tailed deer that must bear the tag used commercially to mark swine and sheep” in paragraph 8 by “at least 1 and not more than 5 white-tailed deer that must bear a tag, visible to the naked eye at least 10 metres from the animal”.

17. Section 49 is amended by adding “or by authorizing any person to hunt it in accordance with the law” at the end.

18. The heading of subdivision 1 of Division IX is replaced by the following:

“Game ranches for various species”.

19. Section 50 is amended

(1) by replacing “for exotic species” by “for various species”;

(2) by replacing “the exotic species” by “the various species”.

20. Sections 51, 52, 53 and 54 are amended by replacing the words “game ranch licence for exotic species” wherever they appear by “game ranch licence for various species”.

21. Section 51 is amended by striking out “exotic” in paragraph 2.

22. Section 53 is amended

(1) by inserting “and the fence must be stretched tight near the ground so that no cervidae or buffalo may pass under it” in paragraph 1 after “minimum height of 2.4 metres”;

(2) by replacing “30 centimetres above ground level” in subparagraph *b* of paragraph 2 by “between 15 and 45 centimetres above ground level”;

(3) by adding “and keep the barriers of the perimeter fence closed, even in the absence of animals” at the end of paragraph 3;

(4) by inserting “other than a bird, except a wild turkey in the areas referred to in section 12,” in paragraph 5 after “animal”;

(5) by replacing “exotic species” in paragraph 6 by “animals”.

23. Section 54 is amended by replacing “or a boar” in the first paragraph by “, a boar or a bird listed in Schedule V”.

24. Section 56 is amended

(1) by striking out “by the tattoo indicating the breeder code provided by the Minister of Agriculture, Fisheries and Food and by the tag used commercially to mark swine and sheep” in subparagraph 3 of the first paragraph;

(2) by adding the following paragraph:

“For the purposes of subparagraph 3 of the first paragraph of this section, identification is

(1) a tag complying with the provisions of the Regulation respecting the identification and traceability of certain animals (c. P-42, r. 7);

(2) a tattoo indicating the letters identifying the breeder, a unique sequential number and the letter corresponding to the year, provided by the Minister of Agriculture, Fisheries and Food or, as the case may be, the identification tattoo affixed to a white-tailed deer from outside Québec and approved by the body having jurisdiction in the deer’s place of origin.”.

25. Section 57 is amended

(1) by replacing paragraph 1 by the following:

“(1) keep a minimum of 25 white-tailed deer which must be identified, while they are alive, in accordance with the third paragraph of section 56; in the case of newborn deer, it must be identified before being moved to other premises, not later than 31 December following the date of birth;”;

(2) by inserting “and the fence must be stretched tight near the ground so that no cervidae may pass under it” in paragraph 2 after “minimum height of 2.4 metres”;

(3) by replacing “notify” in paragraph 5 by “give advance notice to”;

(4) by replacing “indicating” in the part preceding subparagraph *a* of paragraph 8 by “containing the following information for the preceding year.”;

(5) by inserting the following after subparagraph *c* of paragraph 8:

“(c.1) the number of deer purchased or sold during the year;”;

(6) by adding “the date of death or, as the case may be,” at the beginning of subparagraph *l* of paragraph 9;

(7) by adding the following paragraph:

“A copy of the register referred to in subparagraph 9 of the first paragraph may stand in lieu of the report referred to in subparagraph 8 of that paragraph if it contains the same information.”.

26. Section 58 is amended by adding “; to that end, the licence holder may sell or give away a live deer to a person entitled to keep it, or kill it” at the end.

27. The heading of Division X is replaced by the following:

“KEEPING OF ANIMALS IN CAPTIVITY FOR COMMERCIAL PURPOSES”.

28. Section 63 is replaced by the following:

“63. The holder of an animal broker’s licence, an animal trainer’s licence or a by-product collector’s licence may keep animals in captivity for commercial purposes other than public display.

An animal broker’s licence authorizes the keeping in captivity of animals of native or exotic species for purposes of brokerage, purchase or sale.

An animal trainer’s licence authorizes the keeping in captivity of animals of native or exotic species that are trained for promotion purposes or for the filming of commercials or movies.

A by-product collector’s licence authorizes the keeping in captivity of native species for the purposes of taking certain by-products on live animals.”.

29. Section 64 is amended

(1) by replacing “an animal broker’s licence” in the part preceding paragraph 1 by “one of the licences provided for in section 63”;

(2) by inserting the following after paragraph 2:

“(2.1) specify for what purposes the applicant intends to keep the animals;”;

(3) by adding the following paragraph:

“(4) submit a business plan accepted by a financial institution and pertaining to the applicant’s proposed activities.”.

30. Section 65 is amended

(1) by replacing “An animal broker’s licence” in the part preceding paragraph 1 by “Every licence provided for in section 63”;

(2) by adding the following paragraph:

“(4) in the case of the holder of an animal trainer’s licence or a by-product collector’s licence, includes a certificate from a chartered accountant establishing that the income derived from the use of the animals kept in captivity for the purposes stipulated in the licence has been \$10,000 or more during the preceding year.”.

31. Section 66 is replaced by the following:

“66. The holder of an animal broker’s licence may not keep an animal for more than one year.”.

32. Section 67 is amended

(1) by replacing “an animal broker’s licence” in the part preceding paragraph 1 by “a licence provided for in section 63”;

(2) by replacing paragraph 1 by the following:

“(1) maintain a register of commercial transactions and enter therein, for each animal,

(a) its scientific name;

(b) the nature and, in the case of the holder of an animal trainer’s licence, duration of the activity;

(c) the name and address of the parties involved in each transaction and each transaction date; and

(d) the number of animals that were born or died;”;

(3) by inserting the following after paragraph 1:

“(1.1) if the licence holder holds a by-product collector’s licence and keeps white-tailed deer or moose, identify them in accordance with section 56;”;

(4) by replacing paragraph 3 by the following:

“(3) submit to the Minister, on or before 31 January of each year, a copy of the register referred to in paragraph 1 or a report containing the same information;”;

(5) by adding “except in the case of animals kept by the holder of a by-product collector’s licence,” at the beginning of paragraph 4;

(6) by replacing “broker’s” in subparagraph *a* of paragraph 4 by “animal owner’s”;

(7) by replacing “broker’s licence number” in subparagraph *b* of paragraph 4 by “number of the related licence to keep animals”;

(8) by adding “in the case of the holder of an animal broker’s licence,” at the beginning of subparagraph *d* of paragraph 4;

(9) by adding “in the case of the holder of an animal broker’s licence,” at the beginning of subparagraph *e* of paragraph 4;

(10) by adding the following paragraphs:

“(6) notify without delay a wildlife protection officer upon discovering that an animal has escaped from the enclosure or cage where it was kept;

(7) in the case of the holder of a by-product collector's licence who keeps cervidae, boars or peccaries in captivity, maintain an enclosure in compliance with paragraphs 1, 2 and 3 of section 53.”.

33. Section 68 is amended

(1) by replacing “an animal broker's licence” by “a licence provided for in section 63”;

(2) by adding “, or kill the animal” at the end.

34. Section 69 is amended

(1) by striking out “resident's”;

(2) by replacing “or animals indicated on the licence for provisional custody referred to in section 87” by “, animals indicated on the licence for provisional custody referred to in section 87 or animals referred to in Schedule VI for the holder of a hawker's licence”;

(3) by adding the following paragraph:

“The licence provided for in the first paragraph is not required from a producer within the meaning of the Farm Producers Act (R.S.Q., c. P-28) if the producer complies with the provisions of Division II, section 9 or 10, as the case may be, and paragraphs 2, 4, 5, and 6 of section 74. The producer must also keep an annual register indicating the number of animals exhibited per species, the exhibition period, the number of animals that have escaped, where applicable, and the educational activities offered to visitors.”.

35. Section 70 is struck out.

36. Section 71 is amended

(1) by striking out “resident's” in the part of the first paragraph preceding subparagraph 1;

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

(3) by adding the following at the end of the first paragraph:

“(6) in the case of a non-resident, indicate the date of arrival in Québec of the animal species kept in captivity for exhibition purposes and their scheduled date of exhibition;

(7) in the case of a non-resident, hold civil liability insurance in the minimum amount of \$2,000,000.”;

(4) by adding the following at the end of the second paragraph:

“(4) a copy of the civil liability insurance contract referred to in subparagraph 7 of the first paragraph, where applicable.”.

37. Section 72 is struck out.

38. Section 73 is amended by striking out “resident's” in the part preceding paragraph 1.

39. Section 74 is amended

(1) by striking out “resident's or non-resident's” in the part of the first paragraph preceding paragraph 1;

(2) by adding “and comply with the standards provided for in sections 9 and 10, as the case may be” at the end of subparagraph 1 of the first paragraph;

(3) by replacing subparagraph 3 of the first paragraph by the following:

“(3) make sure that the civil liability insurance contract referred to in subparagraph 7 of the first paragraph of section 71 remains in force throughout the term of the licence;”;

(4) by adding “or from its cage” at the end of subparagraph 4 of the first paragraph;

(5) by striking out the part of the second paragraph preceding subparagraph 1;

(6) by replacing the numbering of subparagraphs “(1)” and “(2)” of the second paragraph by “(6)” and “(7)”.

40. The following is inserted after Division XI:

**“DIVISION XLI
CIRCUS**

74.1. A non-resident's circus licence authorizes the keeping in captivity of animals of native or exotic species, for exhibition or entertainment purposes, for remuneration, in Québec.

74.2. To obtain a non-resident's circus licence, a person must apply in writing to the Minister and

(1) be a non-resident;

(2) provide his or her name and address; in the case of a legal person, its firm name and the address of its head office; in the case of a partnership, its name and the address of its main place of business; in the case of a natural person doing business under another name, that name, the person's name and address and the address of the main place of business;

(3) specify the animal species that will be kept in captivity;

(4) specify the location where the animals will be kept in captivity and the location where they will be exhibited;

(5) indicate the date of arrival of the animals kept in captivity in Québec and their date of departure and the date of their exhibition;

(6) specify the name of the insurance company, the amount of civil liability coverage, which must be at least \$2,000,000 and sufficient to cover the risks involved in exhibiting animals kept in captivity, and the number of the insurance policy; and

(7) explain how the buildings, cages, enclosures and shelters of the animals will be designed or built so as to prevent any animal attack and any transmission of fatal infectious diseases.

74.3. The application must be accompanied by

(1) a land-use plan for the site, to a scale that makes it possible to locate at least the infrastructures for receiving the public and for providing access to the public, and the buildings, cages, enclosures, shelters, and drinking water outlets for the animals;

(2) a report by a veterinary surgeon drawn up not more than 3 months before the application for a licence, attesting that the animals kept in captivity are in good health and are receiving the care required by their health condition;

(3) a copy of the civil liability insurance contract referred to in paragraph 6 of section 74.2; and

(4) a document in writing issued by the municipality attesting that such exhibition at such location complies with municipal by-laws.

74.4. The holder of a non-resident's circus licence must

(1) lay out and maintain every shelter, cage or enclosure in accordance with the plan referred to in paragraph 1 of section 74.3;

(2) keep the animals in buildings, cages, enclosures or shelters designed or built to prevent any animal attack and any transmission of fatal infectious diseases to an animal or a human;

(3) have the care of the animals supervised by a veterinary surgeon;

(4) make sure that the civil liability insurance contract referred to in paragraph 6 of section 74.2 stays in force throughout the term of the licence;

(5) notify without delay a wildlife protection officer upon discovering that an animal has escaped from the enclosure or cage;

(6) allow a wildlife protection officer or a person accompanying the officer to take samples from the animals kept in captivity or from the premises on which they are kept.”.

41. Section 75 is amended by adding “, for the purposes of learning falconry” at the end.

42. The following is inserted after section 75:

“**75.1.** The holder of an apprentice hawkler's licence may transfer the bird of prey he or she keeps in captivity to a person entitled to keep it, or kill it.”.

43. Section 76 is amended

(1) by striking out paragraph 1;

(2) by replacing paragraph 5 by the following:

“(5) not have held such a licence more than once.”.

44. Section 77 is amended by replacing “is renewable” in the part preceding paragraph 1 by “may be renewed only once”.

45. Section 80 is amended

(1) by striking out “resident or non-resident”;

(2) by adding “, for falconry purposes” at the end.

46. Section 81 is amended

(1) by striking out “resident” in the part preceding paragraph 1;

(2) by striking out paragraph 1;

(3) by adding the following paragraph:

“(6) indicate the ring number of each bird the applicant intends to keep in captivity.”.

47. Section 82 is struck out.

48. Section 84 is amended

(1) by striking out “resident” in the part preceding paragraph 1;

(2) by inserting “birth or” in paragraph 1 after “days of its”.

49. Section 85 is amended by striking out “resident or non-resident”.

50. The following is inserted after section 85:

“**85.1.** The holder of a hawker’s licence may transfer a bird of prey he or she keeps in captivity to a person entitled to keep it, or kill it.”.

51. Section 86 is replaced by the following:

“**86.** Every person who contravenes any provision of sections 2.1 to 20, 23 to 26, 29 to 32, 35 to 37, 41 to 45, 47 to 50, 53, 54, 55, 57 to 63, 66 to 70, 74, 74.1, 74.4, 75, 78 to 80, 84, 85 and 87 commits an offence.”.

52. Schedule II of the French text is amended by replacing “Les Dégoux” by “Les Dégus”.

53. Schedule V is replaced by the following:

“**SCHEDULE V**
SPECIES THAT MAY BE KEPT BY A GAME
RANCH FOR VARIOUS SPECIES
(s. 50)

A- Mammals Class

Buffalo
Cervidae mentioned in Schedule II
Peccaries
Boars

B- Birds Class

Wild turkey
Quail
Northern bobwhite
Pheasant
Francolin
Rock partridge
Chukar
Red-legged partridge
Guinea fowl”

TRANSITIONAL

54. Every holder of a game ranch licence for exotic species becomes, as of the date of coming into force of this Regulation, a holder of a game ranch licence for various species.

55. Every holder of a resident or non-resident hawker’s licence becomes, as of the date of coming into force of this Regulation, a holder of a hawker’s licence.

56. Every holder of a non-resident’s licence to keep animals for exhibition purposes becomes, as of the date of coming into force of this Regulation, the holder of a non-resident’s circus licence for the term indicated on the non-resident’s licence to keep animals for exhibition purposes.

FINAL

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

1049

M.O., 2010

Order number AM 2010-037 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 31 August 2010

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

CONCERNING the Regulation to amend the Regulation respecting the classes of licences to keep animals in captivity and their term

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING subparagraph 1 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may make regulations determining, in particular, classes of licences and their duration;

CONSIDERING the making of the Regulation respecting the classes of licences to keep animals in captivity and their term (R.R.Q., c. C-61.1, r. 10);

CONSIDERING the first paragraph of section 164 of the Act, which provides that a regulation made under subparagraph 1 of the first paragraph of section 163 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting the classes of licences to keep animals in captivity and their term, attached hereto, is hereby made.

Québec, 31 August 2010

SERGE SIMARD, <i>Minister for Natural Resources and Wildlife</i>	NATHALIE NORMANDEAU, <i>Minister of Natural Resources and Wildlife</i>
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Regulation to amend the Regulation respecting the classes of licences to keep animals in captivity and their term

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 163, 1st par., subpar. 1)

1. The Regulation respecting the classes of licences to keep animals in captivity and their term (R.R.Q., c. C-61.1, r. 10) is amended in section 1

(1) by replacing paragraph 5 by the following:

“the game ranch licence for various species;”;

(2) by inserting the following after paragraph 7:

“(7.1) the animal trainer’s licence;

(7.2) the by-products collector’s licence;”;

(3) by replacing paragraph 8 by the following:

“the licence to keep animals for exhibition purposes;”;

(4) by replacing paragraph 10 by the following:

“the hawkler’s licence;”;

(5) by adding the following after paragraph 10:

“(11) the non-resident’s circus licence.”.

2. Section 2 is amended by replacing “the non-resident’s licence to keep animals for exhibition purposes and the non-resident hawkler’s licence” by “the non-resident’s circus licence”.

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

1050

M.O., 2010

Order number AM 2010-038 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 31 August 2010

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

CONCERNING the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING subparagraph 4 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may make regulations setting the fees payable for the issue of a licence;

CONSIDERING the making of the Regulation respecting the scale of fees and duties related to the development of wildlife (R.R.Q., c. C-61.1, r. 32);

CONSIDERING that, 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 the scale of fees and duties related to the development of wildlife was published in Part 2 of the *Gazette officielle du Québec* of 10 March 2010 with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that the 45-day period has expired;

CONSIDERING that no comments have been submitted in respect of that publication;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, attached hereto, is hereby made.

Québec, 31 August 2010

SERGE SIMARD, NATHALIE NORMANDEAU,
Minister for Natural Resources and Wildlife *Minister of Natural Resources and Wildlife*

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife

An Act respecting the conservation and development of wildlife
 (R.S.Q., c. C-61.1, s. 163, 1st par., subpar. 4)

1. The Regulation respecting the scale of fees and duties related to the development of wildlife (R.R.Q., c. C-61.1, r. 32) is amended in the first paragraph of section 4.3

(1) by inserting the following after subparagraph 6:

“(6.1) an animal trainer’s licence: \$385.13;

(6.2) a by-product collector’s licence: \$385.13;”;

(2) by replacing subparagraph 8 by the following:

“(8)a game ranch licence for various species: \$54.88;”;

(3) by replacing subparagraph 11 by the following:

“(11) a hawkler’s licence: \$54.88;”;

(4) by replacing subparagraph 12 by the following:

“(12) a licence to keep animals for exhibition purposes: \$115.85;”;

(5) by adding the following subparagraph at the end:

“(13) a non-resident’s circus licence: \$231.71.”

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

1051

M.O., 2010

Order number AM A-6.001-83.5-01 of the Minister of Finance dated September 24, 2010

Financial Administration Act
 (R.S.Q., c. A-6.001)

Regulation respecting the rounding off of adjusted fees

CONSIDERING the second paragraph of section 83.5 of the Financial Administration Act (R.S.Q., c. A-6.001), which provides that the Minister is to make a regulation to determine the rules for rounding off adjusted fees according to the adjustment rates referred to in sections 83.3 and 83.4 of the Act;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the rounding off of adjusted fees was published in Part 2 of the *Gazette officielle du Québec* of 28 July 2010 (2010, *G.O.* 2, 2327) with a notice that it could be made by the Minister of Finance on the expiry of 45 days following that publication;

CONSIDERING that no comments were received on the draft Regulation;

CONSIDERING that it is expedient to make the Regulation without amendment;

THEREFORE, the Minister of Finance makes, without amendment, the Regulation respecting the rounding off of adjusted fees, attached to this Minister’s Order.

September 24, 2010

RAYMOND BACHAND,
Minister of Finance

Regulation respecting the rounding off of adjusted fees

Financial Administration Act
 (R.S.Q., c. A-6.001, s. 83.5, 2nd par.;
 2010, c. 20, s. 51)

1. The fees adjusted in accordance with section 83.3 or 83.4 of the Financial Administration Act (R.S.Q., c. A-6.001) are rounded off in the manner prescribed in the subparagraph below that applies depending on the result of the adjustment:

(1) if the result is less than \$10, it is rounded to the nearest multiple of \$0.05;

(2) if the result is equal to or greater than \$10 but less than \$25, it is rounded to the nearest multiple of \$0.10;

(3) if the result is equal to or greater than \$25, but less than \$100, it is rounded to the nearest multiple of \$0.25;

(4) if the result is equal to or greater than \$100, it is rounded to the nearest multiple of \$1.00.

The result of an adjustment that is equidistant from two multiples must be rounded to the higher of the two.

2. The adjustment of a fee less than \$5.00 is postponed to the year in which the total of the adjustment rates applicable to each of the years for which adjustment is postponed will increase the fee by \$0.05.

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

1052

Notice of adoption

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

Taxi owners

— Maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

CONCERNING the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation.

Notice is given, pursuant to section 19 of the Act to amend the Act respecting transportation services by taxi (2009, c. 17), that the Commission des transports du Québec has adopted the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation to replace Order in Council 736-2002 of 12 June 2002 (2002, *G.O.* 2, 4168) respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation.

The regulation maintains the maximum number of taxi owner's permits that can be issued in the servicing areas listed in the schedule attached to Order in Council 736-2002, except for the maximums set for servicing

areas A.50 La Tuque and Magog, which are amended pursuant to section 10.1 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01).

The maximum for the A.50 La Tuque servicing area is lowered to 8, and the maximum for the Magog servicing area to 16. According to the Commission's assessment, these numbers take into account a balance between the demand for taxi services and the profitability of companies holding taxi permits and are further to consultations held in each of these servicing areas, among others with the concerned permit holders.

Pursuant to sections 10 and 11 of 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 14 July 2010 with a notice that it could be adopted upon expiry of a 45-day period following its publication. Following its publication, the Commission received comments.

Pursuant to section 17 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation, attached hereto, comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

CHRISTIAN DANEAU,
*Secretary of the Commission
des transports du Québec*

Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

1. The Commission des transports du Québec may not issue, for each area established and delimited under subparagraph 4 of the first paragraph of section 79 of the Act respecting transportation services by taxi (2001, c. 15), more taxi owner's permits than the maximum for each area indicated in the schedule attached to this Regulation.

2. The Commission des transports du Québec establishes as a condition applicable to seven taxi owner's permits among the maximum of 91 taxi owner's permits for the A.34 Hull servicing area that operations be restricted to limousine services only for four of them and to luxury limousine services only for the remaining three.

- 3.** The Commission des transports du Québec establishes as a condition when granting a holder of a taxi owner's permit authorization to specialize services in order to offer transportation with personal attendants for beneficiaries of the health care system that those services be offered only between 7:00 a.m. and 11:00 p.m. on business days, except where the contract between the taxi owner's permit holder and the public institution or the health and social services regional council expressly stipulates other schedules.
- 4.** This Regulation replaces the Order in Council respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation (Order in Council 736-2002) of June 12, 2002 (2002, *G.O.* 2, 4168).
- 5.** This Regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE

Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits	Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits
102001	A.1 Boucherville	17	102043	A.43 Sherbrooke	84
102002	A.2 Longueuil	343	102044	A.44 Valleyfield	36
102003	A.3 Candiac-Laprairie	15	102045	A.45 Amos	14
102004	A.4 Cowansville	14	102046	A.46 Chibougamau	11
102005	A.5 Est de Montréal	332	102047	A.47 Matagami	3
102006	A.6 Joliette	32	102048	A.48 Rouyn-Noranda	47
102007	A.7 Lachute	13	102049	A.49 Val-d'Or	35
102008	A.8 Laval	213	102050	A.50 La Tuque	8
102009	A.9 Matane	14	102051	A.51 Ouest du Saguenay	30
102010	A.10 Mont-Joli	10	102052	A.52 Saguenay	38
102011	A.11 Montréal	3919	102053	A.53 Sept-Îles	31
102012	A.12 Ouest de Montréal	271	102054	A.54 Sainte-Thérèse	36
102013	A.13 Rivière-du-Loup	15	102055	A.55 Gatineau	38
102014	A.14 Saint-Eustache	38	102056	A.56 Le Gardeur	13
102015	A.15 Saint-Jérôme	46	102057	A.57 Vaudreuil	21
102016	A.16 Sorel	44	200101	Les Îles-de-la-Madeleine	13
102017	A.17 Terrebonne	33	200201	Chandler	5
102118	A.18 Thetford Mines	12	200202	Grande-Rivière	3
102019	A.19 Victoriaville	30	200203	Newport	3
102020	A.20 Alma	16	200204	Percé	3
102021	A.21 Côte-Nord	23	200406	Sainte-Anne-des-Monts	6
102022	A.22 Beauharnois	7	200502	Bonaventure	3
102023	A.23 Beloeil	20	200503	New Carlisle	2
102024	A.24 Saint-Bruno	14	200505	New Richmond	3
102025	A.25 Charlesbourg	38	200507	Paspébiac	5
102026	A.26 Châteauguay	50	200508	Caplan	4
102027	A.27 La Baie	11	200601	Carleton	2
102028	A.28 Dolbeau-Mistassini	9	200602	Maria	2
102029	A.29 Drummondville	35	200607	Pointe-à-la-Croix	3
102030	A.30 Est de Québec	51	200609	Nouvelle	4
102031	A.31 Gaspé	14	200701	Amqui	6
102032	A.32 Repentigny	24	200703	Causapsal	2
102033	A.33 Granby	47	200704	Sayabec	3
102034	A.34 Hull	91 *	200805	Sainte-Félicité	5
102035	A.35 Lévis	49	200901	Price	2
102036	A.36 Québec	437	200904	Sainte-Luce	2
102037	A.37 Rimouski	46	201001	Le Bic	2
102038	A.38 Sainte-Foy-Sillery	100	201103	Trois-Pistoles	3
102039	A.39 Saint-Hyacinthe	38	201206	Saint-Antonin	5
102040	A.40 Trois-Rivières	78	201207	Notre-Dame-des-Sept-Douleurs	2
102041	A.41 Saint-Jean	48	201302	Dégelis	5
102042	A.42 Shawinigan	33	201303	Notre-Dame-du-Lac	2

* Operation of seven permits among the maximum number of taxi owner's permits for the A.34 Hull servicing area is restricted to limousine services only for four of them and to restricted to limousine services only for four of them and to luxury limousine services only for the remaining three.

Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits	Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits
201304	Pohénégamook	5	202807	Sainte-Justine	2
201305	Cabano	4	202809	Saint-Zacharie	4
201401	La Pocatière	7	202810	Saint-Camille-de-Lellis	2
201403	Saint-Pacôme	2	202902	La Guadeloupe	5
201406	Saint-Pascal	4	202910	Saint-Georges	28
201407	Mont-Carmel	2	202915	Saint-Martin	9
201505	Saint-Irénée	2	203001	Lac-Mégantic	6
201515	Saint-Siméon	2	203002	Lambton	5
201516	La Malbaie	14	203103	Black Lake	11
201601	Baie-Saint-Paul	7	203201	Saint-Ferdinand	2
201603	Les Éboulements	2	203205	Plessisville	11
201605	Saint-Hilarion	2	203208	Lyster	3
201703	Saint-Aubert	2	203302	Saint-Gilles	6
201705	Saint-Jean-Port-Joli	3	203306	Saint-Édouard-de-Lotbinière	2
201707	Saint-Roch-des-Aulnaies	2	203308	Sainte-Croix	4
201709	L'Islet	4	203309	Laurier-Station	5
201801	Cap-Saint-Ignace	3	203310	Saint-Apollinaire	7
201802	Montmagny	12	203408	Pont-Rouge	9
201806	Saint-François-de-la-Rivière-du-Sud	3	203410	Deschambault	2
201902	Saint-Damien-de-Buckland	11	203411	Saint-Marc-des-Carières	7
201903	Saint-Malachie	2	203412	Saint-Raymond	11
201904	Sainte-Claire	3	203413	Donnacona	11
201905	Beaumont	7	203502	Saint-Tite	3
201906	Saint-Henri	3	203504	Sainte-Thècle	3
202001	Saint-Pierre-de-l'Île-d'Orléans	6	203602	Saint-Gérard-des-Laurentides	6
202101	Château-Richer	10	203703	Saint-Louis-de-France	7
202102	Sainte-Anne-de-Beaupré	11	203709	Pointe-du-Lac	6
202201	Sainte-Brigitte-de-Laval	3	203801	Bécancour	11
202202	Sainte-Catherine-Jacques-Cartier	12	203803	Saint-Pierre-les-Becquets	7
202207	Lac-Beauport	11	203901	Sainte-Anne-du-Sault	2
202302	Saint-Émile	19	204001	Asbestos	6
202303	Val-Bélair	21	204003	Wotton	2
202304	Wendake	2	204005	Danville	4
202501	Charny	43	204102	La Patrie	2
202502	Saint-Romuald	32	204107	Scotstown	2
202505	Saint-Lambert-de-Lauzon	4	204108	East Angus	12
202602	Sainte-Marie	11	204202	Richmond	6
202606	Vallée-Jonction	4	204203	Valcourt	6
202701	Beauceville	6	204204	Windsor	9
202704	Saint-Joseph-de-Beauce	4	204302	Waterville	2
202710	Tring-Jonction	3	204402	Coaticook	9
202711	Saint-Victor	2	204505	North Hatley	2
202801	Lac-Etchemin	2	204511	Stanstead	5
202804	Saint-Prosper	4	204513	Magog	16

Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits	Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits
204601	Bedford	7	206303	Saint-Jacques	8
204602	Farnham	7	206304	Saint-Lin-Laurentides	12
204701	Bromont	5	206306	Sainte-Julienne	9
204704	Waterloo	11	206307	Saint-Roch-de-l'Achigan	4
204801	Acton Vale	7	206701	Saint-Constant	46
204902	Notre-Dame-du-Bon-Conseil	2	206802	Saint-Bernard-de-Lacolle	2
205002	Nicolet	8	206804	Saint-Rémi	10
205003	Notre-Dame-de-Pierreville	1	206901	Franklin	2
205012	Saint-François-du-Lac	4	206902	Huntingdon	8
205101	Louiseville	7	206903	Ormstown	8
205102	Saint-Alexis-des-Monts	4	207001	Sainte-Martine	4
205107	Maskinongé	2	207109	Coteau-du-Lac	14
205201	Berthierville	4	207104	Saint-Lazare	18
205203	Lavaltrie	11	207105	Rigaud	6
205205	Saint-Gabriel	8	207203	Kanésatake	2
205208	Sainte-Geneviève-de-Berthier	5	207205	Oka	5
205209	Saint-Cuthbert	4	207301	Sainte-Anne-des-Plaines	13
205210	Mandeville	2	207401	Mirabel	28
205211	Lanoraie	3	207501	Prévost	8
205301	Saint-Robert	5	207502	Sainte-Sophie	15
205405	Sainte-Madeleine	4	207503	Saint-Colomban	7
205501	Marieville	12	207601	Grenville	3
205505	Saint-Césaire	9	207701	Saint-Adolphe-d'Howard	5
205601	Saint-Paul-de-l'Île-aux-Noix	6	207702	Sainte-Adèle	23
205602	Saint-Alexandre	7	207801	Labelle	4
205701	Chambly	26	207803	Saint-Faustin-Lac-Carré	4
205703	Saint-Mathieu-de-Beloeil	2	207806	Val-David	6
205704	Saint-Denis-sur-Richelieu	7	207807	Sainte-Agathe-des-Monts	11
205901	Sainte-Julie	35	207811	Mont-Tremblant	12
205902	Varennes	20	207812	Sainte-Lucie-des-Laurentides	2
205903	Verchères	10	207813	Huberdeau	2
206004	L'Épiphanie	7	207901	Nominie	2
206007	L'Assomption	16	207903	L'Annonciation	5
206102	Saint-Thomas	2	207904	Mont-Laurier	13
206103	Saint-Ambroise-de-Kildare	6	207908	Beaux-Rivages	3
206203	Saint-Côme	2	207909	Ferme-Neuve	4
206204	Saint-Donat	3	208002	Thurso	2
206205	Saint-Félix-de-Valois	5	208007	Papineauville	4
206206	Saint-Jean-de-Matha	7	208008	Saint-André-Avellin	3
206207	Saint-Michel-des-Saints	3	208010	Val-des-Bois	2
206208	Saint-Alphonse-Rodriguez	3	208101	Aylmer	36
206212	Rawdon	9	208103	Buckingham	21
206213	Chertsey	5	208201	La Pêche	19
206302	Saint-Calixte	5	208202	Cantley	5

Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits	Administrative Number of the Commission des transports du Québec	Servicing Area	Taxi Owner's Permits
208203	Chelsea	6	299101	Baie-James (Radisson)	2
208204	Pontiac	4	299103	Lebel-sur-Quévillon	4
208303	Maniwaki	13	299104	Mistissini	9
208305	Wright	3	299106	Chapais	2
208402	Mansfield-et-Pontefract	4	299108	Ouje-Bougoumou	2
208403	Shawville	5	299109	Waswanipi	2
208501	Latulipe-et-Gaboury	2	299202	Kuujuuaq	2
208502	Notre-Dame-du-Nord	2	299203	Inukjuak	2
208503	Témiscaming	4			
208505	Laforce	2			
208506	Ville-Marie	9			
208507	Timiskaming	2			
208701	La Sarre	8			
208705	Palmarolle	5			
208901	Malartic	5			
208904	Senneterre	3			
208906	Lac-Simon	2			
208908	Kitcisakik	2			
209004	Wemotaci	2			
209101	Roberval	15			
209102	Saint-Félicien	10			
209105	Mashteuiatsh	8			
209107	Saint-Prime	2			
209201	Normandin	6			
209307	Hébertville	8			
209308	Métabetchouan-Lac-à-la-Croix	4			
209402	Saint-Honoré	4			
209406	Saint-Ambroise	4			
209501	Forestville	4			
209502	Les Escoumins	7			
209601	Chute-aux-Outardes	5			
297101	Port-Cartier	8			
297105	Maliotenam	2			
297201	Fermont	3			
297202	Schefferville	2			
297205	Matimekosh	2			
298102	Havre-Saint-Pierre	5			
298103	Longue-Pointe-de-Mingan	2			
298105	Natashquan	2			
298106	Mingan	2			
298202	La Romaine	2			
298203	Côte-Nord-du-Golfe-Saint-Laurent	2			
298204	Blanc-Sablon	3			
298206	Saint-Augustin	2			

Draft Regulations

Notice

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Installation of petroleum equipment — Amendments

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour received from the contracting parties an application for amendments to the Decree respecting the installation of petroleum equipment (R.R.Q., c. D-2, r. 12) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting the installation of petroleum equipment, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree increases the minimum hourly rate of mechanics, labourers and students as well as the employer's contribution to the employees' pension plan.

The consultation period will specify the extent of the impacts of the amendments applied for. According to the 2009 annual report of the Comité paritaire sur l'installation d'équipement pétrolier, 53 employers, 358 employees and 16 artisans are subject to the Decree.

Further information may be obtained by contacting

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail
200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
E-mail: patrick.bourassa@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting the installation of petroleum equipment

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting the installation of petroleum equipment (R.R.Q., c. D-2, r. 12) is amended by replacing subsections 1 to 3 of section 9.01 by the following:

“**9.01.** (1) The minimum hourly rate payable to a service mechanic, an installation mechanic, a shop mechanic and a tank-truck mechanic is established as follows for each class of employment:

Class of employment	As of 2011-01-01
A	\$28.37
B	\$24.08
C	\$20.76;

(2) A labourer is paid according to the number of hours accumulated since the date of hiring. The minimum hourly rate payable is established as follows:

Labourer	As of 2011-01-01
Starting	\$17.86
after 2,000 hours	\$18.30
after 4,000 hours	\$18.78
after 6,000 hours	\$19.40

(3) The minimum hourly rate payable to a student is established as follows:

Student	As of 2011-01-01
	\$13.76.”.

2. Section 11.08 is amended by replacing subparagraphs *a* to *d* of subsection 1 by the following:

- (a) \$1,37 as of 1 January 2011 for Class A mechanics;
- (b) \$1.31 as of 1 January 2011 for Class B mechanics;

(c) \$1.28 as of 1 January 2011 for Class C mechanics;

(d) \$1.24 as of 1 January 2011 for all labourers.”.

3. Section 12.01 is amended by replacing “2010” everywhere it appears by “2011”.

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

Treasury Board

Gouvernement du Québec

T.B. 209326, 21 September 2010

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Regulation

— Amendments

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 1 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may determine, by regulation, for the purposes of paragraph 3 of section 4 of the Act, the classes and conditions of employment and the remuneration or mode of remuneration by reason of which a person is excluded from the plan;

WHEREAS, under subparagraph 3 of the first paragraph of section 134 of the Act, amended by paragraph 1 of section 33 of chapter 11 of the Statutes of 2010, the Government may establish, by regulation, the rules governing a poll held under section 6 or 6.1 of the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS, under subparagraph 4.2 of the first paragraph of section 134 of the Act, amended by paragraph 2 of section 33 of chapter 11 of the Statutes of 2010, the Government may establish, by regulation, for the purposes of sections 25, 115.1 and 115.10.1 of the Act, the tariff applicable to the payment of redemption cost which may vary according to the employee's age, the reason for the absence, the year of service covered by the redemption and the date of receipt of the application, and prescribe the terms and conditions governing the application of the tariff and the rules for determining the pensionable salary for the purposes provided for in those sections;

WHEREAS, under the first paragraph of section 134 of the Act, the Government exercises the regulatory powers provided for in that section after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the pension committee has been consulted;

WHEREAS the Minister of Finance has been consulted;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached hereto, is hereby made.

GEORGES BOULET,
Acting Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 134, 1st par., subpars. 1, 3 and 4.2; 2010, c. 11, s. 33)

1. The Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended in section 1 by adding the following at the end:

“(7) a postdoctoral trainee who works in a research centre within the meaning of section 6.2 of the Act.”.

* The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the regulation made by Decision 208555 of the Conseil du trésor dated 16 December 2009 (2010, *G.O.* 2, 155). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

2. The heading of Division II of Chapter I is replaced by the following:

“RULES GOVERNING THE HOLDING OF POLLS
(s. 134, 1st par, subpar. 3)

1. Poll referred to in section 6 of the Act”.

3. The following is inserted after section 7:

“2. Polls referred to in section 6.1 of the Act

Employer’s poll

7.1. The person responsible for the management of a research centre within the meaning of section 6.2 of the Act and section 22.2 of the Act respecting the Pension Plan of Management Personnel is responsible for the holding of the employer’s poll.

7.2. The person responsible for the management of a research centre draws up the list of the employees of the centre who, on the date on which the notice of meeting referred to in section 7.3 is sent or the ballot paper referred to in section 7.5 is given, as the case may be, would be qualified to vote under section 6.1 of the Act or, as the case may be, section 22.1 of the Act respecting the Pension Plan of Management Personnel if the employees’ poll was held on that day.

Each employee is assigned to one of the parties forming the employer within the meaning of section 6.2 of the Act and section 22.2 of the Act respecting the Pension Plan of Management Personnel according to the imputation of the employee’s remuneration to the research budget of one of the parties. If the employee’s remuneration is imputed to more than one research budget, the employee is assigned to the party whose budget pays the highest percentage of the employee’s remuneration.

The assignment of an employee to a party forming the employer gives that party a vote for the purposes of the fourth paragraph of section 7.4 or the third paragraph of section 7.5.

7.3. A notice of meeting specifying the place and date of the meeting to hold an employer’s poll must be sent to each party forming the employer at least 10 days before the date set for the holding of the poll.

The list drawn up pursuant to section 7.2 is attached to the notice of meeting.

7.4. The parties forming the employer, present at the meeting, designate a returning officer and 2 deputy returning officers. The deputy returning officers draw up the list

of the parties present by specifying in respect of each one of them the number of employees that were assigned to each party pursuant to section 7.2, and proceed with the voting.

The vote of each party is expressed by means of a ballot worded as follows:

“I am favourable to the participation in the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel, as the case may be, of the employees of the research centre who will be called to elect to participate in one plan or the other.

Yes [] No []

Name of the party forming the employer: _____
Number of employees assigned: []”.

A party may vote by proxy. The proxy must be given to the returning officer.

After collecting the ballot papers, the deputy returning officers count the votes on the basis of the number of employees assigned to one party, each employee counting for one vote, and immediately communicate the result of the poll to the meeting. A simple majority of the votes cast on that basis decides the question.

7.5. If it is impossible to hold a meeting, the poll may be held by giving each party forming the employer a ballot paper worded as prescribed by the second paragraph of section 7.4 and the list drawn up pursuant to section 7.2.

Each party forming the employer must sign the ballot paper and return it to the person responsible for the management of the research centre not later than 15 days after receiving it.

The votes must be counted in the presence of the representative of the researchers and according to the rules provided for in the fourth paragraph of section 7.4. A simple majority of the votes cast on the basis of that paragraph decides the question. The result of the employer’s poll must be communicated to each party forming the employer, with an affidavit signed by the person responsible for the centre and the representative of the researchers.

7.6. Where applicable, the person responsible for the management of the research centre sends to the Commission a notice specifying that the employer agrees to the participation of its employees in the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel, as the case may be.

Employees' poll

7.7. The employees of a research centre within the meaning of section 6.2 of the Act and section 22.2 of the Act respecting the Pension Plan of Management Personnel who are qualified to vote under section 6.1 of the Act or, as the case may be, section 22.1 of the Act respecting the Pension Plan of Management Personnel, or their representative, must notify the Commission in writing that they intend to hold a poll to elect to participate in the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel, as the case may be.

The notice must specify the name and address of the research centre and the names and addresses of the person responsible for the management of the research centre and of the representative of the employees.

The notice must be signed by 10% of the employees or 100 employees, whichever is less, or by their representative.

7.8. The person responsible for the management of the research centre or, failing that, the representative of the employees, is responsible for the holding of the employees' poll.

7.9. The employees' poll is held within 3 months of the date of receipt by the Commission of the last of the 2 notices referred to in sections 7.6 and 7.7.

7.10. A notice of meeting specifying the place and date of the meeting to hold an employees' poll must be sent to each employee qualified to vote at least 10 days before the date set for the holding of the poll.

7.11. At the meeting, the employees qualified to vote designate a returning officer and 2 deputy returning officers. The deputy returning officers draw up the list of the employees present who are qualified to vote, and proceed with the voting.

The vote of each employee is expressed by means of a ballot worded as follows:

"I wish to participate in the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel, as the case may be.

Yes [] No []".

After collecting the ballot papers, the deputy returning officers count the votes and immediately communicate the result of the poll to the meeting. A simple majority of the votes cast decides the question.

7.12. If it is impossible to hold a meeting, the poll may be held by giving each employee qualified to vote a ballot paper worded as prescribed by the second paragraph of section 7.11.

Each employee must sign his or her ballot paper and return it to the person responsible for the holding of the poll under section 7.8 not later than 15 days after receiving it.

The votes must be counted in the presence of the representative of the employees and the result of the poll must be posted at the usual places for posting information at the research centre. A simple majority of the votes cast decides the question.

7.13. The representative of the employees notifies the Commission of the results of the poll. The notice must come with an affidavit signed by the representative."

4. Section 8.3 is amended by replacing "and 115.1" by ", 115.1 and 115.10.1".

5. Section 8.5 is amended by adding "and the third paragraph of section 115.10.1" after "section 115.1".

6. Schedule 0.I is amended by adding the following at the end:

"4. The tariff applicable to pay the cost of redemption of service under section 115.10.1 of the Act in respect of a period of service performed by an employee in a research centre varies according to the date on which the application for redemption of service is received by the Commission.

Where the application for redemption of service is received before 1 January 2013, the tariff is the tariff appearing in the table of section 2 of this Schedule. Where the application is received after 31 December 2012, the tariff is the tariff appearing in the table of section 1 of this Schedule."

7. This Regulation comes into force on the date of coming into force of the sections referred to in paragraph 2 of section 42 of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector (2010, c. 11).

Gouvernement du Québec

C.T. 209327, 21 September 2010

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1)

Regulation — Amendments

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 1 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may determine, by regulation, for the purposes of subparagraph 3 of the first paragraph of section 3, the classes of employees, the conditions of employment and the remuneration or mode of remuneration by reason of which a person is excluded from the plan;

WHEREAS, under subparagraph 5.1 of the first paragraph of section 196 of the Act, amended by section 12 of chapter 11 of the Statutes of 2010, the Government may establish, by regulation, for the purposes of sections 39, 146 and 152.1 of the Act respecting the Pension Plan of Management Personnel, the tariff applicable to the payment of redemption costs which may vary according to the employee's age, the reason for the absence, the year of service covered by the redemption and the date of receipt of the application, and prescribe the terms and conditions governing the application of the tariff and the rules for determining the pensionable salary for the purposes provided for in those sections;

WHEREAS, under the first paragraph of section 196 of the Act, the Government exercises the regulatory powers provided for in that section after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel by Decision 202420 dated 24 May 2005;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the pension committee has been consulted;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES :

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached hereto, is hereby made.

GEORGES BOULET,
Acting Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel*

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 196, 1st par., subpars. 1 and 5.1; 2010, c. 11, s. 12)

1. The Regulation under the Act respecting the Pension Plan of Management Personnel is amended by inserting the following before Division I:

“DIVISION 0.1 PERSONS EXCLUDED FROM THE PLAN (s. 196, 1st par., subpar. 1)

0.1. The classes of employees, the conditions of employment and the remuneration or mode of remuneration by reason of which a person is excluded from the plan are

- (1) a person paid in fees or paid by the act;
- (2) a person hired to perform duties as a student or a *coopérant*;
- (3) a person hired to perform duties directly related to his or her training program in a college as student employee;

* The Regulation under the Act respecting the Pension Plan of Management Personnel, made by Decision 202420 of the Conseil du trésor dated 24 May 2005 (2005, *G.O.* 2, 1733), was last amended by the regulation made by Decision 208549 of the Conseil du trésor dated 16 December 2009 (2010, *G.O.* 2, 141). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

(4) a person hired under contract as an independent worker under the terms of whose contract no deduction at source is made;

(5) a resident physician;

(6) a person hired to perform duties as a trainee, that is a person who, under the guidance of a college, university or professional corporation, is required to complete a training period or clinic to obtain his or her final degree, except a person belonging to an employment group that provides for a class of trainees; and

(7) a postdoctoral trainee who works in a research centre within the meaning of section 22.2 of the Act.”.

2. Section 4 is amended by replacing “and 146” by “, 146 and 152.1”.

3. Section 6 is amended by adding “and the third paragraph of section 152.1” after “section 146”.

4. Schedule I is amended by adding the following at the end:

“3. The tariff applicable to pay the cost of redemption of service under section 152.1 of the Act in respect of a period of service performed by an employee in a research centre varies according to the date on which the application for redemption of service is received by the Commission.

Where the application for redemption of service is received before 1 January 2013, the tariff is the tariff appearing in the table of section 2 of this Schedule. Where the application is received after 31 December 2012, the tariff is the tariff appearing in the table of section 1 of this Schedule.”.

5. This Regulation comes into force on the date of coming into force of the sections referred to in paragraph 2 of section 42 of the Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector (2010, c. 11).

Parliamentary Committees

Committee on Culture and Education

General consultation

On Bill 82, Cultural Heritage Act

The Committee on Culture and Education will be holding public hearings beginning January 18, 2011, as part of its general consultation on Bill 82, Cultural Heritage Act. This bill is available on the Committee's web page at www.assnat.qc.ca; it may also be obtained by contacting the committee clerk.

Individuals and organizations wishing to express their views on this subject must submit a brief to the Committees Secretariat no later than November 12, 2010. Briefs must be on letter-size paper and include a summary of their contents. They may be sent by email (Word or unlocked PDF) or regular mail, or hand delivered at the reception desk of the Committees Secretariat.

Individuals wishing to voice their views during public hearings without submitting a brief must file a request to that effect with the committee clerk no later than November 12, 2010. The request must include a short statement summarizing the nature of the presentation to be made.

On the basis of these briefs and requests, the Committee decides which individuals and organizations it will hear.

Unless the Committee decides otherwise, briefs will be made public and posted on the Committee's web page, along with any personal information they contain.

Deadlines for submitting briefs and requests are subject to change, as is the opening-date for public hearings. If changes are made, the information will be made public via the National Assembly's website without further notice being published in the newspapers.

Briefs, requests, correspondence and inquiries should be addressed to Ms. Stéphanie Boutin, Clerk of the Committee on Culture and Education, édifice Pamphile-Le May, 1035, rue des Parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

Telephone: 418 643-2722
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Email: cee@assnat.qc.ca
Toll-free number: 1 866 337-8837

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Notices

Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Boisé-des-Douze Nature Reserve — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends 3,9 hectares. This property, situated on the territory of the Municipality of Saint-Hyacinthe, Regional County Municipality des Maskoutains, known and designated as lot number 1 295 831 of the Québec Land Register, Saint-Hyacinthe registry division.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
*Director of Ecological
Heritage and Parks*

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

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