



Part 2

LAWS AND REGULATIONS

26 January 2022 / Volume 154

Summary

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Part 2 – LAWS AND REGULATIONS

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Draft Regulations

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Tracking dog handlers

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Tracking Dog Handler Pilot Project, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The pilot project develops and experiments with special rules on regulating the activities of tracking dog handlers. It also collects information on the issues relating to safety, the conservation of wildlife, poaching risks, social acceptability, the feasibility of certain practices, the best practices for putting an end to the suffering of an animal that is fatally injured, and the required reporting procedures.

Study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses.

Further information on the pilot project may be obtained by contacting Daniel Couture, person in charge of tracking dog handler regulations, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; email: daniel.couture@mffp.gouv.qc.ca.

Any person wishing to comment on the pilot project is requested to submit written comments within the 45-day period to Élise Paquette, Acting Associate Deputy Minister of Wildlife and Parks, 880, chemin Sainte-Foy, RC-120, Québec (Québec) G1S 4X4.

PIERRE DUFOUR

Minister of Forests, Wildlife and Parks

Tracking Dog Handler Pilot Project

Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 164.1)

CHAPTER I GENERAL

1. The implementation of the Tracking Dog Handler Pilot Project is authorized. The pilot project is designed to

(1) develop and experiment with special rules on regulating the activities of tracking dog handlers; and

(2) collect information on the activities of tracking dog handlers, in particular on the issues relating to safety, the conservation of wildlife, poaching risks, social acceptability, the feasibility of certain practices, best practices for putting an end to the suffering of an animal that is fatally injured, and the required reporting procedures.

2. The pilot project ends after a maximum of 4 years and applies throughout Québec.

3. To take part in the pilot project, a person must hold an attestation issued by the Minister. The attestation is valid from

(1) the date of coming into force of the pilot project on 31 December 2022; or

(2) 1 January to 31 December 2023.

A maximum of 50 attestations may be issued per period.

CHAPTER II CONDITIONS FOR OBTAINING AN ATTESTATION

4. To obtain an attestation, a person must apply to the Minister using the form provided for that purpose and

(1) hold a hunter's certificate bearing the code "F": handling of a firearm;

(2) have completed, at least 4 years earlier, the training for tracking dog handlers given by the Association des conducteurs de chiens de sang du Québec;

(3) have carried out at least 50 searches with the help of a tracking dog and be able to show that;

(4) not have been found guilty of an offence under the Act respecting the conservation and development of wildlife (chapter C-61.1) or its regulations in the last 3 years; and

(5) have complied, if applicable, with the conditions related to an attestation issued for a preceding period of the pilot project.

CHAPTER III CONDITIONS REGULATING THE ACTIVITIES OF TRACKING DOG HANDLERS

5. A person who holds an attestation, hereinafter called a “tracking dog handler”, may carry out a search, at a hunter’s request, using a tracking dog and in possession of a shotgun or rifle, for a moose, white-tailed deer or black bear that is fatally injured as a result of a hunting activity with a view to killing it in order to put an end to its suffering and avoid its flesh going to waste.

6. Before beginning each day of a search, a tracking dog handler must call SOS Braconnage at 1 800 463-2191 and provide

(1) the tracking dog handler’s name and telephone number;

(2) the attestation number;

(3) the search area;

(4) the date and time of the start of the search; and

(5) the name and telephone number, or the number of the hunter’s certificate, of the hunter who requires the tracking dog handler’s services to find an animal that is fatally injured.

7. During a search, a tracking dog handler must

(1) not load the shotgun or rifle until visual contact is made within 100 metres of the animal being tracked, and the shotgun or rifle must not have a telescope or laser sight;

(2) wear a fluorescent orange garment at all times, and for a night search the garment must have reflective strips that ensure visibility;

(3) use a lighting device for a night search;

(4) keep the dog leashed at all times; and

(5) have in his or her possession the attestation authorizing the tracking dog handler to take part in the pilot project and, at the request of a wildlife protection officer or wildlife protection assistant, identify himself or herself and produce the attestation of his or her capacity issued by the Minister.

8. A tracking dog handler may be accompanied on a search provided that the person or persons accompanying the tracking dog handler

(1) are not in possession of a weapon;

(2) wear a fluorescent orange garment at all times, and for a night search the garment must have reflective strips that ensure visibility; and

(3) use a lighting device for a night search.

9. A tracking dog handler may, subject to the requirements provided for in the second paragraph, kill, once found, the moose, white-tailed deer or black bear that was fatally injured as a result of a hunting activity.

The tracking dog handler may kill the animal, day or night, up to 24 hours after the end of the hunting period during which the animal was fatally injured, using a shotgun or rifle of an authorized calibre for hunting the animal to be killed.

10. Killing animals in accordance with section 9 does not constitute hunting.

11. After killing an animal, a tracking dog handler must, without delay, inform the hunter who retained the tracking dog handler’s services, in order to allow the hunter to comply with his or her transportation and registration obligations.

CHAPTER IV COLLECTION OF INFORMATION

12. A tracking dog handler must enter the requested information on the form provided for that purpose by the Minister for each search carried out during a hunting season.

The tracking dog handler must send the completed form not later than 15 July following a spring hunting season and not later than 15 January following a fall hunting season.

13. Any person may submit written comments on this pilot project to the Ministère des Ressources naturelles et de la Faune.

14. The Ministère des Ressources naturelles et de la Faune is assigned to collect the information pursuant to this pilot project.

CHAPTER V
ADMINISTRATIVE SANCTION AND OFFENCE

15. The Minister may cancel a holder's attestation if the holder

(1) no longer fulfils the conditions for obtaining an attestation;

(2) is found guilty of an offence under the Act respecting the conservation and development of wildlife (chapter C-61.1) or its regulations during the attestation's period of validity; or

(3) does not comply with one of the conditions set out in section 6, 7, 9, 11 or 12.

16. Every person who contravenes any of sections 6 to 9, 11 and 12 is guilty of an offence and is liable to a fine of \$500.

CHAPTER VI
FINAL

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

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