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## Part 2

# LAWS AND REGULATIONS

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11 May 2022 / Volume 154

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Legal deposit – 1st Quarter 1968  
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Part 2 shall contain:

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## Coming into force of Acts

Gouvernement du Québec

**O.C. 721-2022, 27 April 2022**

**Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions (2022, chapter 3)**

**—Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions

WHEREAS the Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions (2022, chapter 3) was assented to on 24 February 2022;

WHEREAS, under paragraph 3° of section 121 of the Act respecting the implementation of certain provisions of the budget speech of 25 March 2021 and amending other provisions, the provisions of Chapter VIII of this Act, including the section 29 to 53, come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 30 September 2022 as the date of coming into force of the provisions of Chapter VIII of this Act, including the section 29 to 53;

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

THAT 30 September 2022 be set as the date of coming into force of the provisions of Chapter VIII of the Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions, (2022, chapter 3), including sections 29 to 53.

YVES OUELLET  
*Clerk of the Conseil exécutif*

105703

Gouvernement du Québec

**O.C. 724-2022, 27 April 2022**

**Act to amend the Charter of the French language (2002, chapter 28)**

**—Coming into force of section 1**

COMING INTO FORCE of section 1 of the Act to amend the Charter of the French language

WHEREAS the Act to amend the Charter of the French language (2002, chapter 28) was assented to on 13 June 2002;

WHEREAS section 49 of the Act provides that the provisions of the Act come into force on 1 October 2002, except the provisions of sections 1 to 10, 18 to 24 and 43 to 48, which come into force on the date or dates to be fixed by the Government;

WHEREAS Order in Council 1015-2002 dated 4 September 2002 fixes 1 October 2022 as the date of coming into force of sections 2 to 10, 18 to 24 and 43 to 48 of the Act;

WHEREAS Order in Council 654-2021 dated 5 May 2021 fixes 5 May 2022 as the date of coming into force of section 1 of the Act;

WHEREAS it is expedient to revoke that Order in Council and to fix 20 June 2022 as the date of coming into force of section 1 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for the French Language:

THAT Order in Council 654-2021 dated 5 May 2021 be revoked;

THAT 20 June 2022 be fixed as the date of coming into force of section 1 of the Act to amend the Charter of the French language (2002, chapter 28).

YVES OUELLET  
*Clerk of the Conseil exécutif*

105705



## Regulations and other Acts

Gouvernement du Québec

### O.C. 713-2022, 27 April 2022

Act respecting Bibliothèque et Archives nationales  
du Québec  
(chapter B-1.2)

#### Legal deposit of published documents other than films — Amendment

Regulation to amend the Regulation respecting the  
legal deposit of published documents other than films

WHEREAS, under paragraphs 1 and 3 of section 20.10  
of the Act respecting Bibliothèque et Archives nationales  
du Québec (chapter B-1.2), the Government may, by regu-  
lation, after consultation with Bibliothèque et Archives  
nationales, determine the classes of published documents,  
other than films, for which the deposit of a single copy of  
one edition of the document is required and exempt from  
mandatory deposit certain classes of published documents  
and any document, other than a film, the retail price of  
which exceeds the amount fixed by regulation;

WHEREAS, in accordance with section 20.10 of the Act,  
Bibliothèque et Archives nationales has been consulted by  
the Government concerning the Regulation;

WHEREAS, in accordance with sections 10 and 11 of  
the Regulations Act (chapter R-18.1), a draft Regulation  
to amend the Regulation respecting the legal deposit of  
published documents other than films was published in  
Part 2 of the *Gazette officielle du Québec* of 22 December  
2021 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 Culture and Communications:

THAT the Regulation to amend the Regulation respec-  
ting the legal deposit of published documents other than  
films, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the legal deposit of published documents other than films

Act respecting Bibliothèque et Archives nationales  
du Québec  
(chapter B-1.2, s. 20.10)

**1.** The Regulation respecting the legal deposit of  
published documents other than films (chapter B-1.2,  
r. 1) is amended by replacing section 1 by the following:

“**1.** The classes of published documents for which the  
deposit of a single copy of one edition of the document is  
required are the following:

- (1) maps and charts, including charts of the planets  
and the skies;
- (2) prints;
- (3) artists’ books;
- (4) digital documents.”

**2.** Section 3 is amended by adding the following at  
the end:

“(39) data banks, databases and raw data;

(40) websites, except those of bodies deemed public  
bodies referred to in paragraphs 1 to 3 of the Schedule to  
the Archives Act (chapter A-21.1) and those of the media  
covering Québec national news.”

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

105700

Gouvernement du Québec

**O.C. 716-2022, 27 April 2022**

Education Act  
(chapter I-13.3)

**Amended Basic school regulation for preschool,  
elementary and secondary education  
for the 2021-2022 school year  
— Amendment**

Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year

WHEREAS, under the first paragraph of section 447 of the Education Act (chapter I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS, by Order in Council 1213-2021 dated 8 September 2021, the Government made the Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year;

WHEREAS that amended regulation was amended by Order in Council 31-2022 dated 12 January 2022;

WHEREAS, under subparagraph 4 of the third paragraph of section 447 of the Act, the basic school regulation may establish rules on the evaluation of learning achievement and the certification of studies;

WHEREAS, under subparagraph 5 of the third paragraph of section 447 of the Act, the basic school regulation may determine the diplomas, certificates and other official attestation awarded by the Minister and prescribe the conditions under which they are to be awarded;

WHEREAS, in accordance with section 458 of the Act, a draft copy of the Regulation was submitted to the Conseil supérieur de l'éducation for preliminary examination;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year was published in Part 2 of the *Gazette officielle du Québec* of 26 January 2022 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 Education:

THAT the Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

**Regulation to amend the Amended Basic  
school regulation for preschool,  
elementary and secondary education  
for the 2021-2022 school year**

Education Act  
(chapter I-13.3, s. 447, 1st par. and 3rd par.,  
subpars. 4 and 5)

**1.** The Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year, made by Order in Council 1213-2021 dated 8 September 2021 and amended by Order in Council 31-2022 dated 12 January 2022, is amended by adding the following after section 2:

“**2.1.** Sections 33 and 33.1 of the same basic school regulation are to be read as follows for the same school year:

**33.** On the recommendation of the school service centre, the Minister shall award a pre-work training certificate to every student who has completed the training of not less than 2,275 hours and has successfully completed the work skills education program of not less than 825 hours.

**33.1.** On the recommendation of the school service centre, the Minister shall award a training certificate for a semi-skilled trade, with mention of the trade, to every student who has completed the training of not less than 900 hours and has successfully completed the practical training component for the semi-skilled trade of not less than 450 hours.

On the recommendation of the school service centre, the Minister shall also award a training certificate for a semi-skilled trade, with mention of the semi-skilled trade, to every student referred to in the third paragraph of section 23.4 if the student

(1) has completed the pre-work training of not less than 2,275 hours; and



(2) has successfully completed the practical training component of the training leading to a semi-skilled trade.”.

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

105701



## Draft Regulations

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### Draft Regulation

Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02)

#### Application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes eligible for recalculation by SARPA child support granted by way of a provisional child support order whose case has not been set down for trial and judgment.

The draft Regulation also provides that, in the absence of a date or dates determined by the court, an application for recalculation may be made to SARPA on any other date if that application is further to a recalculation notice that contains a clerical error or calculation error, or if it is further to a change in the parents' situation or that of their child.

The amendments proposed by the draft Regulation have no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Nancy Allaire, Direction du soutien aux orientations, des affaires législatives et de la refonte, Ministère de la Justice, 1200, route de l'Église, 4<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 643-0424, extension 21688; email: nancy.allaire@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE  
*Minister of Justice*

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### Regulation to amend the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants

Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02, s. 2)

**1.** The Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02, r. 1) is amended in section 3 by inserting “or a provisional child support order whose case has not been set down for trial and judgment” after “of a judgment” in paragraph 2.

**2.** Section 5 is amended by replacing “, each year, on the anniversary date of the last judgment determining child support or, if more recent, on the anniversary date of the last recalculation. An application may also be made, within one year,” by “on any other date”.

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

105704

## Notice

Act respecting collective agreement decrees  
(chapter D-2)

### Automotive services industry in the Québec region — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour, Employment and Social Solidarity has received an application from the contracting parties to amend the Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Decree to amend the Decree respecting the automotive services industry in the Québec region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree defines the trade of semiskilled worker and the corresponding wage rate, and revises the definitions of service attendant and journeyman.

The draft Decree also specifies that employees who hold a qualification certificate for the trades of welder, machinist and upholsterer will no longer be entitled to the wage rate of a journeyman if they cease to carry out the duties related to one of those certificates.

Lastly, the draft Decree provides that an apprentice is no longer required to follow, for each year of apprenticeship, the theoretical courses provided for in a training program recognized by the parity committee in order to be admitted to a qualification examination required by the parity committee.

The regulatory impact analysis shows that the amendments will have no impact, either financially or in terms of employment, on the enterprises concerned.

Further information on the draft Decree may be obtained by contacting Jonathan Vaillancourt, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 5<sup>e</sup> étage, Québec (Québec) G1R 4Z1; telephone: 581 628-8934, extension 80172, or 1 888-628-8934, extension 80172 (toll free); email: jonathan.vaillancourt@mtess.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 Minister of Labour, Employment

and Social Solidarity, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour, Employment and Social Solidarity*

## Decree to amend the Decree respecting the automotive services industry in the Québec region

Act respecting collective agreement decrees  
(chapter D-2, ss. 2, 4, 6 and 6.1)

**1.** The Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11) is amended in section 1.01

(1) by inserting the following after paragraph 9:

“(9.1) “semiskilled worker”: employee whose duties are related mainly to one or another of the following tasks: restoring, overhauling, repairing or retooling vehicle parts without assembling them on the vehicle, and examining parts or accessories sold with guarantees, whether or not they are installed on a vehicle, where they are returned because of a defect;

A semiskilled worker may install vehicle accessories, windshields or windows and calibrate the driver-assistance system. If a trouble code persists after an installation, the semiskilled worker may not make a diagnosis or the repair.

A semiskilled worker may perform the tasks listed above only insofar as the work does not require the handling of other parts or other components of the system;”;

(2) by replacing paragraph 11 by the following:

“(11) “service attendant”: employee whose duties are related mainly to one or another of the following tasks: inspection or visual inspection only, lubricating, changing oil, applying anti-rust, balancing wheels, installing or repairing tires, tire pressure sensors, windshield wipers, bulbs, filters, exhaust systems, except for exhaust system parts comprised between the engine and the catalytic convertor inclusively, and installing or boosting batteries on a road vehicle. A service attendant may change all fluids, except for the air conditioning system, and reset the oil change indicator and the tire pressure indicator.

A service attendant may also carry out road tests to verify the work done by the service attendant, as well as perform a road-ready or pre-delivery inspection (PDI) of new vehicles, certified pre-owned vehicles or vehicles under warranty by a manufacturer-automaker or any other company.

Service attendants may perform the tasks listed above only insofar as the work does not require the handling of other parts or other components of a system. Service attendants may also do the work of a washer to complete their tasks.

However, service attendants may not perform any other task that is included in the duties of a trade without holding an apprenticeship card for that trade, regardless of the proportion of such tasks in relation to all the tasks they are authorized to carry out;”.

**2.** Section 9.01 is amended

(1) by inserting “Semiskilled worker and” before “Service attendant” in paragraph 6 of the table in the first paragraph;

(2) by striking out “welder,” “machinist,” and “upholsterer” in the footnote of the table in the first paragraph.

**3.** Section 12.03 is amended by replacing the second sentence by the following:

“They may follow, for each year of apprenticeship, the theoretical courses provided for in a training program recognized by the parity committee.”.

**4.** The following is inserted after section 13.01:

**“DIVISION 13.1.00  
TRANSITIONAL**

**13.1.01.** As of (*insert the date of publication of this Decree in the Gazette officielle du Québec*), the parity committee ceases to issue qualification certificates for the trades of welder, machinist and upholsterer.

Employees who hold such a certificate retain the wage rate corresponding to their journeyman classification applicable on that date with the wage increases, where applicable, for as long as they continue to perform the duties related to their certificate.”.

**5.** This Decree comes into force on (*insert the date of publication of this Decree in the Gazette officielle du Québec*).

105708

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Charges to promote the treatment and reclamation of excavated contaminated soils

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting charges to promote the treatment and reclamation of excavated contaminated soils, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The object of the draft Regulation is to promote the treatment and reclamation of excavated contaminated soils, by introducing charges for the management of contaminated soils that will guide the owners of contaminated soils towards sustainable solutions for land rehabilitation, and more specifically the treatment and reclamation of excavated contaminated soils rather than burial. Another goal of the draft Regulation is to reduce the use of contaminated soils as a cover material for residual materials following disposal, in order to preserve the capacity of landfill sites.

The draft Regulation provides that the charges are payable for soils transported from their site of origin by the owner of the soils or, if the soils are excavated during work on a linear infrastructure, by the project owner, or if the soils are excavated following the accidental release of hazardous materials, by the person responsible for the release, and in certain cases, if soils are transported from a receiving site, by the site manager.

The draft Regulation has an impact on enterprises, the public, government departments and bodies, and municipalities which excavate contaminated soils during other work. It will result in additional costs of some 20 million dollars for owners of contaminated soils which will encourage them to choose treatment of the soils rather than burial. The charges collected will be used, in particular, to support the Programme de redistribution aux centres de traitement de sols contaminés du Québec and various financial assistance programs for the rehabilitation of contaminated land.

Further information on the draft Regulation may be obtained by contacting Marie-Andrée Vézina, Director, Direction des lieux contaminés, Ministère de l’Environnement et de la Lutte contre les changements climatiques, 675, boulevard René-Lévesque Est, 9<sup>e</sup> étage, Québec (Québec) G1R 5V7; email: marie-andree.vezina@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Andrée Vézina at the above contact information.

BENOIT CHARETTE

*Minister of the Environment and the Fight  
Against Climate Change*

## **Regulation respecting charges to promote the treatment and reclamation of excavated contaminated soils**

Environment Quality Act

(chapter Q-2, s. 95.1, 1st par., subpars. 11, 12 and 21, and ss. 115.27, 115.34 and 124.1)

### **CHAPTER I GENERAL**

**1.** The object of this Regulation is to prescribe the charges payable for the management of excavated contaminated soils in order to promote their treatment and reclamation.

**2.** This Regulation applies in particular in a reserved area or in an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

**3.** The soils to which this Regulation applies are the soils to which the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01) applies.

**4.** In this Regulation, “linear infrastructure”, “receiving site”, “project owner”, “receiving site manager” and “site of origin” have the meaning assigned in the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01).

### **CHAPTER II CHARGES**

**5.** For soils transported from their site of origin, except those referred to in section 3 of the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01), charges of one third of the charges referred to in the first paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) are payable, for each metric ton, by the owner of the soils, by the project owner if the soils are excavated during work on a linear infrastructure,

or by the party responsible for the accidental release of hazardous materials if the soils are excavated following such a release,

(1) when the soils contain contaminants whose concentration exceeds the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), except if the concentration is equal to or lesser than the limit values set out in Schedule II to that Regulation and if the soils are intended for reclamation in a contaminated soil burial site, a site for the final disposal of hazardous materials or a mine tailings site or are intended as a drainage layer in an engineered landfill or as a cover material in a trench landfill or a northern landfill, within the meaning of the third paragraph of section 94 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) when the soils contain contaminants whose concentration is equal to or lesser than the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation and are disposed of in a contaminated soil burial site or mine tailings site, sent to a contaminated soil stockpiling site, used for daily covering in an engineered landfill in accordance with section 41 of the Regulation respecting the landfilling and incineration of residual materials, monthly covering in a construction or demolition waste landfill in accordance with section 105 of the Regulation respecting the landfilling and incineration of residual materials or the construction of access roads in residual materials disposal areas in either type of landfill, or sent outside Québec.

When the soils are intended for a contaminated soil processing site or contaminated soil transfer station, the charges payable are one half of the charges provided for in the first paragraph.

**6.** For soils referred to in section 3 of the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01) that are transported from a receiving site, charges of one third of the charges referred to in the first paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) are payable, for each metric ton, by the manager of that site

(1) when the soils contain contaminants whose concentration exceeds the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), except if the concentration is equal to or lesser than the limit values set out in Schedule II to that Regulation and if the soils are intended for reclamation in a contaminated soil burial site, a site for the final

disposal of hazardous materials or a mine tailings site or are intended as a drainage layer in an engineered landfill or as a cover material in a trench landfill or a northern landfill, within the meaning of the third paragraph of section 94 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) when the soils contain contaminants whose concentration is equal to or lesser than the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation and are disposed of in a contaminated soil burial site or mine tailings site, sent to a contaminated soil stockpiling site, used for daily covering in an engineered landfill in accordance with section 41 of the Regulation respecting the landfilling and incineration of residual materials, monthly covering in a construction or demolition waste landfill in accordance with section 105 of the Regulation respecting the landfilling and incineration of residual materials or the construction of access roads in residual materials disposal areas in either type of landfill, or sent outside Québec.

When the soils are intended for a contaminated soil treatment site or contaminated soil transfer station, the charges payable are one half of the charges provided for in the first paragraph.

**7.** For soils buried in a contaminated soil burial site situated on their site of origin, charges of one third of the charges referred to in the first paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) are payable, for each metric ton, by the owner of the soils.

Each year, not later than 31 January, for the preceding period from 1 July to 31 December, and not later than 31 July, for the preceding period from 1 January to 30 June, the owner of the soils must send the following information to the Minister of Sustainable Development, Environment and Parks, using the form supplied by the Minister:

- (1) the owner's name and contact information;
- (2) the nature of the substances present in the soils and their concentration value;
- (3) the quantity of soils buried, in metric tons.

**8.** The soils must be weighed on arrival at the receiving site by the manager to determine the quantity to which charges apply.

For soils buried at a place on the site of origin, the owner of the soils must weigh them before burial.

The devices used to weigh the soils must be used and maintained so as to provide reliable data and be calibrated at least once a year.

This section does not apply when the receiving site is a landfill site reserved for the exclusive use of an industrial, commercial or other establishment, if data on the quantity of soils buried there may be obtained otherwise.

**9.** The increase provided for in section 4 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) must be included in the calculation of the charges prescribed by this Regulation.

The Minister of Sustainable Development, Environment and Parks must publish, on 1 January of each year, the results of the calculation by any means the Minister considers appropriate.

**10.** Charges payable under this Regulation must be paid in full within 30 days after the Minister notifies a notice of claim stating the amount owed.

The charges are payable in cash, by cheque or postal order made out to the Minister of Finance, or by electronic means.

**11.** In addition to interest, the following amounts are added to the amount owed:

- (1) 7% of the amount of unpaid charges if the delay does not exceed 7 days;
- (2) 11% of the amount of unpaid charges if the delay exceeds 7 days but does not exceed 14 days;
- (3) 15% of the amount of unpaid charges in other cases.

The first paragraph does not apply when the unpaid charges for the applicable period concern less than 1% of the total quantity of contaminated soils for which charges are payable pursuant to the Minister's notice of claim.

In addition, no unpaid charge, no interest under the first paragraph, and no amount referred to in the second paragraph is payable when it is less than \$5.

If the total of all charges, interest and amounts referred to in the second paragraph that are paid exceed the amount actually owed by more than \$5, a credit equivalent to the difference may be applied against the payment of the charges owed following the notification of a future notice of claim. On request, the difference may also be refunded.

### CHAPTER III PENALTIES

**12.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to send the information listed in the second paragraph of section 7 to the Minister, within the time and on the conditions set out in that paragraph.

**13.** A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to pay the charges prescribed in section 5 or 6 or in the first paragraph of section 7 or to pay the charges within the time and on the conditions set out in section 10;

(2) to weigh soils as prescribed in the first and second paragraphs of section 8;

(3) to comply with the conditions for using or maintaining devices referred to in the third paragraph of section 8.

**14.** Every person who contravenes the second paragraph of section 7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 and, in other cases, to a fine of \$6,000 to \$600,000.

**15.** Every person who fails

(1) to pay the charges prescribed in section 5 or 6 or in the first paragraph of section 7 or to pay the charges within the time and on the conditions set out in section 10,

(2) to weigh soils as prescribed in the first and second paragraphs of section 8,

(3) to comply with the conditions for using or maintaining devices referred to in the third paragraph of section 8, commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 and, in other cases, to a fine of \$7,500 to \$1,500,000.

### CHAPTER IV FINAL

**16.** This Regulation comes into force on 1 January 2023.

105702

### Draft Regulation

Animal Welfare and Safety Act  
(chapter B-3.1)

#### Welfare and safety of domestic companion animals and equines

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the welfare and safety of domestic companion animals and equines, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation mainly sets health, safety and welfare standards for the keeping of domestic companion animals and equines. It also determines the classes of permits and the conditions on and manner in which they are to be issued or renewed and sets the related fees and costs. Lastly, it provides that the holder of a permit or the person having custody of a cat or dog as part of commercial breeding or raising operations must keep a register and determine its minimum content.

The draft Regulation replaces the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) currently in force.

Study of the matter has shown that the new Regulation could result in a shortfall estimated at \$94,200 in average gross annual income per commercial dog breeding operation which, after five years, will be required to comply with the 50 adult dog ceiling which it currently exceeds, namely, an overall impact of about \$1,000,000. The remainder of the clientele affected by the draft Regulation would see a reduction of the costs of administrative formalities of \$2,059, compared to the current situation, except places where equines are taken in, which would be required to obtain a permit.

Further information on the draft Regulation may be obtained by contacting Émilie Pelletier, veterinary surgeon, Direction adjointe à la réglementation et des programmes, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11e étage, Québec (Québec) G1R 4X6; email: [reglementationBEA@mapaq.gouv.qc.ca](mailto:reglementationBEA@mapaq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Christine Barthe, Assistant



Deputy Minister, Sous-ministériat à la santé animale et à l'inspection des aliments, 200, chemin Sainte-Foy, 12<sup>e</sup> étage, Québec (Québec) G1R 4X6.

ANDRÉ LAMONTAGNE  
*Minister of Agriculture, Fisheries and Food*

## Regulation respecting the welfare and safety of domestic companion animals and equines

Animal Welfare and Safety Act  
(chapter B-3.1, s. 64)

**1.** The main purpose of this Regulation is to establish standards for the custody and care of domestic companion animals and equines to ensure their welfare and safety.

In this Regulation, “domestic companion animal” means a companion animal of one of the following species and their hybrids: cats, dogs, rabbits, ferrets, guinea pigs or companion pigs.

### PART I CUSTODY AND CARE OF DOMESTIC COMPANION ANIMALS AND EQUINES

**2.** This Part applies to the owner or custodian of the animal concerned.

The following persons are exempt from the application of this Part:

(1) the owner or custodian of an animal for which the veterinary surgeon issued a notice stating that the application is contraindicated, given its state of health or when veterinary treatment is planned;

(2) a person acting as part of veterinary medicine activities, except as regards the requirements provided for in section 30.

### CHAPTER I DOMESTIC COMPANION ANIMALS

#### DIVISION I GENERAL CUSTODY AND CARE PROVISIONS

**3.** In addition to what is provided for in section 5 of the Animal Welfare and Safety Act (chapter B-3.1), the place of custody and equipment used for the custody and care of animals must also

(1) be made of durable, non-toxic, solid and stable materials;

(2) be free of mould;

(3) be consistent with the animal’s biological needs;

(4) be in good condition, with no parts jutting out and no sharp edges or other potential causes of injury;

(5) allow the animal to have access at all times to a rest area that is dry, clean, comfortable, sufficiently large and has a full floor, to allow the animal to lie on its side with its legs fully extended; the area must provide shelter from elements that may stress the animal or harm its health, including direct sunlight, drafts and loud noise;

(6) where the place of custody includes an exercise yard, it must be large enough for the animal to run with ease;

(7) prevent the animal kept therein from escaping; and

(8) prevent the intrusion of any other animal that may harm the animal kept therein.

In addition, except in the case of a dwelling house, floors in the place of custody, the lower portions of walls and any equipment with which an animal may come into contact, must

(1) be free of corrosion;

(2) be free of holes other than those for urine drainage; and

(3) allow liquids to drain or be absorbed quickly and entirely.

**4.** When carrying on commercial activities involving animals, such as a breeding or raising operation or dog sledding activities, in a pet shop or an animal boarding establishment, or on premises where domestic companion animals are taken in for the purpose of transferring them to a new place of custody, euthanizing them or having them euthanized by a third person, the owner or custodian of an animal must comply with the following requirements, which are added to the requirements provided for in section 3:

(1) the place of custody and the equipment must be easy to clean and disinfect;

(2) floors in the place of custody, the lower portions of walls and any equipment with which an animal may come into contact, must be made of non-porous and smooth materials.

**5.** Water and food to which an animal has access must be clean, fresh and free of contaminants.

**6.** The place of custody, the equipment and the animal's immediate surroundings must be kept clean and free of any waste, product, object or material that poses a threat to the animal's health, safety or welfare.

Feces, urine and soiled matter must be regularly removed from indoor and outdoor areas so as to prevent their accumulation, the appearance of odours and the contamination of the animals.

**7.** The place of custody and the equipment must be cleaned and disinfected with enough frequency to limit the risk to the health or welfare of the animals. In addition, the disinfection method must

(1) be preceded by a cleaning that includes the removal of all organic matter;

(2) only include chemicals, cleaning products and disinfectants adapted to existing environmental conditions and to infectious agents that may harm the animals; the products must be used safely and in accordance with the manufacturer's instructions.

**8.** Vermin control must be carried out as soon as the presence of vermin is detected in the place of custody.

**9.** An animal kept mostly leashed or confined in a cage, an enclosure, a yard or any other restricted space must have access, inside their containment area, to a daily source of environmental enrichment.

**10.** It is prohibited to keep an animal mostly outdoors if its morphology, coat, age, health and adaptation level to heat or cold are such that the animal is not adequately protected from the weather conditions to which it is exposed.

Where an animal's adaptation level to heat or cold is unknown, the owner or custodian must plan for a gradual acclimatization period to being kept outdoors.

**11.** Where the temperature on the premises, whether indoor or outdoor, where the animal is kept is lower than 10°C, the animal must have access to an adapted shelter where it can warm itself, such as a doghouse.

**12.** The inside of the place of custody must be ventilated so as to prevent the concentration of contaminants. The level of ammonia must be below 25 parts per million (ppm).

**13.** The indoor temperature and humidity rate of the place of custody must be maintained at a level that meets the biological needs of the animal therein. The humidity rate must be between 30% and 70%.

Where the temperature inside the place of custody or equipment exceeds 27°C in the case of cats, dogs, rabbits, guinea pigs and companion pigs, or 29°C in the case of ferrets, an animal other than an animal with special biological needs must not be left in an enclosed space, such as a vehicle, or in an enclosed equipment without having an effective way to get away from the heat.

**14.** An animal must be groomed and its claws and teeth must be kept of an adequate length and shape so as to avoid disease and to prevent the animal from having difficulty feeding, experiencing discomfort, suffering injury or having poor posture or gait.

**15.** The following animals must be kept separate:

(1) animals that are incompatible, in particular because of their species, behaviour, aggressiveness or any other factor;

(2) unless the owner or custodian intends to have the animal breed, a female in heat and a non-castrated male of breeding age.

**16.** Animals must be euthanized

(1) in a place away from other animals; and

(2) by a veterinary surgeon or under the veterinary surgeon's immediate supervision, where the owner or custodian holds a permit issued by the Minister under the Animal Welfare and Safety Act (chapter B-3.1).

Euthanasia by inhalation is prohibited.

**17.** An animal's carcass must be removed without delay from the immediate environment of other animals.

## **DIVISION II** SPECIAL PROVISIONS APPLICABLE TO CONFINEMENT AND RESTRAINT EQUIPMENT

### *§1. Special provisions concerning confinement equipment*

**18.** Confinement equipment must

(1) be sufficiently ventilated;

(2) include a lateral wall with an opening large enough to allow the animal to see outside with ease and to easily be seen; and

(3) include a flat floor that has an incline not exceeding 4% and is even, non slippery, sufficiently rigid for the animal to stand up without it sagging, designed so that the animal cannot pass through it or get stuck in it and, if it is made of wire mesh or trellis, it must be coated with material to prevent injuries or discomfort.

**19.** Except when it is used for transportation, confinement equipment must be sufficiently large for the animal to stand up and sit normally, turn around easily and lie on its side with its legs fully extended. In addition, where the equipment is used more than 10 hours per day, the animal must be able to get into the positions mentioned in this paragraph without part of its body touching the sides or ceiling of the equipment.

In the case of confinement equipment used to keep a rabbit, the equipment must also be sufficiently large to allow the rabbit to make 3 consecutive jumps unimpeded.

**20.** Confinement equipment must be laid out so as not to soil one another.

*§2. Special provisions concerning restraint equipment*

**21.** The owner or custodian must have taken the necessary measures to prevent the equipment used to tie the animal to its place of custody, such as a chain or rope, from getting stuck or shortened, in particular by installing swivels.

In addition, the equipment must comply with the following requirements:

(1) it does not cause discomfort for the animal and allows it to adopt a normal posture at all times, raise its head with ease and stand up on its hind legs;

(2) allow the animal to move about freely and safely within the limits of its length;

(3) where the equipment is used for a period of more than 30 minutes, it must also be at least 3 metres long or be 5 times the length of the animal, whichever is shorter.

**22.** Tying an animal with a rope, a chain or a leash wound around its neck without a collar is prohibited.

**23.** The animal's collar, harness, halter or any other restraint equipment must not hamper the animal's breathing, or cause it pain or injury.

**24.** The use of a collar equipped with protruding pointed or sharp spikes turned toward the inside, such as a prong or spike collar, is prohibited. Where an animal is left unattended or is kept leashed, making it wear a choke collar or a muzzle is also prohibited.

**DIVISION III**  
SPECIAL CUSTODY AND CARE PROVISIONS  
APPLICABLE TO CATS AND DOGS

*§1. Special custody and care provisions applicable to all owners and custodians of cats and dogs*

**25.** A cat that is kept mostly indoors must have access to a litter box that

(1) contains a sufficient amount of substrate to allow the cat to bury its dejecta and prevent the appearance of excessive odours;

(2) is adapted so that the cat can engage in its normal elimination behaviour such as scratching, digging, crouching, turning around, burying and covering;

(3) is sufficiently high for the cat to enter and exit with ease and well adapted to the cat's biological needs.

**26.** Except during transportation, a cat must have access at all times to a surface on which it can sharpen its claws or scratch, and to a hiding spot.

**27.** If a cat is kept confined, it must be able to exit its cage for a minimum of 1 hour per day in order to move and jump freely, except in the case of a kitten 4 weeks of age or less and its mother. That requirement does not apply to boarding establishments or to premises where animals are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person, such as a shelter or an animal boarding establishment, if the animal is kept there less than 3 months.

**28.** If a dog is kept confined, it must be able to exercise for a minimum of 1 hour per day in a place separate from its main place of custody, except in the case of a pup 4 weeks of age or less and its mother, or a dog that has been declared potentially dangerous or is in the process of being evaluated for the purpose of being declared potentially dangerous under the Regulation respecting the application of the Act to promote the protection of persons by establishing a framework with regard to dogs (P-38.002, r. 1) and is being kept temporarily in a shelter. That exercise may take the form of a walk on a leash, free access to an area inside a building, or free access to an exercise yard.

**29.** A dog over 12 weeks of age must have direct, active and positive contact with humans, for a minimum of 30 minutes per day, outside its place of confinement if the owner or custodian cannot physically enter that place, except in the case of a dog that has been declared dangerous or is in the process of being evaluated for the purpose of being declared dangerous under the Regulation respecting the application of the Act to promote the protection of persons by establishing a framework with regard to dogs (P-38.002, r. 1) and is being kept temporarily in a shelter.

A pup or a kitten 3 to 12 weeks of age must have direct, active and positive contact with humans for a minimum of 20 minutes twice a day. A pup 9 to 12 weeks of age must be exposed to experiences outside the immediate environment of the place of custody.

Time spent maintaining the equipment and premises, as well as time required for feeding, may not be recorded for the purposes of the first and second paragraphs. The contact prescribed in this section may be recorded for the purposes of sections 27 and 28.

**30.** Unless recommended by a veterinary surgeon for medical reasons, it is prohibited to perform or have performed the following surgeries on a cat or a dog:

- (1) tail docking;
- (2) devocalization;
- (3) ear cropping, except as part of a Trap-Neuter-Release-Maintain (TNRM) program for stray cats implemented by a municipality, a veterinary clinic or an animal protection organization;
- (4) onychectomy.

**31.** Mating between parents and their litter or between siblings is prohibited. Mating between animals that are incompatible, in particular because of their respective size, is also prohibited.

**32.** The minimum age at first mating must be

- (1) 18 months, or as of the second estrus cycle, whichever comes first, in the case of a female dog; and
- (2) 9 months in the case of a female cat.

**33.** The maximum number of litters that a female may have is limited to

- (1) 3 per 2 years in the case of a dog; and

- (2) 2 per year in the case of a cat.

Before mating again, a female must have returned to its optimal body condition.

**34.** Where the owner or custodian wishes to have 2 animals mate, the animals must be separated from other animals, if applicable, and supervision must be exercised. For the duration of the mating period, the animals must be physically separated after mating or when supervision ends, then checked for injuries and treated if necessary.

**35.** Not later than the day preceding the date on which the female is expected to give birth, it must be separated from other animals in a rest area that is calm and suitable for giving birth and where it can freely access its litter. The female must be kept separated for 4 weeks after giving birth.

**36.** The litter may not be separated from their mother before the age of 8 weeks, but the mother must be able to isolate from the litter if needed.

*§2. Special care and custody provisions applicable to owners and custodians of 5 or more cats or dogs*

**37.** The owner or custodian of 5 or more dogs must ensure that a person is present on the premises where animals are kept for a minimum of 15 minutes per day for each dog over 6 months of age for cleaning, feeding, care and other related tasks, excluding socialization time.

**38.** An animal with signs of contagious disease must be separated from healthy animals so as to prevent contagion.

Animals of unknown state of health must be quarantined.

Equipment used during separation or quarantine must be cleaned and disinfected daily.

#### **DIVISION IV** SPECIAL CUSTODY AND CARE PROVISIONS APPLICABLE TO RABBITS, FERRETS, GUINEA PIGS AND COMPANION PIGS

**39.** Rabbits, ferrets, guinea pigs and companion pigs must have access at all times to fresh water.

**40.** It is prohibited to feed a companion pig meat or meat by-products, or food suspected of containing meat or meat by-products, or to allow a companion pig to have access to such foods.

**41.** A rabbit or a guinea pig must have access at all times to fodder and to at least 1 object on which to gnaw.

**42.** A cage or enclosure with a solid floor or a main place of custody where a guinea pig, a rabbit or a ferret is kept must contain a sufficient amount of substrate acting as clean litter adapted to the species that does not irritate the skin or respiratory tract or, in the case of a ferret or a rabbit, a litter box filled with adequate substrate.

**43.** The main place of custody of a guinea pig, a rabbit or a ferret must contain hiding spots that

(1) are in a sufficient number for the animals kept and allow the animals therein to hide simultaneously; and

(2) are laid out so that animals cannot get stuck in them and so that they remain accessible.

**44.** The owner or custodian of a rabbit, a ferret, a guinea pig or a companion pig must provide the animal with the stimulation, socialization and environmental enrichment that are consistent with its biological needs.

**45.** A rabbit, a ferret or a guinea pig kept confined in a cage must be let out of the cage at least 5 times per week, on different days, for a minimum of 30 minutes, to move about freely.

The requirements provided for in the first paragraph do not apply in the following cases:

(1) the cage has a large exercise area intended for that purpose and of adequate size;

(2) the animal is kept less than 3 months in a place where animals are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person, such as a shelter or an animal boarding establishment.

**46.** A female ferret not intended for breeding must be sterilized before the age of 8 months.

**47.** It is prohibited to breed a female guinea pig if it never gave birth before the age of 7 months.

**48.** A female rabbit, ferret, guinea pig or companion pig that is gestating or has given birth must have access at all times to a substrate appropriate for nesting and, in the case of a female rabbit or ferret, to a nesting box.

**49.** A female rabbit, ferret, guinea pig or companion pig that is gestating must be separated from non-castrated males not later than the day preceding the date on which it is expected to give birth and at least until the litter is weaned, that is

(1) until the age of 6 weeks in the case of a rabbit or ferret;

(2) until the age of 2 weeks in the case of a guinea pig; and

(3) until the age of 8 weeks in the case of a companion pig.

In addition, during that period, the litter must not be separated from their mother.

#### **DIVISION V**

#### **SPECIAL CUSTODY AND CARE PROVISIONS APPLICABLE AS PART OF COMMERCIAL BREEDING OR RAISING OPERATIONS OF CATS, DOGS, RABBITS, FERRETS, GUINEA PIGS AND COMPANION PIGS**

**50.** As part of commercial breeding or raising operations, the maximum number of cats or dogs over 6 months of age that may be kept on the same premises or by a same owner or custodian is 50.

**51.** A cat or a dog kept as part of commercial breeding or raising operations must undergo a veterinary examination before breeding.

In addition, as soon as the animal reaches the age of 7 years, an annual veterinary examination is required if the animal continues to breed.

During the consultation mentioned in the first and second paragraphs, where the veterinary surgeon issues a recommendation that the animal must not breed due to health or behaviour problems, in particular aggressiveness, excessive fear or high levels of anxiety, the animal must be sterilized at the age recommended by the veterinary surgeon.

**52.** Unless the buyer has been given prior notice in writing and has indicated acceptance in writing, it is prohibited to sell a domestic animal or allow a domestic companion animal to be sold if

(1) its imprinting is inexistent or insufficient or its socialization is inexistent;

(2) it is unable to feed or drink on its own; or

(3) it shows apparent signs of illness, injury or limiting congenital malformations.

For the purposes of subparagraph 1 of the first paragraph, “imprinting” means the process occurring in the early stages of an animal’s life by which the animal learns to recognize the distinctive characteristics of its own species.

**53.** It is prohibited to give away or sell a companion animal or allow a companion animal to be given away or sold to a person under 16 years of age, unless the person is accompanied by the person having parental authority.

**54.** The operator of premises where commercial breeding or raising operations are carried on must include, in any form of publicity made by the operator, the name and address of the premises they operate and, if applicable, the number of their permit and the words “holder of a permit issued under the Animal Welfare and Safety Act (chapter B-3.1)”.

## CHAPTER II EQUINES

**55.** The owner or custodian of an equine must comply with the generally recognized rules that are the requirements of the “Code of Practice for the Care and Handling of Equines”, published by the National Farm Animal Care Council.

The Code is however adapted by adding the requirement that, in the place of confinement of an equine, the substrate used as litter must be in sufficient quantity to absorb urine and encourage the animal to lie down.

## CHAPTER III SPECIAL PROVISIONS PERTAINING TO THE PREMISES WHERE DOMESTIC COMPANION ANIMALS AND EQUINES ARE TAKEN IN WITH A VIEW TO TRANSFERRING THEM TO A NEW PLACE OF CUSTODY, EUTHANIZING THEM OR HAVING THEM EUTHANIZED BY A THIRD PERSON

**56.** An animal with signs of contagious disease must be separated or, when it is of unknown state of health, quarantined. The separation must take place

- (1) in a closed room specifically reserved for that purpose, in the case of a domestic companion animal; and
- (2) in a facility specifically reserved for that purpose, in the case of an equine.

The room reserved for the separation of domestic companion animals must be separate from the room reserved for their quarantine.

**57.** The equipment used to keep and care for an animal that has been separated or quarantined must be laid out so as to prevent direct contact between animals and that they become contaminated. It must be cleaned and disinfected before it is used on a new animal, and every day in the presence of a diseased animal or an animal with parasites.

**58.** Traffic between isolation and quarantine areas and the other areas of the place of custody must be controlled so as to prevent the spread of disease or parasites.

## CHAPTER IV SPECIFIC PROVISIONS PERTAINING TO DOMESTIC COMPANION ANIMALS AND EQUINES USED IN TEACHING OR SCIENTIFIC RESEARCH ACTIVITIES

**59.** This Part applies to domestic companion animals and equines used in teaching or scientific research activities, unless those activities are carried on in compliance with the generally recognized rules that are the applicable guidelines published by the Canadian Council on Animal Care.

**60.** For the purposes of this Chapter, cats, dogs, rabbits, ferrets, guinea pigs, companion pigs and their hybrids, used in teaching or scientific research activities are considered to be domestic companion animals even if they do not live with a human, in particular in their home, as a companion and for enjoyment purposes.

## PART II ADMINISTRATIVE

### CHAPTER I PERMITS

#### DIVISION I CLASSES OF PERMIT

**61.** The permit as the owner or custodian of 15 or more cats or dogs referred to in section 16 of the Animal Welfare and Safety Act (chapter B-3.1) includes the following classes:

- (1) owner or custodian of 15 to 49 cats or dogs;
- (2) owner or custodian of 50 or more cats or dogs.

#### DIVISION II EXEMPTIONS

**62.** The following are exempted from the obligation to hold a permit referred to in section 16 of the Animal Welfare and Safety Act (chapter B-3.1):

- (1) a veterinary surgeon in the exercise of the profession;
- (2) the operator of a transportation enterprise, for the duration of the transportation;
- (3) an owner or custodian holding a Certificate of Good Animal Practice issued by the Canadian Council on Animal Care;
- (4) a person having temporary custody of animals during an animal show or competition.

### DIVISION III ISSUE AND RENEWAL

**63.** An owner or custodian who applies for the issue or renewal of a permit must provide the Minister with the following information and documents, using the form provided for that purpose:

- (1) the name, address and contact information of the applicant and, in the case of a legal person, partnership or association without legal personality, those of the director or partner duly mandated to submit the application;
- (2) if applicable, the business number assigned to the applicant under the Act respecting the legal publicity of enterprises (chapter P-44.1);
- (3) the address of each place where an animal is kept;
- (4) the class of permit sought;
- (5) a description of the activities involving animals carried on in each place;
- (6) the number of persons assigned and the time allocated to the care of animals, per day and by place of custody;
- (7) in the case of a permit referred to in section 16 of the Animal Welfare and Safety Act (chapter B-3.1), the number of cats or dogs, by species and place of custody, of which the applicant is the owner or custodian, excluding any kittens or pups less than 6 months of age kept on the same premises as their mother;
- (8) in the case of a permit referred to in section 19 of the Animal Welfare and Safety Act (chapter B-3.1), an estimate of the maximum number of animals covered by the permit that may be kept in the place of custody, excluding any kittens or pups less than 6 months of age kept on the same premises as their mother;

(9) a statement by the applicant that he or she has not, in the 5 years preceding the application, been found guilty of a criminal or penal offence in relation to the treatment of animals or the illegal possession of animals, or proof of rehabilitation or pardon.

Every permit application must include an attestation to the truthfulness of the information and documents provided under the first paragraph and be signed by the person submitting the application.

**64.** An application for the issue or renewal of a permit is deemed to be received only if it contains all the required information and documents and includes the fees and costs payable under section 67.

**65.** The holder of a permit must inform the Minister in writing of any change affecting the information or documents required under section 63, except the information referred to in subparagraphs 6 to 8 of the first paragraph of that section, within 15 days after the change occurs.

**66.** A permit is renewed if

- (1) the applicant has sent to the Minister the information and documents required under section 63;
- (2) the fees and costs payable under section 67 have been paid to the Minister of Finance.

### DIVISION IV FEES AND COSTS

**67.** The costs for opening a file are \$129 for each application for the issue of a permit.

The fees payable for the issue or renewal of a permit are

- (1) \$121 for the “owner or custodian of 15 to 49 cats or dogs” class permit provided for in paragraph 1 of section 61;
- (2) \$272 for the “owner or custodian of 50 or more cats or dogs” class permit provided for in paragraph 2 of section 61;
- (3) \$272 for the permit to operate premises where cats, dogs or equines are taken in required under section 19 of the Animal Welfare and Safety Act (chapter B-3.1); the fee is reduced to \$121 if the applicant is a non-profit legal person;

The fees and costs payable are non-reimbursable.

**68.** The fees and costs payable are adjusted on 1 April each year by the annual rate of change in the average all-items Consumer Price Index for Québec excluding alcoholic beverages, tobacco products and recreational cannabis for the 12-month period ending on 30 September of the preceding year.

Adjusted amounts are rounded down to the nearest dollar if they include a dollar fraction that is less than \$0.50, or up to the nearest dollar if they include a dollar fraction that is equal to or greater than \$0.50. The application of this rounding rule may not operate to decrease the fees or costs below their pre-adjustment level.

If an adjusted amount cannot be rounded up to the nearest dollar, the annual adjustments are deferred and accumulated until the fees or costs payable include a dollar fraction that is equal to or greater than \$0.50.

The Minister publishes the results of an adjustment made under this section in Part 1 of the *Gazette officielle du Québec* and by any other means the Minister considers appropriate.

## CHAPTER II REGISTER

**69.** The holder of a permit as well as the owner or the person having custody of a cat or a dog as part of commercial breeding or raising operations must, for each animal of which they are the owner or custodian, enter the following information in a register without delay:

(1) a description of the animal, including species, breed or crossbreed, colour, gender and date of birth or, if unknown, probable date of birth;

(2) an indication whether the animal has been sterilized;

(3) if the animal is identified by any permanent identifying mark, its identification code and the number of the municipality registration tag, if applicable, or, if the animal is not identified by a permanent identifying mark, a unique distinctive feature;

(4) if the animal was not born with its current owner or custodian, the reason and date of its arrival, and the name and contact information of its previous owner or custodian, along with the number of any valid permit issued to the previous owner or custodian by the Minister under the Animal Welfare and Safety Act (chapter B-3.1);

(5) if the animal is female, for each time it gave birth, an identification of the male with which it mated, the dates on which it gave birth and the number of kittens or puppies

in each litter, whether live-born or still-born, as well as any health problems or phy133lector duly appointed by the Minister.

**72.** The obligation to keep a register does not apply to a person who temporarily keeps an animal as part of a professional services contract in particular for grooming, boarding or training.

## PART III TRANSITIONAL AND FINAL

**73.** Pending applications for the issue or renewal of the permits referred to in sections 16 and 19 of the Animal Welfare and Safety Act (chapter B-3.1) are governed by this Regulation.

An application for the renewal of those permits is however governed as in the case of an application for issue, except as regards the payment of the costs for opening a file.

**74.** The persons referred to in section 50 of this Regulation who own more than 50 cats or dogs when that section comes into force have until (*insert the date occurring 5 years after the date of publication of this Regulation*) to comply with that section. In addition, during that period, no new cat or dog may be acquired or kept as long as the number of cats or dogs is more than 50.

**75.** Despite section 51 of this Regulation, an owner or custodian who holds, on (*insert the date of coming into force of this Regulation*), more than 15 cats or dogs, is not required to carry out all the veterinary examinations required by that section at that time. All the animals held by an owner or custodian must have undergone an examination not later than (*insert the date occurring 24 months after the date of publication of this Regulation*).

**76.** This Regulation replaces the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1).

**77.** This Regulation comes into force on (*insert the date occurring 18 months after the date of publication of this Regulation*).

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