



Part 2

LAWS AND REGULATIONS

10 August 2022 / Volume 154

Summary

Table of Contents
Regulations and other Acts
Draft Regulations

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2022

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) and the Regulation respecting the *Gazette officielle du Québec* (chapter M-15.001, r. 0.1).

Partie 1, entitled "Avis juridiques", is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday.

Partie 2, entitled "Lois et règlements", and the English edition, Part 2 "Laws and Regulations", are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 is available to all free of charge and is published at 0:01 a.m. each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

Contents

Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (6) any other document published in the French Edition of Part 2, where the Government orders that the document also be published in English.

Rates*

1. Annual subscription to the printed version

Partie 1 «Avis juridiques»:	\$555
Partie 2 «Lois et règlements»:	\$761
Part 2 «Laws and Regulations»:	\$761

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$11.88 per copy.

3. Publication of a document in Partie 1:
\$1.91 per agate line.

4. Publication of a document in Part 2:
\$1.27 per agate line.

A minimum rate of \$278 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The electronic files of the document to be published — a Word version and a PDF with the signature of a person in authority — must be sent by email (gazette.officielle@servicesquebec.gouv.qc.ca) and received **no later than 11:00 a.m. on the Monday** preceding the week of publication. Documents received after the deadline are published in the following edition.

The editorial calendar listing publication deadlines is available on the website of the Publications du Québec.

In the email, please clearly identify the contact information of the person to whom the invoice must be sent (name, address, telephone and email).

For information, please contact us:

Gazette officielle du Québec

Email: gazette.officielle@servicesquebec.gouv.qc.ca
425, rue Jacques-Parizeau, 5^e étage
Québec (Québec) G1R 4Z1

Subscriptions

For a subscription to the printed version of the *Gazette officielle du Québec*, please contact:

Les Publications du Québec

Customer service – Subscriptions
425, rue Jacques-Parizeau, 5^e étage
Québec (Québec) G1R 4Z1
Telephone: 418 643-5150
Toll free: 1 800 463-2100

Fax: 418 643-6177

Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Regulations and other Acts

1444-2022	Authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec (Amend.)	3209
1445-2022	Welfare and safety of domestic companion animals and equines	3212
	Certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal.	3222
	Towing charges for road vehicles seized under the Highway Safety Code.	3224

Draft Regulations

	Procedure for the recruitment and selection of regional student ombudsmen	3227
--	---	------

Regulations and other Acts

Gouvernement du Québec

O.C. 1444-2022, 3 August 2022

Act respecting the preservation of agricultural land and agricultural activities
(chapter P-41.1)

Authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec — Amendment

Regulation to amend the Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec

WHEREAS, under subparagraph 6.3 of the first paragraph of section 80 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), the Government may, by regulation, determine the cases and circumstances in which all or part of a lot may be alienated in favour of producers without the authorization of the Commission de protection du territoire agricole du Québec;

WHEREAS, under subparagraph 7 of the first paragraph of section 80 of the Act, the Government may, by regulation, identify the municipal and public service purposes to which section 41 of the Act applies;

WHEREAS, under subparagraphs 1 and 2 of the second paragraph of section 80 of the Act, the Government may, by regulation, determine the cases and circumstances in which a use ancillary to an agricultural operation, or a farm tourism-related use or a use related to farm product processing on a farm are in particular allowed without the authorization of the Commission de protection du territoire agricole du Québec;

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 authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec was published in Part 2 of the *Gazette officielle du Québec* of 4 May 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 Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec

Act respecting the preservation of agricultural land and agricultural activities
(chapter P-41.1, s. 80)

1. The Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec (chapter P-41.1, r. 1.1) is amended in section 2 by replacing “a bank or shore” in paragraph 2 by “a slope”.

2. Section 4 is amended by replacing “a bank or shore” by “a slope”.

3. Section 5 is amended

(1) by replacing “ditch” by “watercourse, ditch or body of water”;

(2) by inserting “or, in the case of a body of water, the boundary” after “route”;

(3) by adding “to their former condition” after “restored”.

4. Section 6 is amended

(1) in the first paragraph

(a) by replacing “less of an” in the portion before subparagraph 1 by “less of a cable.”;

(b) by inserting “of the cable,” after “within the right of way” in subparagraph 1;

(c) by inserting “of the cable,” after “part” in subparagraph 5;

(d) by inserting “the cable,” at the beginning of subparagraph 6;

(e) by replacing “to be cultivated” at the end of subparagraph 6 by “to its former condition”;

(2) in the second paragraph

(a) by inserting “an aerial cable or” after “maintenance of”;

(b) by replacing “to 3 of the first paragraph” at the end by “and 3 of the first paragraph, and provided that the topsoil is rehabilitated to its former condition at the end of the work”;

(3) by adding “, or 18 months if the work ends in winter” at the end of the third paragraph.

5. Section 7 is amended

(1) in the first paragraph

(a) by inserting “a cable,” after “The installation of”;

(b) by striking out the words “natural gas distribution” wherever they appear;

(c) by inserting “the cable,” after “where”;

(2) by striking out “natural gas distribution” in the second paragraph.

6. Section 8 is amended

(1) by replacing “to be cultivated” in paragraph 4 by “to its former condition”;

(2) by adding “, or 18 months if the work ends in winter” at the end of paragraph 5.

7. Section 9 is amended

(1) by replacing “replacement” by “dismantling, replacement, repair or maintenance”;

(2) by replacing “the structure” by “the right of way”.

8. Section 11 is amended

(1) by replacing “acercultural operation or an equestrian centre” in paragraph 1 by “agricultural operation”;

(2) by replacing paragraph 2 by “a use related to farm tourism or the processing of a farm product on a farm”.

9. The heading of subdivision 1 is amended by replacing “acercultural operation or an equestrian centre” by “agricultural operation”.

10. Section 13 is amended

(1) by inserting “or by a person who holds a quota issued for the lot by the Producteurs et productrices acéricoles du Québec” after “producer” in the portion before paragraph 1;

(2) by replacing “20” in paragraph 3 by “30”.

11. The following is added after section 13:

“**13.1.** The ancillary use by a producer of a portion of the producer’s agricultural operation for the purposes of receptions is allowed in the following circumstances:

(1) the receptions showcase the products of the agricultural operation and, for that purpose, the menu offered mainly contains food products that are derived from the agricultural operation;

(2) the receptions are held not more than 20 times in a fiscal year, not more than once during a same day and must not be held more than 3 consecutive days;

(3) the maximum number of guests present at a reception is 50;

(4) the date of each reception and the number of guests present are recorded in a register held by the producer; the register must be kept for the 2 fiscal years after the fiscal year in which the receptions were held and be made available on request during that period;

(5) the receptions are held at least 300 m from a livestock building that is neither owned nor operated by the producer;

(6) the receptions are held at least 75 m from a cultivated field that is neither owned nor operated by the producer;

(7) the receptions do not require the use of a space, building, vehicle or equipment other than those usually used as part of the agricultural operation, except

(a) a temporary facility to provide protection from bad weather;

(b) the furnishings necessary for the reception;

(c) a temporary parking space occupying a maximum area of 1,000 m²;

(d) temporary sanitary facilities;

(8) the holding of receptions does not alter the soil capability;

(9) the holding of receptions does not subject the installation of a new breeding unit or the increase of the activities of an existing breeding unit to a separation distance requirement related to odours.

In addition, the holding of an annual event with a maximum of 200 guests that takes place over a maximum period of 4 consecutive days is allowed in the circumstances provided for in subparagraphs 1 and 4 to 9 of the first paragraph.”

12. The heading of subdivision 2 is amended by replacing “Farm tourism-related use” by “A use related to farm tourism or the processing of a farm product on a farm”.

13. Section 14 is amended

(1) by inserting “or activities related to the processing of a farm product” after “farm tourism activities” in the portion before paragraph 1;

(2) by replacing “the producer’s agricultural operation” in the portion before paragraph 1 by “the producer’s farm”;

(3) by striking out “at the farm” in paragraph 1;

(4) by replacing paragraph 3 by the following:

“(3) the development and use of a booth for the sale of farm products, at least 25% of which are from the producer;

(4) guided visits;

(5) the processing of a farm product by a person or a partnership separate from the producer;

(6) the processing of farm products, at least 25% of which are from the producer.”

14. Section 15 is amended

(1) by replacing “dishes offered on the menu are mainly composed of products of the farm” in paragraph 1 by “the meal showcases the products of the farm and, for that purpose, the menu offered mainly contains food products that are derived from the farm”;

(2) by replacing “a maximum of” in paragraph 2 by “less than”.

15. The following is added after section 16:

“**16.1.** The development and use of a booth for the sale of farm products at the farm is allowed in the following circumstances:

(1) at least 25% of the products offered for sale at the booth are from the producer’s farm;

(2) the other products offered for sale are from Québec producers whose main production site is situated in the same administrative region or less than 150 km from the booth.”

16. The following is added after section 17:

“**17.1.** The processing of a farm product at the farm is allowed, even where it is carried out by a person or a partnership separate from the producer, in the following cases:

(1) where the producer is an entity formed by a natural person,

(a) the natural person owns at least 50% of the interests of the legal person carrying out the processing;

(b) the natural person is a partner holding at least 50% of the interests of the partnership carrying out the processing;

(2) where the producer is an entity formed by a legal person,

(a) a natural person holding at least 50% of the interests in the legal person is carrying out the processing;

(b) one or several persons or partnerships holding at least 50% of the interests in the legal person also hold 50% of the interests in the legal person carrying out the processing;

(c) one or several persons or partnerships holding at least 50% of the interests in the legal person are also partners holding at least 50% of the interests of the partnership carrying out the processing;

(3) where the producer is an entity formed by a partnership,

(a) a natural person holding at least 50% of the interests of the partnership carries out the processing;

(b) one or more partners holding at least 50% of the interests of the partnership also hold at least 50% of the interests of the legal person carrying out the processing;

(c) one or more partners holding at least 50% of the interests of the partnership are also partners holding at least 50% of the interests of the partnership carrying out the processing.

For the purposes of this section, “interests” means either the outstanding voting shares or, for a person or a partnership without share capital, the shares of the partners or members..

17.2. The processing of farm products from other producers is allowed at the farm in the following circumstances:

(1) at least 25% of the processed products are from the producer’s farm;

(2) the other processed products are from Québec producers whose main production site is situated in the same administrative region or less than 150 km from the processing site, insofar as the products are available at those production sites;

(3) the area dedicated to processing has a maximum floor area of 300 m² and includes the processing site, as well as any other related structure required for processing, but excludes the area dedicated to the transportation of persons and material.”.

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

105928

Gouvernement du Québec

O.C. 1445-2022, 3 August 2022

Animal Welfare and Safety Act
(chapter B-3.1)

Welfare and safety of domestic companion animals and equines

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

WHEREAS, under paragraph 2 of section 64 of the Animal Welfare and Safety Act (chapter B-3.1), the Government may, by regulation, determine the conditions on and manner in which a person, an animal species, subspecies or breed, a type of activity or establishment or a geographical region may be exempted from the application of the Act or the regulations;

WHEREAS, under paragraph 3 of section 64 of the Act, the Government may, by regulation, make compliance with provisions of animal care standards or codes of practice mandatory for persons determined by the Government and provide for the necessary adaptations and transitional provisions;

WHEREAS, under paragraph 4 of section 64 of the Act, the Government may, by regulation, determine the conditions on which an activity involving an animal may be carried on, restrict such an activity or prohibit certain classes of persons it determines from carrying on such an activity;

WHEREAS, under paragraph 5 of section 64 of the Act, the Government may, by regulation, determine the other animals which an owner or custodian must provide with stimulation, socialization and environmental enrichment that are consistent with their biological needs;

WHEREAS, under subparagraphs *a*, *b* and *e* of paragraph 6 of section 64 of the Act, the Government may, by regulation, in relation to permits and permit holders governed by Chapter III of the Act, determine in particular the classes of permits and the conditions and restrictions attached to each, prescribe the form in which an application for a permit is to be submitted and the documents the applicant must provide, and determine the conditions on and manner in which permits are to be issued or renewed and the fees payable for a permit application;

WHEREAS, under paragraph 8 of section 64 of the Act, the Government may, by regulation, prescribe standards applicable to the organization, management and operation of any premises where an activity involving an animal is carried on or for which a permit is required;

WHEREAS, under paragraph 9 of section 64 of the Act, the Government may, by regulation, determine the maximum number of animals that may be kept on any premises, in particular, according to their species, subspecies or breed, the type of activity carried on by the owner or custodian or the type of premises on which they are kept, including pounds, animal shelters and premises kept by persons or organizations dedicated to the protection of animals;

WHEREAS, under paragraph 10 of section 64 of the Act, the Government may, by regulation, determine the maximum number of animals that may be kept by a single natural person;

WHEREAS, under paragraph 11 of section 64 of the Act, the Government may, by regulation, determine the protocols and registers that the owner or custodian of an animal must observe or keep, what each must minimally contain, where they must be kept, the reports the owner or custodian must file with the Minister, the information that must be reported and the frequency of the reporting;

WHEREAS, under paragraph 12 of section 64 of the Act, the Government may, by regulation, determine preventive measures for animals, in particular vaccination, sterilization, isolation or quarantine, and set out methods, procedures and conditions applicable to those measures;

WHEREAS, under paragraph 13 of section 64 of the Act, the Government may, by regulation, determine standards for euthanizing or slaughtering animals and regulate or prohibit certain methods, procedures and conditions;

WHEREAS, under paragraph 16 of section 64 of the Act, the Government may, by regulation, regulate, restrict or prohibit the use of training aids or restraining devices;

WHEREAS, under paragraph 17 of section 64 of the Act, the Government may, by regulation, regulate, restrict or prohibit certain cosmetic or other surgical procedures on certain categories or species of animals;

WHEREAS, under paragraph 20 of section 64 of the Act, the Government may, by regulation, provide for any other measure intended to ensure the welfare or safety of animals, which measures may vary according to species, subspecies or breed, the type of activity carried on by their owner or custodian or the type of premises on which they are kept;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the welfare and safety of domestic companion animals and equines was published in Part 2 of the *Gazette officielle du Québec* of 11 May 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 Agriculture, Fisheries and Food:

THAT the Regulation respecting the welfare and safety of domestic companion animals and equines, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

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

Animal Welfare and Safety Act
(chapter B-3.1, s. 64, pars. 2 to 5, 6, subpars. *a*, *b* and *e*, pars. 8 to 13, 16, 17 and 20)

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 cats or dogs and their hybrids, as well as a companion animal of one of the following species and their hybrids: 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 a 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 16.

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 an 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 with which an animal may come into contact, must

- (1) be free of holes other than those for the elimination of urine and clean-up water; and
- (2) 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 and the lower portions of walls, interior enclosures and cages with which an animal may come into contact must be made of non-porous 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. The control of destructive rodents, insects or other vermin must be carried out as soon as their presence 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.

In this Regulation, "source of environmental enrichment" means the act of providing a diverse environment adapted to the biological needs of the animal, allowing in particular for it to meet its needs to explore, make choices or amuse itself, for example, by providing it with various toys, objects to chew, different rest areas or opportunities to experience and explore its environment.

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, the size of which must allow it to turn around and maintain its body temperature, such as a doghouse, and the floor of which is covered with a clean and dry insulation material, made in particular from straw or untreated wood chips.

In addition, an animal kept mostly outdoors must have access at all times to a doghouse or shelter serving as such that complies with the following requirements in addition to those provided for in section 3:

- (1) it is made of corrosion resistant materials;
- (2) it has a waterproof roof and walls, a floor raised off the ground and an opening through which the animal can enter at all times;
- (3) it is designed and built so that the animal is protected from bad weather;
- (4) it has a flat, clean and dry floor.

The inside of the doghouse or shelter serving as such is not considered to be an area referred to in subparagraph 5 of the first paragraph of section 3.

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. The opening of the vehicle's windows is not considered 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. Unless recommended by a veterinary surgeon for therapeutic reasons, it is prohibited to perform or have performed the following surgeries:

- (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, tendonectomy, tenonectomy or any other surgical procedure intended to prevent the normal wear of the animal's claws.

17. Animals must be euthanized

- (1) in a place away from other animals; and
- (2) by a veterinary surgeon or under the veterinary surgeon's 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.

18. An animal's carcass must be removed without delay from the immediate environment of other animals in order to avoid physical, visual or olfactory contact between the animals and the carcass.

DIVISION II SPECIAL PROVISIONS APPLICABLE TO CONFINEMENT AND RESTRAINT EQUIPMENT

§1. Special provisions concerning confinement equipment

19. 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%, be non slippery and sufficiently rigid for the animal to stand up without it sagging, and designed so that the animal cannot pass through it or get stuck in it.

20. 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 measure at least 3 times the length of the animal.

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

§2. Special provisions concerning restraint equipment

22. 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.

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

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

25. 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**

26. 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 foul 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.

27. 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. The requirement relating to a surface on which a cat can sharpen its claws or scratch does not apply to pet shops, animal boarding establishments, grooming salons or 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, if the animal is kept there less than 2 months.

28. If a cat is kept in confinement equipment, 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 pet shops, animal boarding establishments, grooming salons or 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, if the animal is kept there less than 2 months.

29. If a dog is kept leashed or confined in a cage, an enclosure or any other restricted space, 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 being kept temporarily on premises where dogs 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. 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.

30. A dog over 12 weeks of age must have direct, active and positive contact with humans, for a minimum of 30 minutes per day, alone or simultaneously with a few other animals, 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 being kept temporarily on premises where dogs 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.

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, alone or simultaneously with a few other animals, twice a day.

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 28 and 29.

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-year period in the case of a dog, of which a maximum of 2 result from consecutive estrus cycles; 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. The animals must be physically separated after mating or when supervision ends, then checked for injuries and treated if necessary.

35. Not later than 1 week before the date on which the female is expected to give birth, it must be separated from other animals in an area that is calm and suitable for giving birth where it can freely access its litter. The portion of the floor accessible to the litter in that area must be full. 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.

37. The owner or custodian of 5 or more cats or dogs must, where an animal has signs of contagious disease, separate that animal 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

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

39. 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.

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

41. 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.

42. 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.

43. 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.

44. 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 an exercise area without partitions of a minimum of 3 metres long by 2 metres wide;

(2) the animal is kept less than 2 months in a pet shop, boarding establishment or 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.

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

46. 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.

47. 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 4 weeks in the case of a rabbit;
- (2) until the age of 6 weeks in the case of a ferret;
- (3) until the age of 2 weeks in the case of a guinea pig; and
- (4) 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, but the mother must be able to isolate from the litter if needed.

DIVISION V

SPECIAL CUSTODY AND CARE PROVISIONS APPLICABLE IN A PET SHOP OR AS PART OF COMMERCIAL BREEDING OR RAISING OPERATIONS OF CATS, DOGS, RABBITS, FERRETS, GUINEA PIGS AND COMPANION PIGS

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

49. The operator of premises where commercial breeding or raising operations are carried on must have every cat or dog held undergo a veterinary examination before mating it for the first time.

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 examination 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.

50. 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.

51. 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.

CHAPTER II EQUINES

52. 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, except those relating to keeping records or to receipts of treatments provided, and the implementation of a parasite control program and a written biosecurity and disease management plan.

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

53. 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.

54. 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.

55. 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 SPECIAL PROVISIONS PERTAINING TO TEACHING OR SCIENTIFIC RESEARCH ACTIVITIES

56. This Part does not apply to teaching or scientific research activities carried on in compliance with the generally recognized rules that are the applicable guidelines published by the Canadian Council on Animal Care.

57. 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

58. 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

59. 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

60. 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;

(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.

61. 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 64.

62. The holder of a permit must inform the Minister in writing of any change affecting the information or documents required under section 60, except the information referred to in subparagraphs 6 to 8 of the first paragraph of that section, within 15 days after the change occurs.

63. A permit is renewed if

(1) the applicant has sent to the Minister the information and documents required under section 60;

(2) the fees and costs payable under section 64 have been paid to the Minister of Finance.

DIVISION IV FEES AND COSTS

64. 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 58;

(2) \$272 for the “owner or custodian of 50 or more cats or dogs” class permit provided for in paragraph 2 of section 58;

(3) \$272 for the permit to operate premises where cats, dogs or equines are taken in referred to in 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.

65. 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

66. The operator of a pet shop, the owner or custodian of a cat or dog as part of commercial breeding or raising operations and the holder of a permit issued under the Animal Welfare and Safety Act (chapter B-3.1) must, for each cat, dog or equine 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 offspring in each litter, whether live-born or still-born;

(6) an identification of the parents born on site;

(7) in the case of a cat or dog referred to in section 49, the date of the veterinary examinations;

(8) the date of the animal's death, or of its final departure to a new owner or custodian and the name and contact information of the new owner or custodian, as applicable, along with the permit number issued to the new owner or custodian by the Minister under the Animal Welfare and Safety Act (chapter B-3.1).

67. In addition to the information mentioned in section 66, the register kept by the holder of a permit referred to in section 19 of the Animal Welfare and Safety Act (chapter B-3.1) must include an annual compilation containing

(1) the number of animals that were taken in, by species and by reason for admission;

(2) the number of animals that were returned to their owners;

(3) the number of animals that were adopted or transferred;

(4) out of the number of animals returned to their owners, adopted or transferred, the number that, while in the custody of the permit holder, were respectively vaccinated, dewormed or identified with a permanent mark, and the number of male and female animals sterilized;

(5) the number of animals that died, listed by probable cause;

(6) the number of animals that were euthanized and the reasons for euthanasia; and

(7) the approximate average time during which animals were kept at the establishment, in number of days and listed by species.

68. The register must be kept for the duration of the ownership or custody of the animal and for 24 months following the end of that period. The register must be available in the place of custody at all times for consultation by the Minister or by an inspector duly appointed by the Minister.

PART III TRANSITIONAL AND FINAL

69. Pending applications for the issue or renewal of permits under a permit 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.

70. Despite section 48 of this Regulation, a person who, before 25 August 2022, carries on commercial breeding or raising operations of cats or dogs and holds a permit as the owner or custodian of 50 or more cats

or dogs referred to in section 1.2 of the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) or whose application for the renewal of that permit is pending may continue to hold more than 50 animals of those species for as long as the Minister does not suspend, cancel or refuse to renew that permit. The maximum number of animals that may be kept by that person is the number held by that person on 25 August 2022.

71. Despite section 49 of this Regulation, an operator who holds, on 10 February 2024, a cat or dog that has already been mated must have the animal undergo a veterinary examination before the next mating. If that operator holds, on 10 February 2024, more than 15 cats or dogs, the operator is not required to carry out all the veterinary examinations required at that time. All the animals held by the operator and intended for breeding must have undergone a veterinary examination not later than 10 August 2024.

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

73. This Regulation comes into force on 10 February 2024, except sections 48 and 70, which come into force on 25 August 2022.

105929

M.O., 2022

Order number 2022-004 of the Minister of Education dated 26 July 2022

Education Act
(chapter I-13.3)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal

THE MINISTER OF EDUCATION,

WHEREAS in and by section 451 of the Education Act (chapter I-13.3);

WHEREAS the Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 10 May 2012 approved by the Conseil du trésor on 8 May 2012 (C.T. 211408), and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 451 of the Education Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal, herewith attached, be made.

Québec, 26 July 2022

JEAN-FRANÇOIS ROBERGE
The Minister of Education

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal¹

Education Act
(Chapter I-13.3, s. 451)

1. Section 39 of the Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal is replaced with the following:

“**39.** A senior staff member's salary scales and salary shall be increased by:

- (1) 2.00% from 1 April 2020 to 31 March 2021;
- (2) 2.00% from 1 April 2021 to 31 March 2022;
- (3) 2.00% from 1 April 2022 to 31 March 2023.

The salary scales are found in Schedule III.”

¹ The Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 10 May 2012 (2012, G.O. 2, 1817) and was amended by the Regulation made by the Minister's Order dated 30 March 2017 (2017, G.O. 2, 996), the Regulation made by the Minister's Order dated 14 August 2017 (2017, G.O. 2, 2607), the Regulation made by the Minister's Order dated 30 April 2018 (2018, G.O. 2, 2290) and the Regulation made by the Minister's Order dated 17 August 2018 (2018, G.O. 2, 4748)

2. Section 47 of the Regulation is amended by replacing the first two paragraphs with the following:

“47. A senior staff member is entitled to additional remuneration of 1.5% of the salary received from 1 April 2019 to 31 March 2020.

“**SCHEDULE III**

SALARY SCALES CORRESPONDING TO CLASSIFICATION PLAN

Classes	SENIOR STAFF (Annual rates)		Rates until		Rates from		Rates from	
			2020-03-31		2020-04-01 to 2021-03-31		2021-04-01 to 2022-03-31	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
12	105 390	140 517	107 498	143 327	109 648	146 194		
11	99 629	132 836	101 622	135 493	103 654	138 203		
10	94 183	125 574	96 067	128 085	97 988	130 647		
9	89 034	118 709	90 815	121 083	92 631	123 505		
8	84 166	112 219	85 849	114 463	87 566	116 752		
7	78 660	104 878	80 233	106 976	81 838	109 116		
6	73 515	98 017	74 985	99 977	76 485	101 977		
5	68 705	91 605	70 079	93 437	71 481	95 306		
4	62 774	83 696	64 029	85 370	65 310	87 077		
3	57 354	76 470	58 501	77 999	59 671	79 559		
2	52 402	69 888	53 450	71 265	54 519	72 690		
1	47 878	63 836	48 836	65 113	49 813	66 415		

Classes	Rates as of 2022-04-01 (\$)	
	Minimum	Maximum
12	111 841	149 118
11	105 727	140 967
10	99 948	133 260
9	94 484	125 975
8	89 317	119 087
7	83 475	111 298
6	78 015	104 017
5	72 911	97 212
4	66 616	88 819
3	60 864	81 150
2	55 609	74 144
1	50 809	67 743

A senior staff member is entitled to additional remuneration of 1.00% of the salary received from 1 April 2020 to 31 March 2021.”

3. Schedule III of the Regulation is replaced with the following:

4. The additional remuneration for the period from 1 April 2019 to 31 March 2020 already paid under section 47 of the Regulation respecting certain conditions of employment of senior staff of school service centres and of the Comité de gestion de la taxe scolaire de l'île de Montréal in force prior to being amended by this Regulation shall be deducted from the additional remuneration paid for the same period under section 47, as amended.

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

105926

M.O., 2022**Order 2022-08 of the Minister of Transport
dated 27 July 2022**

Highway Safety Code
(chapter C-24.2)

Towing charges for road vehicles seized under the Highway Safety Code (chapter C-24.2)

THE MINISTER OF TRANSPORT,

CONSIDERING section 633.2 of the Highway Safety Code (chapter C-24.2), which provides that the Minister of Transport may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister, if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that section 633.2 of the Code provides that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion;

CONSIDERING that section 633.2 of the Code provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under that section 633.2;

CONSIDERING that a road vehicle may be seized and towed under the Highway Safety Code;

CONSIDERING that towing charges for a road vehicle are subject to the rates provided for in the Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26), indexed on 1 March 2022 in accordance with the third, fourth and fifth paragraphs of section 209.9 of the Highway Safety Code, as they read on 30 June 2022;

CONSIDERING that section 5.1 of the Regulation respecting towing and impounding charges for seized road vehicles, made by section 97 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions (2022, chapter 13) provides that towing charges are indexed annually as of 1 June 2023 and sets the terms and conditions therefor;

CONSIDERING that it is advisable to suspend the application of that section 5.1 in order to provide for an adjustment of towing charges on a monthly basis, in accordance with the rules prescribed by this Order, due to the significant rise in fuel prices;

CONSIDERING that the Minister of Transport considers that the suspension of section 5.1 of the Regulation respecting towing and impounding charges for seized road vehicles is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that the Société de l'assurance automobile du Québec has been consulted;

ORDERS AS FOLLOWS:

1. The application of section 5.1 of the Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26) is suspended until 31 May 2023.

During that suspension, towing charges for a seized road vehicle are adjusted in accordance with sections 2 and 3 of this Order.

2. Towing charges set by the Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26) are adjusted on the date of coming into force of this Order and until 31 August 2022 according to the rate resulting from the following formula:

$$\{[(A \times \text{towing charges}) + (B \times \text{towing charges})] / \text{towing charges}\} - 1.$$

In the formula in the first paragraph,

(1) "A" is the part of the towing charges associated with the costs other than fuel, established at 88%;

(2) "B" is the part of the towing charges associated with fuel costs, established using the following formula:

$$21.1056\% \times \{1 + [(C - D) / D]\}.$$

In the formula in subparagraph 2 of the second paragraph,

(1) "C" is the posted average diesel price in Québec for 4 weeks, computed according to the weekly data published by the Régie de l'énergie du Québec in its Bulletin d'information sur les prix des produits pétroliers au Québec preceding 1 August 2022;

(2) "D" is the posted average diesel price in Québec for 4 weeks, computed according to the weekly data published by the Régie de l'énergie in its Bulletin d'information sur les prix des produits pétroliers au Québec preceding 1 July 2022.

3. Subsequently, towing charges are adjusted on the first day of the month according to the rate resulting from the formula provided for in the first paragraph of section 2, with the following adaptations:

(1) “B” is the part of the towing charges associated with fuel costs, established using the following formula:

$$E \times \{1 + [(F - G) / G]\}.$$

In the formula in the first paragraph,

(1) “E” is the part of the towing charges associated with fuel costs established under subparagraph 2 of the second paragraph of section 2 or, if towing charges have been adjusted since 1 August 2022, those corresponding to the last monthly adjustment;

(2) “F” is the posted average diesel price in Québec for 4 weeks, computed according to the weekly data published by the Régie de l’énergie in its Bulletin d’information sur les prix des produits pétroliers au Québec preceding the first day of the month;

(3) “G” is the posted average diesel price in Québec for 4 weeks, computed according to the weekly data published by the Régie de l’énergie in its Bulletin d’information sur les prix des produits pétroliers au Québec preceding the first day of the month for which towing charges have last been adjusted since 1 August 2022 or, failing such an adjustment, the posted average diesel price for 4 weeks, computed according to the weekly data published by the Régie de l’énergie in its Bulletin d’information sur les prix des produits pétroliers au Québec preceding 1 August 2022.

The monthly adjustment provided for in this section is without effect

(1) where the difference between the rate computed in the manner provided for in this section and the last adjustment rate is less than 1 percentage point; or

(2) where once that adjustment is applied, the towing charges are lower than those set by the Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26).

4. The Société de l’assurance automobile du Québec publishes on its website the rates applicable to towing charges for a seized road vehicle and the monthly adjustment related to fluctuations in fuel costs resulting from the application of sections 2 and 3 of this Order.

5. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on 1 June 2023.

Québec, 27 July 2022

FRANÇOIS BONNARDEL
Minister of Transport

105927

Draft Regulations

Draft Regulation

Act respecting the National Student Ombudsman (chapter P-32.01)

Procedure for the recruitment and selection of regional student ombudsmen

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the procedure for the recruitment and selection of regional student ombudsmen, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation follows the assent, on 2 June 2022, of the Act respecting the National Student Ombudsman (2022, chapter 17). It establishes the procedure for the recruitment and selection of regional student ombudsmen and determines, in particular,

—the publicity to be made for recruitment purposes and its content;

—the eligibility requirements and the application procedure to be followed by candidates;

—the selection criteria to be taken into account by a selection committee;

—the information a selection committee may require from a candidate and the consultations it may hold; and

—the period for which a declaration of qualification is valid.

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

Further information on the draft Regulation may be obtained by contacting Stéphanie Vachon, Assistant Deputy Minister, Sous-ministériat au soutien aux réseaux et au financement, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15^e étage, Québec (Québec) G1R 5A5; email: stephanie.vachon@education.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Stéphanie Vachon, Assistant Deputy Minister, at the above contact information.

JEAN-FRANÇOIS ROBERGE
Minister of Education

Regulation respecting the procedure for the recruitment and selection of regional student ombudsmen

Act respecting the National Student Ombudsman (2022, chapter 17, ss. 5 and 7)

CHAPTER I

RECRUITMENT AND SELECTION OF PERSONS QUALIFIED FOR APPOINTMENT AS REGIONAL STUDENT OMBUDSMEN

DIVISION I

RECRUITMENT NOTICE

1. Where it is expedient to draw up a list of persons qualified for appointment as regional student ombudsmen, the National Student Ombudsman publishes a recruitment notice in a publication circulating or broadcast throughout Québec, inviting interested persons to submit their candidacy.

2. The recruitment notice must contain

(1) a brief description of the functions of a regional student ombudsman;

(2) the place where a person could be assigned to mainly perform the functions;

(3) in substance, the eligibility requirements and selection criteria prescribed by the law and this Regulation and, where applicable, the particular professional, training and experience requirements sought given the needs of the National Student Ombudsman;

(4) in substance, the system of confidentiality applicable within the framework of the selection procedure and an indication that the selection committee may hold consultations on the candidacies; and

(5) the deadline and address for submitting a candidacy.

3. A copy of the notice is sent to the minister responsible for the administration of the Act respecting the National Student Ombudsman (2022, chapter 17).

DIVISION II CANDIDACY

4. Only a person having a minimum of 5 years of experience relevant to the functions of a regional student ombudsman may be declared qualified for appointment as a regional student ombudsman.

For a year of relevant experience may be substituted 1 year of studies in addition to those required in the recruitment notice, if applicable.

5. A person who wishes to submit his or her candidacy must send a résumé and the following information:

(1) name, address, home telephone number and, if applicable, office address and telephone number;

(2) date of birth;

(3) name of each region for which a candidacy is submitted;

(4) college and university diplomas and other relevant certificates held;

(5) the nature of the activities carried out and through which the candidate has acquired the relevant experience required;

(6) if applicable, proof that the candidate has the qualifications indicated in the notice;

(7) any conviction for an indictable or a criminal offence or any disciplinary decision, as well as the nature of the offence or fault concerned and the sentence or disciplinary measure imposed;

(8) any conviction for a penal offence, the nature of the offence concerned and the sentence imposed and whether one can reasonably believe that such offence is likely to call into question the integrity or impartiality of the National Student Ombudsman or of the candidate, to interfere with the candidate's ability to perform the functions or to undermine the trust of the public in the office holder;

(9) if applicable, the names of the candidate's employers, partners or immediate or line superiors in the last 10 years;

(10) if applicable, the name of any legal person, partnership or professional association of which the candidate is or was a member in the last 10 years;

(11) a summary of the reasons for the candidate's interest in performing the functions of a regional student ombudsman.

The person must also provide a written statement in which the person agrees to a verification with, in particular, a disciplinary body, a professional order of which the person is or was a member, the person's employers in the last 10 years, police authorities and, if applicable, in which the person agrees that the persons or bodies mentioned in subparagraphs 9 and 10 of the first paragraph of this section may be consulted.

DIVISION III ESTABLISHMENT OF A SELECTION COMMITTEE

6. Following the publication of the recruitment notice, the National Student Ombudsman establishes a selection committee in accordance with section 6 of the Act respecting the National Student Ombudsman.

7. A member of the committee must immediately bring to the attention of the other members of the committee any fact that may give rise to a reasonable apprehension of bias.

8. A member of the committee whose impartiality could be questioned must withdraw with respect to a candidate, in particular if the member

(1) is or was the candidate's spouse;

(2) is related to the candidate by birth, marriage or civil union, to the degree of first cousin inclusively;

(3) is or was the employer, employee or partner of the candidate in the last 10 years; despite the foregoing, a member who is in the public service must withdraw with respect to a candidate only if the member is or was under the candidate's direct supervision or is or was the candidate's immediate superior.

9. Where a member of the committee withdraws, is absent or unable to act, the decision is made by the other members.

10. Before taking office, the members of the committee must take an oath by solemnly affirming the following: "I, (full name), declare under oath that I will not reveal or disclose, unless duly authorized, anything that may come to my knowledge in the performance of my duties."

The oath is taken before a person empowered to administer oaths.

The writing evidencing the oath must be sent to the National Student Ombudsman.

11. A person may be appointed to more than one committee at the same time.

12. Travel and accommodation expenses of the members of the committee are reimbursed in accordance with the Règles sur les frais de déplacement des présidents, vice-présidents et membres d'organismes gouvernementaux (D. 2500-83, 83-11-30), with the modifications that have been or will be made.

In addition to their expenses, members of the committee other than the chair who are not employees of a government department or body are entitled to fees of \$250 per day or \$200 per half-day of sitting they attend.

DIVISION IV FUNCTIONING OF THE SELECTION COMMITTEE

13. The National Student Ombudsman sends the list of candidates and their records to the members of the selection committee.

14. The committee analyzes the candidates' records and retains candidates who, in its opinion, meet the eligibility requirements and any additional evaluative measures applied in consideration of the positions to be filled or the large number of candidates.

15. The chair of the committee informs the short-listed candidates of the date and place of their meeting with the committee and informs the other candidates that they were turned down and, as a result, will not be called to a meeting.

DIVISION V CONSULTATIONS AND SELECTION CRITERIA

16. The committee may, on any matter in a candidate's record or any aspect of a candidacy or of the candidacies as a whole, consult in particular with

(1) any person who was, in the last 10 years, an employer, partner, immediate or line superior of the candidate; and

(2) any legal person, partnership or professional association of which a candidate is or was a member in the last 10 years.

17. The selection criteria that the committee takes into account in determining a candidate's qualification are

(1) knowledge of the education system;

(2) knowledge of dispute resolution mechanisms;

(3) knowledge of the school environment or other environments relevant to the exercise of the functions;

(4) expertise with regard to handicapped students or students with social maladjustments or learning disabilities;

(5) the candidate's personal and intellectual qualities;

(6) the extent of the candidate's knowledge or skills, in view of the particular professional, training and experience requirements indicated in the recruitment notice;

(7) the candidate's ability to carry out the functions of a regional student ombudsman, in particular the candidate's judgment, impartiality, open-mindedness, perceptiveness, empathy, level-headedness, analysis and synthesis capability, decision-making abilities, teamwork capabilities, the quality of oral and written expression and the ability to adopt an ethical behavior; and

(8) the candidate's conception of the office of a regional student ombudsman.

18. The selection committee may apply evaluative measures that it determines to candidates who meet the eligibility requirements.

DIVISION VI REPORT OF THE SELECTION COMMITTEE

19. Committee decisions are made by a majority of its members. In the case of a tie-vote, the chair of the committee has a casting vote.

20. The committee submits a report to the Minister. The report

(1) indicates the names of the candidates whose candidacy was turned down and who have not been met, giving reasons therefor;

(2) indicates the names of the candidates with whom the committee met and whose candidacy was turned down, giving reasons therefor;

(3) indicates the names of the candidates with whom the committee met and whom it declared qualified for appointment as regional student ombudsmen, the regions to which they may be assigned, their profession and the particulars concerning their work place; and

(4) contains any comments that the committee considers advisable, especially with respect to the particular experiences, characteristics or qualifications of the candidates declared qualified.

21. Unless it is unable to do so, the committee declares qualified a number of candidates corresponding to at least twice the number of vacant positions, if any.

22. A member of the committee may register dissent with respect to all or part of the report.

DIVISION VII REGISTER OF DECLARATIONS OF QUALIFICATION

23. The National Student Ombudsman writes to the candidates to inform them of whether they have been declared qualified for appointment as regional student ombudsmen.

24. The National Student Ombudsman keeps the register of declarations of qualification up to date and enters therein, in respect of each region, the list of persons declared qualified for appointment as regional student ombudsmen.

A declaration of qualification is valid for a 3-year period from its entry in the register.

The National Student Ombudsman strikes out an entry on the expiry of the validity period of the declaration of qualification or when the person is appointed regional student ombudsman, dies or asks to be withdrawn from the register.

DIVISION VIII RECOMMENDATION

25. As soon as a position becomes vacant, the National Student Ombudsman sends a copy of the updated list of persons declared qualified for appointment as regional student ombudsmen to the Minister and recommends to the Minister the name of a person who has been declared qualified.

26. If the Minister is of the opinion that he or she cannot, considering the list of persons declared qualified for appointment as regional student ombudsmen and in the best interest of the proper operation of the position to be filled, appoint a person, the Minister then asks the National Student Ombudsman to publish a new recruitment notice.

The committee in charge of assessing the qualifications of the candidates who submitted their candidacy after the new recruitment notice and of submitting a report to the Minister in accordance with section 20 may be composed of persons previously designated to sit on a preceding committee.

CHAPTER II CONFIDENTIALITY

27. The names of candidates, the report of the selection committee, the register, the list of candidates declared qualified for appointment as regional student ombudsmen, as well as any information or document relating to a consultation or decision by the committee, are confidential.

CHAPTER III FINAL

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

105930