

Regulations and other acts

Gouvernement du Québec

O.C. 1620-95, 13 December 1995

Animal Health Protection Act
(R.S.Q., c. P-42)

Artificial Insemination of Cattle — Amendments

Regulation to amend the Artificial Insemination of Cattle Regulation

WHEREAS under subparagraphs 1 to 4 and 10 of the first paragraph of section 28 of the Animal Health Protection Act (R.S.Q., c. P-42), amended by section 5 of Chapter 29 of the Statutes of 1995, the Government may make regulations to

(1) determine the conditions under which a person may exercise some or all of the activities listed in section 24, and restrict such activities to the classes of persons it determines;

(2) prescribe classes of permits and the rights, conditions and restrictions relating to each class;

(3) prescribe conditions for the issue and renewal of permits, the form of permits and the fees therefor;

(4) determine the qualifications required of a person applying for a permit and of an employee assigned to activities for which a permit is required; and

(10) exempt such activities listed in section 24 or such classes of persons or categories of animals as it determines from some or all of the provisions of Division III of the Act or of the regulations under it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation entitled Regulation to amend the Artificial Insemination of Cattle Regulation, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 6 September 1995 with a notice that upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS the 45-day period prescribed by the Act has expired;

WHEREAS no comments were made following that publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Artificial Insemination of Cattle Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Artificial Insemination of Cattle Regulation

Animal Health Protection Act
(R.S.Q., c. P-42, s. 28, 1st par., subpars. 1 to 4, 10; 1995, c. 29, s. 5)

1. The Artificial Insemination of Cattle Regulation, made by Order in Council 690-88 dated 11 May 1988 and amended by the Regulations made by Orders in Council 151-90 dated 14 February 1990, 1771-92 dated 9 December 1992, 1828-93 dated 15 December 1993 and 726-94 dated 18 May 1994, is further amended by substituting the following for paragraphs 3 to 5 of section 1:

“(3) Semen Possession Permit.”.

2. The following is inserted after section 1:

“**1.1** An owner or custodian of animals who carries out the artificial insemination of his own animals or of those of which he has permanent custody shall be exempt from the obligation to hold a General Insemination Permit.”.

3. Section 2 is amended

(1) by striking out the words “, in the form of Schedule I” in the first paragraph;

(2) by substituting the following for subparagraphs 1 to 5 of the third paragraph:

- “(1) for a Semen Collection Permit: \$2 585.00
 (2) for a General Insemination Permit: \$80.00
 (3) for a Semen Possession Permit: \$45.00.”;

(3) by adding the following paragraph:

“For the purposes of this section, the word “establishment” includes a vehicle in the case of an application for a Semen Possession Permit authorizing delivery.”.

4. Section 2.1 is amended by substituting “1997” for “1993” in the first paragraph.

5. The following is substituted for section 3:

“**3.** A person who applies for a General Insemination Permit shall:

(1) know the anatomy and physiology of the reproductive system of cattle, possess the skills required to carry out an act of artificial insemination and know the sanitary conditions therefor;

(2) know the legislative and regulatory provisions applicable in Québec in that matter;

(3) be able to deal with the health risks inherent in visiting multiple livestock outfits; and

(4) master the techniques for the conservation of semen and for pedigree control.

Those qualifications shall be verified by means of an examination prepared by the Minister and held prior to the issue of the permit. To pass that examination, a candidate must obtain the pass mark for each category of aptitudes established in the first paragraph.

3.1 Any person referred to in section 3 shall attach to his application a certificate to the effect that he is authorized by a breeders’ association, formed under the Livestock Pedigree Act (R.S.C., 1970, c. L-10), to carry out the insemination of purebred cattle or of cattle identified in the National Identification Program administered by such breeders’ association.”.

6. Section 5 is amended

(1) by striking out the words “in the form of Schedule I” in paragraph 1;

(2) by striking out paragraph 3.

7. The following is inserted after section 5:

“**5.1** An application for a permit and an application for renewal of a permit shall be made in writing and shall contain the following information:

(1) the applicant’s name, address and telephone number and, where applicable, his fax number; the same information shall be given by the applicant’s representative, where applicable;

(2) where applicable, the applicant’s registration number in the register of sole proprietorships, partnerships and legal persons, instituted under section 58 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (1993, c. 48);

(3) the name under which the establishment or the vehicle is operated;

(4) the address of the establishment or, in the case of a vehicle, the make, model, year and registration number;

(5) the nature and class of the permit applied for;

(6) the applicant’s signature or the signature of the applicant’s duly authorized representative.”.

8. Section 7 is amended by substituting the words “and deliver it” for the words “, deliver it to any person or trade in it”.

9. Division V is revoked.

10. The heading of Division VI is amended by striking out the word “FARM”.

11. The following is substituted for section 55:

“**55.** A semen possession permit holder may only keep semen in his possession and deliver it as permitted under the permit.”.

12. Division VI.1 is revoked.

13. Section 59 is amended by striking out the words “Subparagraph *a* of paragraph 2 of section 3 and”.

14. Section 61 is amended by substituting “58” for “58.6”.

15. Schedule I is revoked.

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