

of the necessity of enforcing the provisions relating to insurance plans as of 1 July 1996, which corresponds to the beginning of an insurance period.

Please take note that the Commission as submitted the draft regulation, prior to its adoption, to the Joint Committee on Construction, for the purposes of consultation, in accordance with section 123.3 of the Act respecting labour relations, vocational training and manpower management in the construction industry. This committee is composed of representatives from parties representing employers and salaried employees of the construction industry who are affected by this regulation. According to section 18 of that Act, the Commission is bound to the committee's decisions as regards to the use of social security funds. The Joint Committee of Construction has issued a notice stating that it was in favour of adopting the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry.

*Le secrétaire,*  
HUGUES FERRON

## Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 92; 1995, c. 8, s. 42)

**1.** The Regulation respecting complementary social benefit plans in the construction industry, enacted by decision CCQ-951991 dated 25 October 1995 and amended by the Regulation enacted by decision CCQ-962072 dated 24 April 1996, is further amended by substituting number "80" for number "70" throughout section 32.

**2.** Section 33 of this Regulation is amended:

(1) by adding the following to subsection 3 of the first paragraph:

"(4) for a retired employee who is least 65 years of age, \$504.59 for the insurance period beginning on 1 July 1996.";

(2) by adding the following to the second paragraph: "However, supplemental plans do not apply in the case of a retired employee who is at least 70 years of age.".

**3.** Section 51 of this Regulation is replaced by the following:

"**51.** Coverage under the life insurance plan provided for in this section ceases on the date of the 70<sup>th</sup> birthday of the insured employee, but ceases on the date of the 80<sup>th</sup> birthday of the insured employee covered by the insurance plan for retired employees."

**4.** Section 79 of this Regulation is amended by inserting, after the word "employees", the words "if he is at least 70 years of age".

**5.** This Regulation comes into force on 1 July 1996.

9768

## Notice of adoption

An Act respecting horse racing  
(R.S.Q., c. C-72.1)

### Rules respecting Standardbred horse racing — Amendments

Notice is hereby given that, at its sittings of 17 May and 27 May 1996, the Régie des alcools, des courses et des jeux made the Rules to amend the Rules respecting Standardbred horse racing, the text of which appears below.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Rules was published in Part 2 of the *Gazette officielle du Québec* of 6 March 1996, with a notice that they could be made by the Régie des alcools, des courses et des jeux at the expiry of 45 days following that publication.

GHISLAIN K. LAFLAMME,  
*President and Director General*

## Rules to amend the Rules respecting Standardbred horse racing

An Act respecting racing  
(R.S.Q., c. C-72.1, s. 103, 1<sup>st</sup> par., subpars. 1 to 4, 6, 14, 15 and 21)

**1.** The Rules respecting Standardbred horse racing, made by the Commission des courses du Québec on 19 September 1990, published in Part 2 of the *Gazette officielle du Québec* on 3 October 1990 (122 *G.O.* 2, 2491) and amended by the Rules made on 6 March 1991 (123 *G.O.* 2, 1172), on 5 November 1992 (124 *G.O.* 2, 4982) and on 14 September 1995 (1995, 127 *G.O.* 2, 4241) are further amended, in section 1,

(1) by adding the words “and amended by Order in Council 1240-85 dated 19 June 1985” after the year “1983” in paragraph 2;

(2) by substituting the words “Pari-Mutuel Betting Supervision Regulations (1991), 125 Can. Gaz. II, 1913” for the words “Race Track Supervision Regulations (C.R.C., 1978, c. 441)” in paragraph 33;

(3) by substituting the words “Pari-Mutuel Betting” for the words “Race Track” in paragraph 34;

(4) by substituting the following for paragraph 35:

“(35) “entry” means several horses declared or participating in a race that are owned by the same owner;”;

(5) by substituting the following for paragraph 44:

“(44) “starting line” means a real vertical line which is marked on the inside of the racing strip and at which the recording of the duration of a race begins;

(44.1) “safety line” means a real vertical line which is marked on the inside of the racing strip not less than 200 feet from the beginning of the first turn;”;

(6) by substituting the words “Pari-Mutuel Betting” for the words “Race Track” in paragraph 53.

**2.** The following is substituted for section 2:

“These Rules apply to Standardbred horse races held at a class A, B or C race track as defined in the Regulation respecting Standardbred horse racing.”.

**3.** Sections 4 and 5 are revoked.

**4.** Section 6 is amended by deleting subparagraph 2 of the first paragraph.

**5.** Section 13 is amended:

(1) by adding the following at the end of the second paragraph: “and shall give the statement to the racing judges before the horse starts in a race following the race from which it was scratched.”; and

(2) by adding the following at the end of the fourth paragraph: “Such certificate is no longer required after the expiry of 30 days from the date of the horse’s entry on the “Veterinarian’s List”.”.

**6.** Section 23 is amended by deleting the second paragraph.

**7.** Section 31 is amended by substituting “3 hours” for “90 minutes” in the second paragraph.

**8.** The following is substituted for section 32:

“**32.** Any person outside the paddock who wishes to communicate with a person inside the paddock during the period beginning 15 minutes before the post time of the first race with parimutuel of a race program and ending at the end of the last race of the program shall obtain the authorization of the racing judges.

A person inside the paddock during the period mentioned in the first paragraph shall use no communication device.”

**9.** Section 35 is amended by substituting the words “these Rules” for the words “a licence or a pass”.

**10.** Section 36 is amended by substituting “2 hours” for “90 minutes”.

**11.** The following is substituted for section 38:

“**38.** The association shall post in the paddock a list of the veterinarians on duty and shall ensure that the veterinarians are available at least 45 minutes before the post time of the first race of a race program and throughout that program.

A veterinarian on duty shall not be a veterinarian of the board.”.

**12.** Section 43 is amended by inserting the words “or is declared in a race” after the words “of a race track”.

**13.** Section 52 is amended by adding the words “any nerve blocking that has been done must not have been at a level higher than the pastern;” at the end of subparagraph 4 of the first paragraph.

**14.** Section 53 is amended by deleting the second paragraph.

**15.** Section 59 is amended

(1) by deleting the words “, nor the racing officials”; and

(2) by adding the following paragraph at the end:

“A racing official shall not take part in a race as an owner, authorized agent, driver, trainer or groom.”.

**16.** Section 70 is amended by adding the following paragraph at the end:

“(4) for a licence holder, not appearing before a racing judge when summoned to appear.”.

**17.** Section 74 of the English text is amended by substituting the word “incorrectly” for the word “impossibly” in paragraph 1.

**18.** Section 84 is amended by adding the words “, unless it has been interfered with” at the end of subparagraph 8 of the first paragraph of section 84.

**19.** Section 93 is amended by deleting the second paragraph.

**20.** The following is substituted for section 106:

“**106.** The owner of a mare, the owner’s agent or the trainer may not declare the mare in a claiming race from the date on which she is first serviced to the end of her gestation period.”.

**21.** Section 115 is amended by inserting the following after paragraph 3 of the first paragraph:

“(4) he shall indicate to the association that a horse has been claimed so that the association can announce the information to the public during the parade.”.

**22.** Section 120 is amended

(1) by substituting the numeral “60” for the numeral “30” in the second paragraph; and

(2) by adding the words “or the safety line, as the case may be.” at the end of the third paragraph.

**23.** Section 125 of the French text is amended by inserting the words “au cours” after the words “la course”.

**24.** Section 130 is amended

(1) by substituting the numeral “90” for the numeral “30” in that part preceding paragraph 1; and

(2) by substituting the numeral “90” for the numeral “30” in paragraph 2.

**25.** Section 135 is amended by inserting the words “at the same gait” after the words “that is to be held”.

**26.** Section 159 is amended by substituting the word “presumed” for the word “deemed” in the third paragraph.

**27.** Section 175 is amended

(1) by adding the words “, unless it has been interfered with” at the end of subparagraph 5 of the first paragraph;

(2) by inserting the following after subparagraph 5 of the first paragraph:

“(6) it shall meet the time standard set by the race secretary, unless it has been interfered with.”; and

(3) by inserting the words “not less than 4 years old” after the word “horse”.

**28.** Section 189 is amended by adding the following paragraph at the end:

“At the request of the trainer or owner of a horse, or of the owner’s agent, the race secretary is authorized to declare the horse in a race with different conditions for participation, where the minimum number of declarations has not been reached or where the maximum number of declarations has been exceeded.”.

**29.** Section 193 is amended by adding the following at the end of the second paragraph: “, except where the horse’s last start took place outside Québec, in which case the owner, the owner’s agent or the trainer shall file with the race secretary the certificate referred to in section 53 at least 1 hour before the start of the race in which the horse is to run.”.

**30.** Section 197 is amended

(1) by substituting the words “declaration under oath” for the words “sworn statement or solemn affirmation”; and

(2) by adding the following paragraph at the end:

“A horse that is scratched by the racing judges upon a person’s failure to make a declaration under oath or to provide such a document may not be declared in another race until its owner, the owner’s agent or its trainer has made the requisite declaration or filed the requisite document.”.

**31.** Section 201 is amended by adding the following at the end of the first paragraph:

“(4) where 2 or more horses are trained by the same trainer, preference is first given to only one horse.”.

**32.** Section 210 is amended

(1) by deleting the words “, first from among horses that have been organized as an entry due to their owner-

ship and then from among horses that have been organized as an entry because of their trainers”; and

(2) by adding the following paragraph at the end:

“For the purposes of this section, horses trained by the same trainer shall be dealt with in the same manner as horses constituting an entry.”.

**33.** Section 232 is amended

(1) by inserting the words “the statement by a veterinarian prescribed in the second paragraph of section 13,” after “section 193,” in subparagraph 3 of the first paragraph;

(2) by substituting the words “does not have” for the words “is not under the responsibility of” in subparagraph 8 of the first paragraph; and

(3) by substituting the following for subparagraph 9 of the first paragraph:

“(9) a drug, a medication or a mixture containing sodium bicarbonate has been administered to a horse within 24 hours preceding the race in which the horse is to start;

(10) the results of the analysis of blood samples taken under sections 345.1 and 345.3 are positive;

(11) the trainer of the horse, the trainer’s representative or the owner of the horse refuses to submit the horse to the blood sampling procedure described in sections 345.1 and 345.3;

(12) a horse participating in a race is not in the paddock within the time prescribed in section 236.”.

**34.** Section 234 is amended

(1) by substituting “2 hours” for “90 minutes” in that part preceding paragraph 1;

(2) by inserting the words “and who are at least 10 years old” after the words “for whom the owner answers” in paragraph 1.

**35.** Section 236 is amended by substituting “2 hours” for “one hour”.

**36.** Section 252 is amended by adding the words “or the safety line, as the case may be” after the words “the starting line” in the third paragraph.

**37.** Section 259 is amended by deleting from paragraph 3 the words “, for the purposes of the Race Track Supervision Regulation,”.

**38.** Section 271 is amended by deleting from paragraph 9 the words “or come into contact with a post in that rail”.

**39.** Section 273 is amended by deleting the words “During a race series,”.

**40.** Section 275 is revoked.

**41.** The following is substituted for the fourth paragraph of section 285:

“Where, during a race, the wheel of a horse’s sulky leaves a racing strip that does not have a continuous hub rail, the racing judges shall disqualify the horse, unless the horse left the racing strip as a result of an interference or collision, or as a result of the effects of an interference or collision. They shall then determine the position order of the horses.”.

**42.** Section 295 is amended by inserting the words “or an inspector from the board” after the words “The president of the racing judges”.

**43.** Section 303 is amended by inserting the words “An inspector from” before the words “the board”.

**44.** Section 339 is amended by substituting the words “Pari-Mutuel Betting” for the words “Race Track”.

**45.** The following is substituted for section 343:

“**343.** A horse that is disqualified in accordance with section 341 may not participate or be declared in a race before the expiry of 30 days from the date on which it is disqualified.”.

**46.** Section 344 is amended by substituting the words “Pari-Mutuel Betting” for the words “Race Track”.

**47.** The following is substituted for section 345:

“**345.** No person who organizes, holds or participates in an activity subject to the Act shall have in his possession at a racetrack an injectable substance, a syringe, a hypodermic needle or other device that could be used to inject or in any way introduce a drug or other substance into a horse, unless the person is a veterinarian.

No licence holder shall prepare a mixture containing sodium bicarbonate or cause such mixture to be absorbed by a horse within 24 hours preceding a race in which the horse is to participate.

No person shall inject a horse with a drug or medication or in any way administer a drug or medication to a horse within 24 hours preceding a race in which the horse is to start.

Within 2 hours preceding the start of the first race with or without pari-mutuel of a race program and during such program, no licence holder shall administer to a horse in the paddock a substance other than the water provided by the Association.”.

**48.** The following is inserted after section 345:

“**345.1** During the 2-hour period preceding the time at which a horse is to start in a race, a blood sample may be taken for the purposes of analysis by a person authorized by the board in accordance with section 90 of the Act. When taking a blood sample, that person shall:

(1) write, on the container used to hold the blood sample, the horse’s tattoo number and the date and number of the race;

(2) write, on the back of the analysis record, in addition to his signature, the horse’s tattoo number and the date, time and place of the sampling.

**345.2** Subject to section 345.9, blood analysis results are positive if the 3 following criteria are met:

(1) blood pH exceeds 7.43;

(2) bicarbonate ( $\text{HCO}_3$ ) concentration is greater than 38 millimoles per litre of blood;

(3) sodium (Na) concentration is greater than 147 millimoles per litre of blood.

**345.3** Where the results of the first blood analysis are positive, a second blood sample shall be taken from the horse.

**345.4** Where the results of the second analysis of the horse’s blood are positive, the person authorized by the board:

(1) shall so inform the racing judges;

(2) shall write, on the container used to hold the blood sample, the horse’s tattoo number and the date and number of the race;

(3) shall write, on the back of the analysis record, in addition to his signature, the horse’s tattoo number and the date, time and place of the sampling.

**345.5** The analysis records for the first and second blood samples, along with the information written on the back of those records by a person authorized by the board, constitute *prima facie* evidence of the bicarbonate and sodium concentrations and the pH in the horse’s blood, and of the horse’s identity, without it being necessary to prove the signature or the official capacities of the person who signed.

**345.6** Where the analysis results are positive, a horse’s trainer, a trainer’s representative or a horse’s owner who feels that the analysis results are physiologically normal due to a physiological trait specific to the horse shall establish that those results are in fact normal during isolation of the horse pursuant to section 345.9.

**345.7** A horse shall not be isolated for more than 72 hours, during which time the pH and the bicarbonate ( $\text{HCO}_3$ ) and sodium (Na) concentrations shall be measured.

**345.8** The horse may not be declared in or participate in a race while in isolation.

**345.9** Where the analyses done on a horse in isolation demonstrate that, due to a physiological trait specific to that horse, the pH or the bicarbonate ( $\text{HCO}_3$ ) or sodium (Na) concentration recorded is physiologically normal for that horse, the board shall determine new criteria for that horse for the purposes of section 345.2.

**345.10** The methodology used in the analyses done on a horse in isolation shall meet the criteria for analytical precision established by the International Federation of Clinical Chemistry and the American Association for Clinical Chemistry.”.

**49.** Section 360 is amended by inserting the word “interested” before the word “person”.

**50.** The following is substituted for sections 362 to 364:

“**362.** Failure to comply with any of the provisions of sections 7 and 8, the second paragraph of section 13, the second paragraph of section 20, the first and second paragraphs of section 22, sections 23 to 29, 32 to 39 or 40 to 46, the third paragraph of section 47, sections 48, 50, 51, 53 to 76, the second and third paragraphs of section 78, sections 79, 80, 85, 87, 88, 90 and 93, the first, second, fourth and fifth paragraphs of section 94, section 97, 106, 111, 112, 123, 124, 130 and 131, the first paragraph of section 132, sections 133, 135, 136, 141 to 143 and 147, the second paragraph of section 156, sections 160, 161, 163, 166, 167, 173, 179, 182, 188 to 190, 192 to 195, 200, 207 and 208, the first paragraph of

section 211, sections 222 to 224 and 234 to 241, the first paragraph of section 243, sections 244 to 248, the first paragraph of section 252, the third paragraph of section 255, the first paragraph of section 257, paragraph 2 of section 261, sections 262 to 274, 276 to 284, 289, 294, 296 to 298 and 308, the second paragraph of section 310, sections 316, 317, 329 and 360 constitutes a violation, and such violation entails one or more of the following administrative measures:

- (1) a reprimand;
- (2) suspension, for a given period of time, of all or some of the privileges attached to a holder's licence;
- (3) revocation of a holder's licence, in which case a period of time not exceeding 5 years shall be determined during which the holder may not apply for the issue of that type of licence;
- (4) denial of access to all race tracks and all areas within race tracks, for a period not exceeding 5 years;
- (5) a fine of not less than \$50 and not more than \$3 000 for each day the violation continues.

**363.** Any licence holder commits a violation where, through his acts or his failure to act, he aids another person in violating any of the provisions of section 345.

**364.** Any violation of any of the provisions of paragraph 1 of section 261 or of section 345 or 363 entails both of the following administrative measures:

- (1) suspension of all or some of the privileges attached to a holder's licence for a period of not less than 30 days or, where the licence would expire during such period, revocation of the holder's licence. The licence holder shall not apply for the issue of that type of licence before the expiry of the suspension period, which may not exceed 5 years;
- (2) denial of access to all race tracks and all areas within race tracks, for a period not exceeding 5 years.”.

**51.** The following is substituted for section 365:

“**365.** The racing judges may not impose an administrative measure on a licence holder where such measure includes the suspension, for a period of more than 60 days, of all or some of the privileges granted under a licence or the revocation of the holder's licence where a new application cannot be made before the expiry of a period of more than 60 days following the revocation.

In the above cases, the racing judges shall refer the matter to the board, which shall deal with it in accordance with section 51 of the Act.”.

**52.** Section 369 is amended

(1) by substituting the words “Any interested person may lodge an appeal” for the words “An appeal may be lodged” in that part preceding paragraph 1; and

(2) by adding the following after paragraph 4:

“(5) revocation of a holder's licence.”.

**53.** These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec* except for sections 2 to 4, which will come into force on the date of the coming into force of the Rules respecting Standardbred horse racing held at class D race tracks.

9756

