

Draft Regulations

Draft Regulation

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Disposal of seized or confiscated property

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft of the Regulation respecting the disposal of seized or confiscated property, the text of which appears below, may be made by the Gouvernement du Québec upon the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to provide for the disposal, in accordance with the legislative provisions enacted in 1992, of seized property that is perishable or likely to depreciate rapidly and to determine the compensatory indemnity for big game where the property seized is not confiscated by the court.

To accomplish that end, the Regulation proposes to allow immediate disposal, either for consideration or free of charge, of seized property that is perishable or likely to depreciate rapidly by remitting the flesh of animals or fish, where fit for consumption, to charitable organizations. The Regulation determines, *inter alia*, the indemnity payable in cases where a moose, caribou, white-tailed deer or fur-bearing animal is not confiscated.

To date, study of this matter has revealed no impact on businesses, particularly small and medium-sized businesses. As for its impact on the public, the indemnities prescribed by the Draft Regulation correspond to the average of the amounts granted in such cases by the courts.

Further information may be obtained by contacting

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Service de la réglementation
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Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the ministère de l'Environnement et de la Faune, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec), G1R 5V7.

DAVID CLICHE,
*Minister of the
Environment and Wildlife*

Regulation respecting the disposal of seized or confiscated property

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 18.1, 20 and 162, pars. 3 and 3.1)

DIVISION I DISPOSAL OF SEIZED PROPERTY

1. Where property seized under the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) is perishable or likely to depreciate rapidly, a conservation officer may dispose of it within 30 days following seizure, as follows:

(1) in the case of a fish, an animal or part thereof or animal flesh fit for consumption, a fur-bearing animal or an undressed pelt having a commercial value, he may remit it to a charitable or non-profit organization or sell it if that is permitted by that Act;

(2) in the case of a fish, an animal or part thereof or animal flesh unfit for consumption, a pelt, a fur-bearing animal or part thereof having no commercial value, he may remit it to a salvager or a dismembering plant referred to in the Regulation respecting food (R.R.Q., 1981, c. P-29, r. 1) or destroy it;

(3) notwithstanding paragraphs 1 and 2, in the case of an animal, regardless of whether it has a commercial value, he may remit it to an organization for educational purposes or for taxidermy; and

(4) notwithstanding paragraphs 1, 2 and 3, in the case of an animal killed by a vehicle or a train, he may remit it to a salvager or a dismembering plant referred to in paragraph 2 or to an organization for educational purposes or for taxidermy.

DIVISION II DETERMINATION OF AN INDEMNITY

2. Where property referred to in section 1 has been disposed of and it later appears that there are no grounds for confiscation, a conservation officer shall, upon application by the person entitled thereto, remit to him the following indemnity as a replacement for that property:

(1) in the case of a moose that is whole or is divided into quarters equivalent to a whole animal:

\$1 500 a male moose one year old or older;

\$1 000 a female moose one year old or older;

\$750 a male or female moose less than one year old;

\$1 000 a moose whose age or sex cannot be determined;

(2) in the case of moose flesh:

\$10 per kilogram up to a maximum of \$1 500;

(3) in the case of a caribou that is whole or is divided into quarters equivalent to a whole animal:

\$1 000 a male caribou one year old or older;

\$750 a female caribou one year old or older;

\$500 a male or female caribou less than one year old;

\$750 a caribou whose age or sex cannot be determined;

(4) in the case of caribou flesh:

\$10 per kilogram up to a maximum of \$1 000;

(5) in the case of a white-tailed deer that is whole or is divided into quarters equivalent to a whole animal:

\$750 a male white-tailed deer one year old or older;

\$500 a female white-tailed deer one year old or older;

\$250 a male or female white-tailed deer less than one year old;

\$500 a white-tailed deer whose age or sex cannot be determined;

(6) in the case of white-tailed deer flesh:

\$10 per kilogram up to a maximum of \$750;

(7) in the case of a fur-bearing animal referred to in Column 1 of Schedule I to the Regulation respecting trapping and the fur trade made by Order in Council 1289-91 dated 18 September 1991 or an undressed pelt of any of those animals, the indemnity shall correspond to the proceeds of the sale if the seized property has been sold; if it has not been sold and if the animal or the pelt has a commercial value, the indemnity shall correspond to the average value of the prices obtained at the most recent auction preceding the date of the seizure.

In the case of a black bear or a beaver that is whole, the amount of the indemnity provided for in this paragraph shall be increased by 25 %; and

(8) in the case of any other animal or fish having a commercial value, the indemnity shall be equal to the selling price.

DIVISION III DISPOSAL OF CONFISCATED PROPERTY

3. Where property seized under the Act respecting the conservation and development of wildlife has been confiscated, a conservation officer shall dispose of it as follows:

(1) in the case of property that is unusable and has no commercial value, he may remit it to a charitable organization;

(2) in the case of property having a commercial value, he shall remit it to Services gouvernementaux of the Conseil du trésor;

(3) in the case of a live animal of a native species, he may, if the animal is unharmed and after having verified that it is not diseased and does not carry any disease, set it free, or give it or sell it to a person legally authorized to keep it under the Regulation respecting animals in captivity made by Order in Council 1029-92 dated 8 July 1992 or have it put to sleep; otherwise, he shall remit it to a rehabilitation centre referred to in that Regulation;

(4) in the case of a live animal of a non-native species, he may, if the animal is unharmed, sell it or give it to a person legally authorized to keep it under the Regulation referred to in paragraph 3 or have it put to sleep; or

(5) where he cannot dispose of the property as indicated in paragraphs 1 to 4, he shall destroy it.

4. This Regulation replaces the Regulation respecting the disposal of confiscated objects (R.R.Q., 1981, c. C-61, Suppl. 1, p. 331).

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Notice

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Labour standards

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 33 and 92 of the Act respecting labour standards (R.S.Q., c. N-1.1) that the Regulation to amend the Regulation respecting labour standards, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

The purpose of the draft regulation is to increase the general rate of the minimum wage from \$6.70 per hour to \$6.80, to increase the rate of employees who usually receive tips from \$5.95 per hour to \$6.05 and to increase the minimum wage payable to domestics residing with their employer from \$260 per week to \$264.

The purpose of the draft regulation is also to reduce the duration of the normal workweek of domestics residing with their employer from 51 hours to 49 hours.

Further information as well as the examination of the impacts may be obtained by contacting Mr. Luc Desmarais, policy advisor, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec), G1R 5S1, tel.: (418) 646-2547, or fax: (418) 644-6969.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of 60 days, to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

MATTHIAS RIOUX,
Minister of Labour

Regulation to amend the Regulation respecting labour standards

An Act respecting labour standards
(R.S.Q., c. N-1.1, ss. 40, 89 par. 1, and 91)

1. The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3), amended by the Regulations made by Orders in Council 1394-86 dated 10 September 1986, 1340-87 dated 26 August 1987, 1316-88 dated 31 August 1988, 1468-89 dated 6 September 1989, 1288-90 dated 5 September 1990, 1201-91 dated 28 August 1991, 1292-92 dated 1 September 1992, 1237-93 dated 1 September 1993, 1375-94 dated 7 September 1994, 1209-95 dated 6 September 1995, 1150-96 dated 11 September 1996 and 1224-96 dated 25 September 1996, is further amended, by substituting the amount "\$6.80" for the amount "\$6.70" in section 3.

2. Section 4 is amended by substituting the amount "\$6.05" for the amount "\$5.95".

3. Section 5 is amended by substituting the amount "\$264" for the amount "\$260".

4. Section 8 is amended by substituting the number "49" for the number "51".

5. This Regulation comes into force on 1 October 1997.

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