

Regulations and other acts

Gouvernement du Québec

O.C. 536-98, 22 April 1998

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

Possession and sale of an animal — Amendments

Regulation respecting the possession and sale of an animal

WHEREAS under the first paragraph of section 69 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) replaced by section 7 of Chapter 18 of the Statutes of 1996 no person may sell, purchase or offer to purchase an animal the sale of which is prohibited by regulation;

WHEREAS under the second paragraph of section 69 of the Act, the Government may, by regulation authorize the sale of an animal the sale of which is prohibited by regulation according to such norms and conditions as it may determine;

WHEREAS under paragraphs 14 and 16 of section 162 of the Act, the Government may, in addition to the other regulatory powers conferred on it by the Act, make regulations

“(14) determining the provisions of a regulation the infringement of which constitutes an offence;

(16) prescribing norms and obligations respecting the transportation, possession and registration of animals or fish;”;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the possession and sale of an animal was published in Part 2 of the *Gazette officielle du Québec* of 11 February 1998 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the coming into force of the Regulation on the date of its publication:

— within the framework of the black bear management plan, it has been established that the black bear population was decreasing significantly and that the trade of bear gall-bladders and bile increased the harvesting of that species;

— it is required that the sale of bear gall-bladders and bile be prohibited for the preceding reason;

— should the periods provided for in section 17 of the Regulations Act apply to this Regulation it would be impossible for the different measures provided for in the black bear management plan to be applied uniformly;

WHEREAS it is expedient to make the Regulation respecting the possession and sale of an animal;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation respecting the possession and sale of an animal, attached to this Order in Council, be made.

LIETTE HARVEY,
Deputy clerk of the Conseil exécutif

Regulation respecting the possession and sale of an animal

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 69 and 162, pars. 14 and 16)

1. The sale of the flesh of caribou or musk-oxen originating from Québec, moose, Virginia deer, ruffed grouse, spruce grouse, grey partridge, sharptailed grouse, ptarmigan or any other edible animal for which a hunting or trapping season is prescribed by regulation is prohibited.

Notwithstanding the foregoing, the sale of the flesh of caribou or musk-oxen originating from Québec, ptarmigan, snowshoe hare, Arctic hare and spruce grouse is allowed where those animals have been hunted for com-

mercial purposes or kept in captivity or raised under a licence or authorization issued by the Minister in accordance with the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

The sale of the flesh of any animal legally caught or killed and referred to in the first paragraph other than caribou or musk-oxen originating from Québec, moose, Virginia deer, ruffed grouse, spruce grouse, grey partridge, sharptailed grouse and ptarmigan is also allowed as of the third day following the opening of hunting or trapping and for 15 days after the expiry of the hunting or trapping season fixed by regulation, except for the sale of the flesh of northern leopard frogs, green frogs or bullfrogs, which is allowed all year long.

2. The sale of bear gall-bladders and bile is prohibited.
3. The possession of a bear gall-bladder is allowed provided that it is not removed from the animal's carcass.
4. Any person who contravenes section 1, 2 or 3 commits an offence.
5. This Regulation replaces the Sale of Game Meat Regulation, made by Order in Council 1295-84 dated 6 June 1984.
6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

2190

Gouvernement du Québec

O.C. 537-98, 22 April 1998

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61)

Île d'Anticosti wildlife sanctuary

Amendment to the Regulation respecting the île d'Anticosti Wildlife Sanctuary

WHEREAS under section 81.2 of the Wild-life Conservation Act (R.S.Q., c. C-61), the Government made the Regulation respecting the île d'Anticosti Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 61) amended by the Regulations made by Orders in Council 1418-82 dated 9 June 1982, 2706-82 dated 24 November 1982, 800-83 dated 20 April 1983, 850-84 dated 4 April 1984, 851-84 dated 4 April 1984, 1303-84 dated 6 June 1984, 1316-86 dated 27 August 1986 and by Décrets 496-91 dated 10 April 1991 and 19-96 dated 10 January 1996;

WHEREAS the Wild-life Conservation Act was replaced by the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1);

WHEREAS under section 186 of the Act respecting the conservation and development of wildlife, every provision of a regulation, order in council or order made by the Government under the Wild-life Conservation Act continues to be in force to the extent that it is consistent with that Act;

WHEREAS under section 184 of that Act, provisions of the Wild-life Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

WHEREAS under section 111 of the Act respecting the conservation and development of wildlife, the Government may, by order, establish wildlife sanctuaries on lands in the public domain and dedicate them to the conservation, development and utilization of wildlife;

WHEREAS under section 191.1 of the Act respecting the conservation and development of wildlife, regulations made by the Government under section 111 of that Act before 1 January 1987 shall continue to be in force until they are replaced, amended or repealed by an order of the Government;

WHEREAS it is expedient to amend the Regulation respecting the île d'Anticosti Wildlife Sanctuary to replace the technical description of the territory attached as Schedule I to the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation respecting the île d'Anticosti Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 61) amended by the Regulations made by Orders in Council 1418-82 dated 9 June 1982, 2706-82 dated 24 November 1982, 800-83 dated 20 April 1983, 850-84 dated 4 April 1984, 851-84 dated 4 April 1984, 1303-84 dated 6 June 1984, 1316-86 dated 27 August 1986 and by Décrets 496-91 dated 10 April 1991 and 19-96 dated 10 January 1996 be further amended in order to substitute Schedule I concerning the Île d'Anticosti Wildlife Sanctuary attached to this Order in Council for Schedule I;

THAT Schedule II, attached hereto, be substituted for Schedule II to the Regulation;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

LIETTE HARVEY,
Deputy clerk of the Conseil exécutif