

WHEREAS the Government considers that Québec residents may benefit in that State from measures similar to those set out in the Act respecting the civil aspects of international and interprovincial child abduction;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice and the Minister of International Relations:

THAT the Czech Republic be designated as a State to which the Act respecting the civil aspects of international and interprovincial child abduction applies and that the Act have effect, in respect of that State, as of 1 March 1998.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

2490

Gouvernement du Québec

O.C. 1148-98, 2 September 1998

An Act respecting labour standards
(R.S.Q., c. N-1.1; 1997, c. 72)

Labour standards — Amendments

Regulation to amend the Regulation respecting labour standards

WHEREAS under section 40, paragraph 1 of section 89 and section 91 of the Act respecting labour standards (R.S.Q., c. N-1.1), the Government may, by regulation, fix standards respecting the minimum wage;

WHEREAS by Order in Council 873-81 dated 11 March 1981, the Government made the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3);

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting labour standards was published in Part 2 of the *Gazette officielle du Québec* of 8 July 1998 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments on the draft Regulation were received before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting labour standards, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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; 1997, c. 72, ss. 1 to 3 and 7)

1. Section 3 of the Regulation respecting labour standards is amended by substituting the amount “\$6.90” for the amount “\$6.80”.

2. Section 4 is amended by substituting the amount “\$6.15” for the amount “\$6.05”.

3. Section 5 is amended by substituting the amount “\$271” for the amount “\$264”.

4. This Regulation comes into force on 1 October 1998.

2491

M.O., 1998-4

Order of the Minister of the Environment and Wildlife dated 31 August 1998

Exercise of the powers of the Minister of the Environment and Wildlife under the Act respecting the conservation and development of wildlife

THE MINISTER OF THE ENVIRONMENT AND WILDLIFE,

HAVING REGARD to the first paragraph of section 4 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 1 of Chapter 95 of the Statutes of 1997, which provides that

* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) was last amended by the Regulation made by Order in Council 1193-97 dated 10 September 1997 (1997, *G.O.* 2, 4577). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

the Minister may authorize the Deputy Minister of the Environment and Wildlife or any officer to exercise powers vested in him under the Act;

HAVING REGARD to the second paragraph of that section, which provides that any order so made comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

CONSIDERING that the Government, by Order in Council 1066-97 dated 20 August 1997, authorized the Deputy Minister of the Environment and Wildlife and certain officers designated therein to exercise powers vested in the Minister of the Environment and Wildlife under the Act respecting the conservation and development of wildlife in accordance with the delegation of powers attached to this Minister's Order;

HAVING REGARD to section 36 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29), which provides that Order in Council 1066-97 (1997, G.O. 2, 4529), made by the Government under section 4 of the Act respecting the conservation and development of wildlife as it read before 19 December 1997, remains in force until it is replaced by an order of the Minister of the Environment and Wildlife;

CONSIDERING that it is expedient to replace Order in Council 1066-97 dated 20 August 1997;

ORDERS the following:

THAT the Deputy Minister of the Environment and Wildlife and certain officers designated therein be authorized to exercise the powers vested in the Minister of the Environment and Wildlife under the Act respecting the conservation and development of wildlife in accordance with the delegation attached to this Order;

THAT this Order replace Order in Council 1066-97 dated 20 August 1997 concerning the exercise of powers of the Minister of the Environment and Wildlife under the Act respecting the conservation and development of wildlife;

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

Québec, 31 August 1998

PAUL BÉGIN,
*Minister of the Environment
and Wildlife*

SCHEDULE

1. The following persons are authorized to appoint wildlife conservation assistants and area wardens to assist wildlife conservation officers in the exercise of their functions and, for that purpose, to determine the provisions of the Acts and the regulations referred to in section 5 of the Act that are to be enforced and the place where they are to exercise their functions, under section 8 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), replaced by section 2 of Chapter 62 of the Statutes of 1996:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region;
- (4) the Head of the Service de la conservation de la faune for the region.

2. Any of the following persons may, under the second paragraph of section 22 of the Act, amended by section 12 of Chapter 62 of the Statutes of 1996, authorize a person to wear or use a uniform or a badge identifying him as a conservation officer, a conservation assistant or an area warden or to use a work vehicle used by them:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region;
- (4) the Head of the Service de la conservation de la faune for the region.

3. The following persons are authorized, under section 24 of the Act, to determine the conditions to be met by a wildlife conservation officer or an officer referred to in section 3 of the Act who, in the performance of his duties and owing to his office, must disregard certain provisions of the Act mentioned in that section:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region;
- (4) the Head of the Service des opérations spéciales or the Head of the Service de la conservation de la faune for the region.

4. Any of the following persons may, in accordance with the third paragraph of section 26 of the Act, authorize a person to derogate from the first paragraph of that section:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region;
- (4) the Head of the Service de la conservation de la faune or the Head of the Service de l'aménagement et de l'exploitation de la faune or the Head of the Service de la faune et du milieu naturel for the region.

5. The following persons, in accordance with section 37 of the Act, are authorized to sign a memorandum of agreement for the purposes of wildlife management and accessibility:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

6. The following persons are authorized, in accordance with the first paragraph of section 47 of the Act, amended by section 2 of Chapter 95 of the Statutes of 1997 and by section 2 of Chapter 29 of the Statutes of 1998, to issue a licence authorizing a person to disregard certain provisions of the Act or of a regulation mentioned in that paragraph and to determine the conditions to be met by the holder of the licence:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations or the Assistant Deputy Minister of the Patrimoine faunique et naturel;
- (3) the Regional Director of the region or the Regional Director of a border region who receives the application for a licence;
- (4) the Head of the Service de la conservation de la faune or the Head of the Service de l'aménagement et de l'exploitation de la faune or the Head of the Service de la faune et du milieu naturel for the region or the Head of a border region who receives the application for a licence;

(5) the Director of the Direction des territoires fauniques, de la réglementation et des permis, or the Head of the Service de la réglementation where the application pertains to more than one non-border region.

7. The following persons are authorized to designate a person to issue a certificate or licence under the first paragraph of section 54 of the Act:

- (1) where it is a matter of authorizing a person other than an officer:
- (a) the Deputy Minister;
 - (b) the Assistant Deputy Minister of the Patrimoine faunique et naturel;
 - (c) The Director of the Direction des territoires fauniques, de la réglementation et des permis;
- (2) where it is a matter of authorizing an officer:
- (a) the Deputy Minister;
 - (b) the Assistant Deputy Minister of the Patrimoine faunique et naturel or the Assistant Deputy Minister of operations;
 - (c) the Director of the Direction des territoires fauniques, de la réglementation et des permis or the Regional Director for the region.

Any of the following persons is authorized, in accordance with the first paragraph of section 54 of the Act, to refuse to issue a transportation or stocking licence:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region;
- (4) the Head of the Service de l'aménagement et de l'exploitation de la faune or the Head of the Service de la faune et du milieu naturel for the region.

Any of the persons mentioned in subparagraph 1 of the first paragraph is authorized to exercise the powers provided for in the third paragraph of section 54 of the Act.

8. Any of the following persons is authorized, on the conditions determined by him, in accordance with section 56.1 of the Act, replaced by section 9 of Chapter 29 of the Statutes of 1998, to authorize a person, partnership or association to register animals or fish:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region;

(4) the Head of the Service de la conservation de la faune.

9. Any of the following persons may authorize, on the conditions determined by him and in accordance with section 58 of the Act, a handicapped person to disregard certain provisions of the Act or of a regulation mentioned in that section:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region;

(4) the Head of the Service de la conservation de la faune for the region.

10. The following persons are authorized, in accordance with section 70.1 of the Act, to issue a permit authorizing the sale or purchase of fish or animal flesh for consumption on the premises:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region;

(4) the Head of the Service de la conservation de la faune for the region.

11. The following persons are authorized, in accordance with section 74 of the Act, to order the inspection of a fishing pond, a breeding pond, a fish-tank for baitfish or a fish-breeding plant and to sign the certificate of the capacity of the person in charge of the inspection:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;

(3) the Director of the Direction de la faune et des habitats.

Any of the persons mentioned in the first paragraph is also authorized to require the holder of a licence to operate a place mentioned in section 74 of the Act to cause any treatment for contagious or parasitic diseases to be administered, or to quarantine or destroy his fish, in accordance with section 75 of the Act, amended by section 208 of Chapter 43 of the Statutes of 1997. They may also, in accordance with section 76 of the Act,

cause a measure thus required to be taken at the expense of the offender.

12. The following persons are authorized, in accordance with section 79 of the Act, to grant an indemnity to every holder of a hunting or trapping licence who sustains an injury in consequence of an accident resulting directly from hunting or trapping for recreational purposes in Québec, or, if he dies in consequence of such an accident, to his successors:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;

(3) the Director of the Direction des territoires fauniques, de la réglementation et des permis;

(4) the Head of the Service des permis.

13. The Deputy Minister or the Assistant Deputy Minister of the Patrimoine faunique et naturel, in accordance with section 86 of the Act, is authorized to lease exclusive hunting or fishing rights.

The following persons, under that section, are authorized to lease exclusive trapping rights:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations or the Assistant Deputy Minister of the Patrimoine faunique et naturel;

(3) the Regional Director of the region;

(4) the Head of the Service de l'aménagement et de l'exploitation de la faune or the Head of the Service de la faune et du milieu naturel for the region.

Any of the persons mentioned in the first two paragraphs is also authorized, within the scope of their respective jurisdiction, to

(1) revoke or amend such a lease in the case prescribed in section 89 of the Act, amended by section 15 of Chapter 29 of the Statutes of 1998;

(2) amend, revoke or refuse to renew such a lease in the cases prescribed in section 90 of the Act;

(3) exercise the powers prescribed in sections 91, 94 and 95 of the Act.

14. The following persons are authorized to exercise the powers provided for in section 86.2 of the Act,

amended by section 14 of Chapter 29 of the Statutes of 1998:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of the Patrimoine faunique et naturel.

15. The following persons are authorized, in accordance with section 87 of the Act, to give consent in writing to a right of occupation:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region.

16. The following persons are authorized, under section 100 of the Act, to determine standards for the classification of outfitting operations and fix the minimum standards required for the purposes referred to in that section:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;

(3) the Director of the Direction des territoires fauniques, de la réglementation et des permis.

17. The following persons are authorized, in accordance with the second paragraph of section 104 of the Act, amended by section 17 of Chapter 29 of the Statutes of 1998, to enter into an agreement for the purpose of including private land in a controlled zone:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region.

18. Any of the following persons may, in accordance with section 105 of the Act, authorize the use of the expression “controlled zone”, the initials “Z.E.C.” or the acronym “ZEC”:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;

(3) the Director of the Direction des territoires fauniques, de la réglementation et des permis.

19. Any of the following persons is authorized, in accordance with the first paragraph of section 106 of the Act, to entrust to an agency the management of a controlled zone:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region.

Any of the persons mentioned in the first paragraph is authorized, in accordance with the second paragraph of section 106 of the Act, to continue to apply the by-laws passed by an agency, to amend or replace them in the case prescribed in that section and to use the fees collected from users to travel about the territory or to carry on any activity, for purposes of management of the controlled zone.

20. Any of the following persons may, in accordance with the first paragraph of section 107 of the Act, make improvements or erect structures in a controlled zone:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region.

Any of the persons mentioned in the first paragraph is also authorized to exercise the powers provided for in the second and third paragraphs of section 107 of the Act.

21. Any of the following persons may, in accordance with section 108 of the Act, authorize a person trapping in a controlled zone to erect buildings and structures:

(1) the Deputy Minister;

(2) the Assistant Deputy Minister of operations;

(3) the Regional Director of the region;

(4) the Head of the Service de l'aménagement et de l'exploitation de la faune or the Head of the Service de la faune et du milieu naturel for the region.

22. Any of the following persons may, in accordance with section 109 of the Act, authorize the operation of a commercial undertaking in a controlled zone on the conditions he determines by contract with the interested person, association or organization:

(1) the Deputy Minister;

- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

23. Any of the following persons may, in accordance with the second paragraph of section 110.2 of the Act, amend or replace a by-law prescribed in section 110.1 of the Act if it does not comply with the conditions determined by the regulation of the Government or if the rules provided for its adoption have not been followed and send it to the agency that is a party to the memorandum of agreement:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

24. The following persons are authorized, in accordance with the second paragraph of section 111 of the Act, amended by section 18 of Chapter 29 of the Statutes of 1998, to enter into an agreement for the purpose of including private land in a wildlife sanctuary:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

25. Any of the following persons may, in accordance with section 112 of the Act, authorize the use of the expression "wildlife sanctuary":

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;
- (3) the Director of the Direction des territoires fauniques, de la réglementation et des permis.

26. Any of the following persons may, on the conditions he determines and in accordance with the first paragraph of section 118 of the Act, make improvements or erect structures in a wildlife sanctuary:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

Any of the persons mentioned in the first paragraph is also authorized to exercise the powers provided for in the second paragraph of section 118 of the Act.

27. The following persons are authorized, in accordance with section 119 of the Act, to give consent in writing to a right of occupation in a wildlife sanctuary:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

28. Any of the following persons may, in accordance with section 120 of the Act, authorize the operation of a commercial undertaking in a wildlife sanctuary on the conditions he determines by contract with the interested person, association or organization:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

29. The following persons are authorized, in accordance with section 120.1 of the Act, to determine the maximum number of persons who may hunt, fish or trap in the parts of the territories of a wildlife sanctuary, indicated by them:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;
- (3) the Director of the Direction des territoires fauniques, de la réglementation et des permis.

30. The following persons are authorized, in accordance with the second paragraph of section 122 of the Act, amended by section 20 of Chapter 29 of the Statutes of 1998, to enter into an agreement for the purpose of including land in a wildlife preserve:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

31. Any of the following persons may, in accordance with section 123 of the Act, authorize the use of the expression "wildlife preserve":

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;

(3) the Director of the Direction des territoires fauniques, de la réglementation et des permis.

32. Any of the following persons may, in accordance with section 126 of the Act, authorize the operation of a commercial undertaking in a wildlife preserve on the conditions he determines with the interested person, association or organization:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

33. Any of the following persons may, in accordance with the first paragraph of section 127 of the Act and on the conditions he determines, make improvements or erect structures in a wildlife preserve:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

Any of the persons mentioned in the first paragraph is also authorized to exercise the powers provided for in the second paragraph of section 127 of the Act.

34. The following persons are authorized, in accordance with section 128 of the Act, to give consent in writing to a right of occupation in a wildlife preserve:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

35. Any of the following persons may, in accordance with the first paragraph of section 128.7 of the Act, authorize the carrying out of an activity that alters a wildlife habitat:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region or the Regional Director of a border region who receives the application.

Any of the persons mentioned in the first paragraph is also authorized to exercise the powers provided for in the second paragraph of section 128.7, in the second paragraph of section 128.10, in sections 128.11 to 128.13

and section 128.14 of the Act amended by section 209 of Chapter 43 of the Statutes of 1997.

36. Any of the following persons may make an order, in accordance with the first paragraph of section 128.15 of the Act, amended by section 210 of Chapter 43 of the Statutes of 1997:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

Any of the persons mentioned in the first paragraph is also authorized, in the case provided for in the fifth paragraph of section 128.15 of the Act, apply to the Superior Court for an injunction ordering the person to comply with the order.

37. The following persons are authorized, in accordance with the second paragraph of section 171.3 of the Act, to request the registration, in the land register of the registration division in which private land is situated, of a reference to the existence of a wildlife habitat on the land:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of the Patrimoine faunique et naturel;
- (3) the Director of the Direction de la faune et des habitats.

38. Any of the following persons may, in accordance with section 171.5 of the Act and in the case provided for in that section, take the necessary measures to return a wildlife habitat to its condition before the offending act, in particular by confiscating the security; that person may also, in accordance with the second paragraph of that section, claim the expenses incurred for the measures taken from the offender:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region.

39. The Deputy Minister or the Assistant Deputy Minister of the Patrimoine faunique et naturel may, in accordance with the first paragraph of section 177 of the Act, amended by section 211 of Chapter 43 of the Statutes of 1997 and in the cases provided for in that paragraph, suspend, revoke, amend or refuse to renew an outfitter's licence.

Any of the following persons may, in accordance with the second paragraph of section 177 of the Act and in the cases provided for in that paragraph, revoke, suspend or refuse to renew any licence contemplated in section 48, 49 or 50 of the Act:

- (1) the Deputy Minister;
- (2) the Assistant Deputy Minister of operations;
- (3) the Regional Director of the region;
- (4) the Head of the Service de l'aménagement et de l'exploitation de la faune or the Head of the Service de la faune et du milieu naturel for the region.

40. The officer designated provisionally or appointed as a temporary substitute to one of the positions mentioned in this Order in Council is authorized to exercise the powers that may be exercised by the holder under this Order in Council, with the same effect as though they were exercised by the latter.