

Freight elevators, escalators, dumbwaiters, moving walks, freight platform lifts and lifts for persons with physical disabilities referred to in the Regulation mentioned in the first paragraph and funiculars are deemed to be elevators.

However, the fees payable under this section shall be \$120 per elevator declared for the calendar year in which the owner has informed the Board of the putting into service of the elevator in accordance with the Regulation mentioned in the first paragraph.

2. The following fees shall be paid to the Board by the owner for the inspection of an elevator referred to in section 1 not later than 30 days after the invoice date:

(1) in the case of an elevator other than a funicular:

(a) \$100 where the elevator is installed in a public building or an establishment with 10 storeys or fewer;

(2) \$100 plus \$10 per storey in excess of 10 storeys, where the elevator is installed in a public building or an establishment with more than 10 storeys;

(2) in the case of a funicular, \$100 per hour or fraction thereof.

3. Every owner shall pay to the Board fees of \$100 per hour or fraction thereof for any inspection of an elevator carried out following the issue of a notice of defects provided for in section 41 of the Public Buildings Safety Act (R.S.Q., c. S-3).

4. The fees payable under sections 1 to 3 shall be indexed on 1 January of each year as of 1 January 2000, according to the increase expressed as a percentage of the average of the Consumer Price Index for Canada published by Statistics Canada under the Statistics Act (R.S.C., 1985, c. S-19), for the period ending on 30 September of the preceding year in relation to the 12 months of the year prior to the latter year. Such increase takes effect as of 1 January.

The fees thus increased shall be rounded off to the nearest dollar.

The Board shall publish the indexation calculated under this section in the *Gazette officielle du Québec*.

5. Notwithstanding the first paragraph of section 1, the fees payable shall be \$120 for the first year following the coming into force of this Regulation.

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

Draft Regulation

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

Hunting activities

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 Regulation respecting hunting activities, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to integrate into one regulation all the norms governing the hunting activities under the responsibility of the Government following the sharing of certain regulatory powers between the Government and the Minister responsible for Wildlife and Parks. It also provides for the adjustment of certain regulatory norms.

To that end, the draft proposes

(1) to consolidate the norms governing hunting activities into one regulation;

(2) to require non-residents to register the animals they have hunted before leaving Québec;

(3) to require the presentation of hunting licences where the transportation coupons have been affixed to an animal upon its registration;

(4) to allow a resident's children to hunt amphibians under the authority of a parent's licence; and

(5) in the territory of Abitibi-Témiscamingue

(a) to provide that the deadline for using a moose hunting licence in Area 13 shall be the latest date for hunting with a firearm; and

(b) to specify with respect to La Vérendrye Wildlife Sanctuary that moose hunting licences issued for areas 12 and 13 shall be valid on all the territory of that sanctuary.

To date, study of the matter has revealed no impact on businesses and, particularly, on small and medium-sized businesses. However, a hunter who registers a moose shall have had his hunting partner's licence in his possession.

Further information may be obtained by contacting:

Mr. Serge Bergeron
Faune et Parcs
Service de la réglementation
675, boulevard René-Lévesque Est, 10^e étage,
boîte 91
Québec (Québec)
G1R 5V7

Telephone: (418) 521-3880, extension 4078
Fax: (418) 528-0834
E-mail: serge.bergeron@mef.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,
*Minister responsible
for Wildlife and Parks*

Regulation respecting hunting activities

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, s. 29, 1st par., subpar. 2 and 2nd par., ss. 40, 55 2nd par. and 162, pars. 1, 9, 14, 16, 18 and 23; 1998, c. 29, s. 22)

DIVISION I SCOPE AND INTERPRETATION

1. This Regulation applies to hunting in Québec, subject to the special provisions of other regulations made under the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) applicable to particular territories.

2. In this Regulation,

(1) the area numbers refer to the areas established by the Fishing, Hunting and Trapping Areas Regulation made by Order in Council 27-90 dated 10 January 1990;

(2) the implement type numbers refer to the hunting implements described in the Regulation of the Minister made pursuant to section 56 of the Act respecting the conservation and development of wildlife amended by section 8 of Chapter 29 of the Statutes of 1998; and

(3) the class of small game includes the following animals: quail (*Coturnix coturnix*), red-winged black-bird (*Agelaius phoeniceus*), northern bobwhite (*Colinus*

virginianus), American crow (*Corvus brachyrhynchos*), coyote (*Canis latrans*), wild turkey (*Meleagris gallopavo*), European starling (*Sturnus vulgaris*), pheasant (*Phasianus sp.*), black francolin (*Francolinus francolinus*), sharp-tailed grouse (*Tympanuchus phasianellus*), ruffed grouse (*Bonasa umbellus*), rock ptarmigan (*Lagopus mutus*), willow ptarmigan (*Lagopus lagopus*), eastern cottontail rabbit (*Sylvilagus floridanus*), Arctic hare (*Lepus arcticus*), snowshoe hare (*Lepus americanus*), wolf (*Canis lupus*), common grackle (*Quiscalus quiscula*), woodchuck (*Marmota monax*), house sparrow (*Passer domesticus*), rock partridge (*Alectoris graeca*), chukar partridge (*Alectoris chukar*), gray partridge (*Perdix perdix*), red-legged partridge (*Alectoris rufa*), rock dove (*Columba livia*), guinea fowl (*Numida meleagris*), raccoon (*Procyon lotor*), red, cross or silver fox (*Vulpes vulpes*), spruce grouse (*Dendragapus canadensis*), brown-headed cowbird (*Molothrus ater*) and migratory game birds under the Migratory Birds Convention Act (S.C., 1994, c. 22).

DIVISION II CERTIFICATE AND LICENCE

§1. Hunter's or trapper's certificate

3. To obtain a hunter's or trapper's certificate, a person shall

- (1) be a resident;
- (2) be 12 years of age or more;
- (3) provide his name, address and date of birth;

(4) take the course on the handling of the weapon in respect of which the certificate is applied for or on the trapping and management of fur-bearing animals; and

(5) pass the examination corresponding to the course taken and hold an attestation to that effect.

In addition, a person 12 years of age or more but under 18 years of age shall provide written authorization from the person having parental authority, the tutor or any other person who has legal custody for his obtaining such certificate.

§2. Hunting licence

4. In order to obtain a resident's hunting licence, a person shall be a resident and hold the hunter's or trapper's certificate appropriate to the type of hunting implement that he intends to use; the certificate is not required for the "Northern leopard frog, Green frog, Bullfrog" and "Snaring of hare or cottontail rabbit" hunting licences.

In addition, in order to obtain the following hunting licences provided for in a Regulation of the Minister made under section 54.1 of the Act respecting the conservation and development of wildlife enacted by section 7 of Chapter 29 of the Statutes of 1998, the resident shall have been selected by random draw:

(1) Caribou:

(a) “valid for the southern part of Area 19 described in Schedule V”;

(b) “valid for the part of Area 22 described in Schedule VII”;

(c) “valid for the part of Area 19 and Area 23 described in Schedule IX”;

(2) White-tailed deer:

(a) “female or male whose antlers measure less than 7 cm, using a type 2 implement”;

(b) “elsewhere than in Area 20 and white-tailed deer, female or male, whose antlers measure less than 7 cm valid for Area 5, 6 or 8, southern part”;

(3) “Female moose over one year of age”.

5. To obtain a hunting licence for non-residents, a person shall be a non-resident and be 12 years of age or older.

6. To obtain a hunting licence referred to as “Moose hunting licence in a new area”, which is issued only once a year, a person shall

(1) hold a “Moose for all areas” hunting licence;

(2) participate, in that new area, in a limited hunt in a wildlife sanctuary or in a hunting expedition in a limited access sector of a controlled zone or in a territory where exclusive hunting rights have been granted to an outfitting operation and have never before participated in such a hunt in the area specified on his initial licence; and

(3) present his initial moose hunting licence upon registration in the wildlife sanctuary, in the controlled zone or in the territory where exclusive hunting rights have been granted to an outfitting operation where he is hunting and present his hunter’s or trapper’s certificate if he is a resident.

7. Children under 18 years of age of the holder of a resident’s “Snaring of hare or cottontail rabbit” hunting

licence or a resident’s “Small game, except for the snaring of hare or cottontail rabbit” hunting licence or a resident’s “Northern leopard frog, Green frog, Bullfrog” hunting licence may hunt under that licence. They must also have the holder’s licence with them when he does not accompany them.

In the case of a resident’s “Small game, except for the snaring of hare or cottontail rabbit” hunting licence, those children shall hold the hunter’s or trapper’s certificate appropriate to the type of hunting implement used and carry it when hunting.

When calculating bag limits, the bag of children shall be counted with that of the licence holder.

8. A holder of a hunter’s or trapper’s certificate or of a hunting licence for non-residents who is 12 years of age or more but under 18 years of age shall, in order to hunt, be accompanied by a person at least 18 years of age who holds a hunting licence for non-residents or a hunter’s or trapper’s certificate valid for the type of hunting implement used by the accompanied hunter.

9. A holder of a resident’s “Moose for all areas” hunting licence who hunts with a type 1 implement may use his licence only if the date of issue of the licence is prior to the opening of the hunting season with that implement, in the area in question.

Notwithstanding the foregoing, in Area 13, the licence holder may use his licence only if the date of the issue of that licence is prior to the opening date of the latest hunting season with a type 1 implement provided for that area.

However, a licence issued after the date prescribed in the first paragraph may be used where it was replaced in accordance with a regulation of the Minister made under section 54.1 of that Act or where the holder participates in a limited hunt in a wildlife sanctuary or in a hunting expedition in a limited access sector of a controlled zone or in a territory where exclusive hunting rights were granted to an outfitting operation; this also applies to the area in question provided that the holder has already hunted in one of those territories.

10. A holder of a hunting licence may hunt only the animal or group of animals specified on his licence and, in the case of caribou, white-tailed deer or moose, only in the area or part of that area specified on his licence.

Notwithstanding the foregoing, the holder of a moose hunting licence issued for Area 12 or Area 13 may hunt anywhere in La Vérendrye Wildlife Sanctuary with either of the licences.

In addition, where a hunter's or trapper's certificate is required to obtain a hunting licence, the holder of that licence may hunt only with the hunting weapon corresponding to the code specified on his licence.

11. A holder of a "Moose for all areas" hunting licence who has obtained a hunting licence referred to as "Moose hunting licence in a new area" may no longer hunt in the area specified on his initial moose hunting licence; he shall carry both licences when hunting.

12. A resident may, during a year, hold only the following hunting licences:

(1) "Caribou valid for the part of Area 22 described in Schedule VII" or "Caribou valid for the part of Area 19 and Area 23 described in Schedule IX";

(2) "Caribou valid for Area 23 (winter)" and "Caribou valid for Area 22 described in Schedule XVII";

(3) "Caribou valid for Area 23 (fall)" or "Caribou valid for Area 24";

(4) "Caribou valid for the southern part of Area 19 described in Schedule V";

(5) "White-tailed deer elsewhere than in Area 20" and "White-tailed deer, female or male, whose antlers measure less than 7 cm, with a type 2 hunting implement", or "White-tailed deer elsewhere than in Area 20 and white-tailed deer, female or male, whose antlers measure less than 7 cm valid for Area 5, 6 or 8, southern part";

(6) two "White-tailed deer in Area 20"; and

(7) a hunting licence of each of the following types:

(a) "Northern leopard frog, Green frog, Bullfrog";

(b) "Snaring of hare or cottontail rabbit";

(c) "Moose for all areas";

(d) "Female moose over one year of age";

(e) "Moose hunting licence in a new area";

(f) "Black bear"; and

(g) "Small game, except for the snaring of hare or cottontail rabbit".

For the purposes of this section, the licences replaced in accordance with a regulation of the Minister made under section 54.1 of that Act shall not be considered.

13. A non-resident may, during a year, hold only the following hunting licences:

(1) "Caribou valid for Area 23 (fall)", "Caribou valid for Area 23 (winter) except the southern part described in Schedule XVIII" and "Caribou valid for the part of Area 22 described in Schedule XVII";

(2) two "White-tailed deer in Area 20"; and

(3) a hunting licence of each of the following types:

(a) "White-tailed deer elsewhere than in Area 20";

(b) "Moose for all areas";

(c) "Moose hunting licence in a new area";

(d) "Black bear"; and

(e) "Small game, except for the snaring of hare or cottontail rabbit".

For the purposes of this section, the licences replaced in accordance with a regulation of the Minister made under section 54.1 of that Act shall not be considered.

14. A person holding one of the licences referred to in subparagraph 6 of the first paragraph of section 12 or in subparagraph 2 of the first paragraph of section 13 may obtain the second licence referred to in those subparagraphs only if the transportation coupons have been detached from the first licence and only from the fifth day following the date of issue of the first licence.

15. A hunter may not shoot an animal found on a public roadway or towards or across such a road in the parts of Area 22 whose plans appear in a regulation of the Minister made under section 56 of that Act, during the caribou hunting season provided for in the regulation for those parts of the territory and in areas 5 and 6. He may not shoot an animal from a public road, including the 10-metre strip on each side of the right-of-way, in areas 5 and 6.

For the purposes of this section, the expression "public roadway" means a road whose maintenance is entrusted to a municipality, a government or one of its agencies and over which one or more roadways open to public vehicular traffic have been laid out, except for roads under the management of the Ministère des Ressources naturelles or the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation or maintained by either of them.

DIVISION III OBLIGATIONS OF THE HOLDER OF A HUNTING LICENCE

16. The holder of a hunting licence for non-residents shall use the services of an outfitting operation when hunting north of the 52nd parallel or in the southern part of Area 19, east of rivière Saint-Augustin.

When hunting black bear or woodcock south of the 52nd parallel, he shall use at least two services of an outfitting operation, which shall include lodging, except in a wildlife sanctuary and in a controlled zone.

17. The holder of a "Caribou valid for the part of Area 22 described in Schedule XVII" hunting licence or of a "Caribou valid for Area 23" hunting licence shall use the services of an outfitting operation to hunt caribou therein, except for the part of Area 23 whose plan appears in a regulation of the Minister made under section 56 of that Act or unless he is a resident of the Northeastern Québec region as described in Schedule 5 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1) and he is hunting in the western sector of that region.

DIVISION IV POSSESSION OF ANIMALS

18. A person may have in his possession no more than 15 birds among the species of ruffed grouse, sharp-tailed grouse, gray partridge or spruce grouse and no more than 30 birds among the species of willow ptarmigan or rock ptarmigan.

The number of animals a person is authorized to possess under the first paragraph is not cumulative with the number he is authorized to possess under another regulation made under the Act respecting the conservation and development of wildlife.

DIVISION V TRANSPORTATION AND REGISTRATION

§1. Transportation

19. When a hunter kills a caribou, white-tailed deer, moose or black bear, he shall, as soon as the animal is dead, detach the transportation coupon from his hunting licence and attach it to the animal.

In the case of moose, the hunter shall ensure that, on the same day as the animal's death, the additional number of transportation coupons corresponding to the bag limit determined for that animal are attached to the animal; each additional coupon must come from the

hunting licence of a hunter authorized to hunt the same species, with the same type of implement, during the same season and in the same area; in addition, that hunter shall have participated in the hunting expedition during which that animal was killed.

If the moose was killed in a controlled zone, each additional coupon shall come from the hunter who, before the death of the animal, paid the duties for hunting moose in that controlled zone and registered upon entering that controlled zone.

In addition, the hunter shall ensure that the transportation coupons remain attached to the animal until it is cut up or stored and, in the case of black bear, until its pelt is dressed.

20. A hunter shall transport whole or in quarters any caribou or moose that he has killed until that animal is registered.

A hunter shall transport any white-tailed deer that he has killed whole or in two approximately equal parts obtained by severing the animal in the middle without removing the head and external genitals, until that animal is registered.

§2. Registration

21. When a hunter kills a caribou, white-tailed deer, moose or black bear, he shall, within 48 hours after leaving the hunting site, present his hunting licence and the licences whose coupons were attached to the animal, where applicable, have the animal registered by a conservation officer, a person appointed for that purpose or a person authorized by the Minister under section 56.1 of that Act enacted by section 9 of Chapter 29 of the Statutes of 1998, allow the punching of the number of transportation coupons corresponding to the bag limit determined for that animal and, in the case of a male moose, allow the marking of its antlers. That hunter shall also pay the registration fees provided for in the Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991.

Notwithstanding the first paragraph, a hunter who has killed one of the animals referred to in that paragraph shall, upon request of a conservation officer, have it registered immediately; a non-resident hunter who has killed one of those animals shall have it registered before leaving Québec.

A hunter who has killed a caribou or moose shall, upon registration, produce the animal whole or in quarters; in the case of a moose produced in quarters, he shall also produce and make accessible the full head,

failing which, he shall produce and make accessible the full lower jaw and, in the case of a male, the antlers attached to the calvarium or to a part thereof; in the case of a white-tailed deer, a hunter shall produce it whole or in two approximately equal parts obtained by severing the animal in the middle without removing the head and external genitals.

A hunter who has killed a black bear shall, upon registration, show the animal's carcass or fur.

22. Upon registration, a hunter shall hand over the whole or a part of the animals killed where the person registering those animals so requests in order to take a sample or make a scientific assessment.

23. Where such an animal or a part thereof, including the pelt or a part thereof, is transported outside Québec, the punched transportation coupon or coupons shall serve as authorization within the meaning of the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (S.C., 1992, c. 52) to transport it outside Québec.

DIVISION VI TRAINING AND FIELD TRIALS OF HUNTING DOGS

24. For the purposes of this Division,

“hunting dog” means a dog of one of the following types:

(1) retrievers: dogs used to find and retrieve dead or wounded animals;

(2) pointers and flushers: dogs used to indicate the presence of an animal to the hunter by pointing at it or flushing it out; or

(3) trackers: dogs used to search for an animal and, having found it or its trail, to track it while barking.

25. During any training or field trials of hunting dogs, other than retrievers, the owner or custodian of a dog shall ensure that the dog wears at all times a collar indicating

(1) the name, address and telephone number of the owner or his hunter's or trapper's certificate number; and

(2) the type or breed of dog.

26. During training or field trials, the hunting dog's owner or custodian shall be present and watch the dog.

27. Training or field trials of hunting dogs using an animal other than a moose, black bear, white-tailed deer, caribou or musk ox are permitted from 1 July to 1 April provided that the person practising those activities is not in possession of a weapon.

28. Notwithstanding section 27, training and field trials of hunting dogs of the Beagle breed, using an Arctic hare or a snowshoe hare or an eastern cottontail rabbit, are permitted during the entire year on a wooded lot other than land in the public domain, with the permission of the owner and where the person practising those activities is not in possession of a weapon.

DIVISION VII PENAL

29. Any person who contravenes any of sections 5 to 28 commits an offence.

DIVISION VIII FINAL

30. This Regulation replaces the Regulation respecting hunting made by Order in Council 1383-89 dated 23 August 1989.

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

2859

Draft Regulation

An Act respecting the distribution of financial products and services
(1998, c. 37)

Independent representatives and representatives who are partners in independent partnerships in the sector of claims adjustment — **Minimum experience required**

Notice is hereby given, in accordance with the section 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the minimum experience required of independent representatives and of representatives who are partners in independent partnerships in the sector of claims adjustment adopted by the Bureau des services financiers, the text of which appears hereunder, may be submitted to the Government for approval, with or without amendments, at the expiry of a 45-day period from the date of this publication.