

Draft Regulation

An Act respecting threatened or vulnerable species
(R.S.Q., c. E-12.01)

Disposal of things seized or confiscated

Notice is hereby given, in accordance with sections 10 and 11 of the Regulation Act (R.S.Q., c. R-18.1), that the Regulation respecting the disposal of things seized or confiscated, 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 determine the manner in which inspectors of plant life may dispose of things seized or confiscated in accordance with the law, where they are perishable or likely to depreciate rapidly, and the amount of indemnity payable to a person for wild leeks that were seized by mistake and cannot be returned.

To date, study of the matter has revealed no negative impact on individual or businesses.

Further information may be obtained by contacting:

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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 of the Environment, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5H1.

PAUL BÉGIN,
Minister of the Environment

Regulation respecting the disposal of things seized or confiscated

An Act respecting threatened or vulnerable species
(R.S.Q., c. E-12.01, ss. 34.1 and 39, subpars. 6 and 6.1; 1997, c. 11, ss. 2 and 5)

DIVISION I DISPOSAL OF THINGS SEIZED

1. Where a thing seized under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) is perishable or likely to depreciate rapidly, an inspector of plant life shall dispose of it within 10 days of the seizure either.

(1) by using it for pupulation restoration or educational purposes, or by destroying it after any necessary samples have been taken for the purposes of legal proceedings or scientific appraisal; or

(2) by donating it to an organization or an institution for research or pupulation restoration purposes following the sampling referred to in paragraph 1.

DIVISION II DETERMINATION OF INDEMNITY

2. Where an inspector of plant life has disposed of wild leeks in accordance with section 1 and subsequently learns that there was no cause for confiscation, the inspector shall, at the request of the person entitled thereto, pay him an indemnity of \$6 for 50 bulbs or 250 grams as compensation.

DIVISION III DISPOSAL OF THINGS CONFISCATED

3. Where a thing seized under the Act is perishable or likely to depreciate rapidly and is confiscated, an inspector of plant life shall dispose of it in the manner prescribed in section 1, without taking samples.

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