

(2) by adding the following paragraph at the end of the section:

“Where the warden decides to impose restrictions in accordance with subparagraphs *c.1* or *c.2* of the first paragraph, the imprisoned person and, where applicable, the visitor, shall be notified of the grounds for the measure and they shall be given the opportunity to present observations on the matter.”.

2. The Regulation is amended by inserting the following sections after section 12:

**12.1** The warden shall dispose of objects seized in an imprisoned person’s cell, other than those prohibited under a law or regulation, where they do not belong to the imprisoned person and where their possession is prohibited under a directive, in the following manner:

(a) by returning the property to its owner, if he is known; or

(b) by handing over the property to the Public Curator.

**12.2** The warden shall hand over to the Public Curator any personal effects left behind by an imprisoned person on his departure from the house of detention at the end of one year following the end of his imprisonment.

The warden may not dispose of an imprisoned person’s personal effects until he has taken appropriate measures to ascertain that

(a) the imprisoned person refuses or neglects to take them back or cannot be reached;

(b) the imprisoned person is not being held in a house of detention elsewhere in Québec; and

(c) the imprisoned person did not designate a relative or a friend to whom the personal effects may be sent or the designated person refused to take possession of them.”.

3. Section 13 is amended by deleting the following from the first paragraph: “such as a towel, face-cloth, soap, comb, shampoo and shaving cream”.

4. Section 27 is amended by substituting the following for the part preceding paragraph *a*:

“Subject to the restrictions that may be imposed by the warden under paragraph *c.2* of section 5, an imprisoned person may have the following visitors:”.

5. Section 28 is amended by substituting the words “a person designated by him” for the words “the warden” in paragraph *c*.

6. Section 34.2 is amended by adding the following paragraph at the end:

“The cell is subject to surveillance by videotape recorder and may be equipped with a video camera. The person in administrative segregation shall be notified thereof.”.

7. Section 34.8 is amended by substituting the words “before the end” for the words “at the latest within 48 hours following the beginning”.

8. Section 35 is amended by substituting the words “with other imprisoned persons or with officers or persons in charge of activities” for the words “among other imprisoned persons” in subparagraph *e* of the second paragraph.

9. Section 54 is amended by substituting “29, 30 and 30.1” for “29 and 30” in the second paragraph.

10. Section 57 is revoked.

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

2894

## Draft Rules

An Act respecting racing  
(R.S.Q., c. C-72.1)

### Rules respecting certification for Thoroughbred and Quarter Horse horse racing

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Rules respecting certification for Thoroughbred and Quarter Horse horse racing” hereinafter set forth may be enacted by the Régie des alcools, des courses et des jeux at the end of a 45-day period following this publication.

The draft rules provide conditions prescribed by the government in the “Rules respecting certification for Thoroughbred and Quarter Horse horse racing” pertaining to the issuance of licences for the performance of functions or carrying on of occupations related to Thoroughbred and Quarter Horse horse racing or for a business operating on the premises.

For additional information, please contact:

M<sup>e</sup> Marc Lajoie, Régie des alcools, des courses et des jeux, 1281, boulevard Charest Ouest, Québec (Québec) G1N 2C9, Telephone: (418) 644-0815, Fax: (418) 646-0673.

Any interested person may, before the end of this 45-day period, send their comments on the matter in writing to the President at the Régie des alcools, des courses et des jeux, 1281, boulevard Charest Ouest, Québec (Québec) G1N 2C9.

SERGE LAFONTAINE,  
*President*

## Rules respecting certification for Thoroughbred and Quarter Horse horse racing

An Act respecting racing (R.S.Q., c. C-72.1, s. 103 1st par., 2nd sub-par. *a, c, e, i* and *l*, par. 3, 7 to 13, 16 to 18, 22 and 2nd par.)

### CHAPTER I INTERPRETATION

1. Definitions provided in the Rules respecting certification for Thoroughbred and Quarter Horse horse racing enacted by order (*order number and date*) shall apply *mutatis mutandis*.

### CHAPTER II GENERAL

2. To obtain a licence, a person must:

(1) be of legal age, save and excepting specific exemptions stipulated herein;

(2) provide the following documents in English or in French where applying for a first licence:

(a) a birth certificate extract;

(b) a copy of an official document issued by the government, one of its ministries or organizations proving his identity and date of birth;

(c) a copy of an official document issued by a racing commission or any horse race regulating body outside Québec proving his identity or date of birth;

(3) provide two identical 30 mm by 30 mm colour photographs taken within the last six months represent-

ing a full frontal view down to the shoulders, head uncovered, or allow his photograph to be taken:

(a) where applying for a first licence;

(b) every five years thereafter.

3. Documents submitted with a licence application and licences issued by the Régie shall remain the property of the Régie.

4. The holder of a valid licence issued by a horse race regulating body outside Québec with whom the Régie has not entered into a reciprocity agreement shall not be subject to the application hereof regarding examinations for the performance or carrying on of equivalent functions or occupations in Québec. In addition, he shall not be subject to the provisions hereof where optometric certificates and statements of health are concerned.

For licences valid thirty days or less, the holder of a valid licence issued by a horse race regulating body outside Québec who applies for an owner or jockey agent's licence need not produce the documents described in paragraphs 2 and 3 section 2 when applying for a first licence.

5. A natural person who held a licence issued by the Régie any time within a twenty-four month period before filing a licence application may obtain a licence of the same class from the Régie without undergoing the examination prescribed hereunder.

6. A person who wishes to obtain a licence from the Régie under the circumstances prescribed in section 5 shall be authorized to carry on any activity for which the licence is prescribed, upon receipt by the Régie of the licence application and fee payment, provided said person is not in any of the circumstances described in section 77 and 78 of an Act respecting racing.

7. Where an examination is required to obtain a licence, the Régie may grant an equivalence to a person who so requests.

Said person shall then prove, with the aid of supporting documents, that he has a body of knowledge and skills pertaining to Thoroughbred or Quarter Horse horse racing which demonstrating competence and qualifications equal to the required experience.

8. The holder of a licence issued by the Régie shall, for the term of his licence, fulfil all conditions first required to obtain the licence.

9. Any person who fails an examination shall be barred from taking another for a period of thirty (30) days. A candidate must obtain a 60 % grade to successfully complete an examination.

### CHAPTER III RACING AND RACE TRACK LICENCES

#### DIVISION I RACE TRACK LICENCE

10. To obtain a race track licence, a person must provide, among other things, the following documents and information:

(1) a copy of the title authorizing use of the race track;

(2) a plan of the race track layout and location of any other building that has been or shall be erected;

(3) a copy of its constitution, where the applicant is a legal person;

(4) certification from a competent authority attesting that the purpose of the building to be used as a race track complies with applicable zoning by-laws;

(5) certification from a competent authority attesting that the building to be used as a race track and its purpose are in compliance with the Environment Quality Act (R.S.Q., c. Q-2), An Act to Preserve Agricultural Land (R.S.Q., c. P-41.1), and their regulations.

11. A professional race track licence shall be issued to a race track provided it is equipped as follows:

(1) a track which shall be:

(a) at least 1,069.2 metres long, measured 91.44 cm from the inside hub rail, and at least 18.3 m wide, in accordance with a land surveyor affidavit, and have a sand, grass or other surface approved by the Régie, constructed and maintained so as to ensure the safety of jockeys and horses;

(b) fitted along its entire length with an inside hub rail; this protective rail shall stand no less than 96.52 cm and no more than 106.68 cm above the ground and shall be fitted with a goose-neck shaped overhanging which measures at least 60.96 cm with a seamless, smooth covering; the design and structure of this hub rail shall be approved by the Régie before the first race of a race meeting;

(c) protected along its exterior by a fence with gates providing access to the track, the whole of which stands at least 90 cm high;

(2) a starting line and distance markers placed so as to be clearly visible to the racing judges and identified as follows:

1/4-mile marker	—	red and white horizontal stripes
1/8-mile marker	—	green and white horizontal stripes
1/16-mile marker	—	black and white horizontal stripes
201.08 metres (220 yards)	—	green and red
228.5 metres (250 yards)	—	blue
274.2 metres (300 yards)	—	yellow
301.62 metres (330 yards)	—	black and white
319.9 metres (350 yards)	—	red
365.6 metres (400 yards)	—	black
402.16 metres (440 yards)	—	red and black
502.7 metres (550 yards)	—	black and white horizontal stripes
603.24 metres (660 yards)	—	green and white horizontal stripes
703.78 metres (770 yards)	—	black and white horizontal stripes
795.18 metres (870 yards)	—	blue and white horizontal stripes

(3) a paddock with access to the track, including a large enough building to contain:

(a) a sufficient quality of individual stalls to accommodate trainers and their horses in the paddock during the race programme;

(b) facilities for the paddock judge, scale manager, horse identifier and Régie inspectors;

(c) facilities for the Régie veterinarian;

(d) stalls and retention areas to take urine samples in accordance with applicable provisions of the Pari-Mutuel Betting Supervision Regulations (1991, 125 Can. Gaz.-II, 1913);

(4) a covered stand for racing judges positioned so that the finish line cuts across its middle. The stand shall have no less than 10 m<sup>2</sup> of interior square footage and shall measure at least 4 m across the front. It shall be equipped with adequate sanitary services and positioned near the outer edge of the track, placed and elevated so as to allow a clear, full view of all sections thereof. Adequate security measures shall be taken to forbid access to the judges' stand to non-authorized persons, unless invited by the latter;

(5) a lighting system powerful enough to illuminate the entire track, ensuring the safety of spectators, participants and horses and allowing racing officials to perform their duties should night races be held; emergency lighting shall be provided for safety and evacuation purposes;

(6) facilities inside or near the racing secretariat for the offices of the Régie with no less than 45 m<sup>2</sup> of space that shall be easily accessible to the public and equipped with a wheelchair ramp;

(7) a sufficient number of stalls to accommodate the horses required to hold a race program.

**12.** An amateur racing licence shall be issued to a race track provided it is equipped as follows:

(1) a track with a sand, grass or other surface approved by the Régie, constructed and maintained so as to ensure the safety of jockeys and horses and whose length has been certified by a land surveyor;

(2) gates whose design and structure shall be approved by the Régie before the first race of a race meeting;

(3) a starting line and distance markers placed so as to be clearly visible to the racing judges;

(4) a paddock with access to the track which shall be planned so as to assemble horses participating in a race while restricting access to vehicles;

(5) a stand for the racing judges positioned so that the finish line cuts across its middle; this stand shall be placed and elevated so as to allow a clear, full view of all sections of the track;

(6) an emergency lighting system for security and evacuation purposes.

## **DIVISION II** **RACING LICENCE**

**13.** To obtain a racing licence to hold a race meeting at a professional race track, a person must provide the following information and documents:

(1) a copy of the title authorizing use of the race track where racing meets are to be held;

(2) a copy of its constitution, where the applicant is a legal person;

(3) the name and address of the bank where purse payment transactions shall be made and the number of the trust account to be used for such transactions;

(4) a copy of the agreement entered into between the applicant and the legal person representing a group of persons involved with racing;

(5) the name, address, date of birth and social insurance number of all partners, administrators, directors and shareholders who own or control a certain number of shares giving them 10 % or more of the legal person's voting rights;

(6) a technical description of the public address system required hereunder for racing judges;

(7) a projected schedule for each race meeting held during the term of the licence indicating:

(a) the day and date of each race program;

(b) the number of races to be held during each race program;

(c) the post time for the first race of a race program with pari-mutuel;

(d) a list of all members of its personnel, indicating the duties, numbers and licences of each;

(8) a copy of track regulations;

(9) a copy of all forms and documents required to organize races, such as:

(a) a declaration form for a regular or special race;

(b) a stall application form.

**14.** A racing licence authorizing race meetings at a professional race track shall be issued to an applicant who has:

(1) a system approved by the Canadian Pari-Mutuel Agency in accordance with Pari-Mutuel Betting Supervision Regulations for the sale, recording or automatic compilation of pari-mutuel bets;

(2) a display board positioned so that the letters and numbers appearing thereon may be easily read from the grandstands;

(3) a photo finish system at the finish line; such a system shall allow each horse participating in the race to be photographed at the finish line from the same angle to determine its order of finish, the time it required to cover the distance and the distance between it and the other horses;

(4) a public address system to inform the public and participants of race developments and results;

(5) a public address system allowing judges to communicate with:

- (a) the position judge;
  - (b) the starting judge;
  - (c) the paddock judge;
  - (d) the patrol judge;
  - (e) the scale manager;
  - (f) the veterinarian of the Régie;
  - (g) employees of the Canadian Pari-Mutuel Agency;
  - (h) the person in charge of the pari-mutuel;
  - (i) the display board operator;
  - (j) the person responsible for the photo-finish;
  - (k) the chief test inspector;
  - (l) the official announcer;
  - (m) persons responsible for video recording of the races;
- (6) video recording equipment approved by the Canadian Pari-Mutuel Agency in accordance with the provisions of the Pari-Mutuel Betting Supervision Regulations;
- (7) an electronic timing system;
- (8) during racing hours, at least two padded starting gates that are in working order and an attendant at the starting gate for each horse starting in a race; the starting gates shall be approved by the Régie before the first race of a race meeting;
- (9) during training hours, at least one starting gate and training personnel;
- (10) equipment required to move the starting gate; auxiliary equipment must be available immediately in the event of a breakdown;
- (11) an ambulance, facilities and personnel to administer first aid during a race program;
- (12) an ambulance where a horse in distress may be loaded, confined and transported with first aid personnel during a race program or training hours planned by the race track licence holder.

**15.** The holder of a racing licence shall, during the term of its licence:

- (1) submit to the racing judges two copies of the conditions for participation for each race of a race program, as established and posted by the race secretary, at least twenty-four (24) hours before said race program is held;
- (2) submit to the racing judges ten copies of the race program and two additional copies thereof to the Régie at least twenty-four (24) hours before a race program is held;
- (3) immediately inform the Régie in writing of any race program cancellation;
- (4) obtain authorization from the Régie before modifying the schedule approved at the time the licence was issued; such application shall be submitted to the Régie in writing at least seven (7) days before the scheduled date of modification, except in the case of any superior force;
- (5) obtain authorization from the Régie before modifying the public address system in any way; an application shall be submitted to the Régie in writing at least seven (7) days before the scheduled date of modification.

**16.** A racing licence authorizing race meetings with pari-mutuel on an amateur race track shall be issued to an applicant who has:

- (1) a system approved by the Canadian Pari-Mutuel Agency in accordance with Pari-Mutuel Betting Supervision Regulations for the sale, recording or automatic compilation of pari-mutuel bets, if races with pari-mutuel bets are to be held;
- (2) a display board positioned so that the letters and numbers appearing thereon may be easily read from the grandstands;
- (3) a public address system to inform the public and participants of race developments and results;
- (4) a public address system allowing judges to communicate with:
  - (a) the starting judge;
  - (b) the paddock judge;
  - (c) the scale manager;

(d) the person in charge of the pari-mutuel;

(e) the official announcer;

(5) during racing hours, at least one padded starting gate that is in working order, an attendant at the starting gate for each horse starting in a race and equipment required to move the starting gate.

#### **CHAPTER IV RACING OFFICIAL LICENCES**

##### **DIVISION I RACING JUDGE'S LICENCE**

**17.** To obtain a racing judge's licence, a person must:

(1) provide an optometric and daltonism detection certificate with his application;

(2) be able to express himself in French and have a good working knowledge of English;

(3) have a Diploma of Collegial Studies (DEC) or a high school degree with five (5) years of pertinent, full-time work experience.

**18.** To obtain a racing judge's licence, a person must successfully complete an examination assessing:

(1) his overall knowledge of the standards regarding Thoroughbred and Quarter Horse horse racing;

(2) his knowledge of the rules of law which apply to the performance of his duties;

(3) his technical knowledge in all matters relating to the preparation and conduct of races;

(4) his speaking and writing abilities;

(5) his technical knowledge of equine equipment and behaviour;

(6) his ability to weigh racing situations, as far as observation and reaction to incidents arising therefrom are concerned;

(7) his problem-solving ability by means of standard cases;

(8) his ability to summarize situations;

(9) his knowledge of the world of racing, its customs and habits.

##### **DIVISION II POSITION JUDGE'S LICENCE**

**19.** To obtain a position judge's licence, a person must:

(1) provide a statement of health with his application;

(2) be able to express himself in French and have a good working knowledge of English;

(3) provide proof that he has been offered a job by or is working for the holder of a racing licence.

##### **DIVISION III STARTING JUDGE'S LICENCE**

**20.** To obtain a starting judge's licence, a person must:

(1) provide a statement of health;

(2) be able to express himself in French and have a good working knowledge of English;

(3) provide proof that he has been offered a job by or is working for the holder of a racing licence.

##### **DIVISION IV PADDOCK JUDGE'S LICENCE**

**21.** To obtain a paddock judge's licence, a person must:

(1) be able to express himself in French and have a good working knowledge of English;

(2) successfully complete a paddock judge's examination;

(3) provide a statement of health.

**22.** The examination taken by an applicant to obtain a paddock judge's licence must assess:

(1) his knowledge of the standards respecting Thoroughbred and Quarter Horse horse racing which establish his responsibilities and refer to elements of his duties in the preparation and conduct of races;

(2) his technical knowledge of equine equipment and behaviour;

(3) his knowledge of vocabulary and symbols specific to documents required for the preparation and conduct of races.

**DIVISION V**  
PATROL JUDGE'S LICENCE

23. To obtain a patrol judge's licence, a person must:

- (1) provide a statement of health;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION VI**  
RACE SECRETARY'S LICENCE

24. To obtain a race secretary's licence, a person must:

- (1) be able to express himself in French and have a good working knowledge of English;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence;
- (3) have performed the functions of an assistant race secretary for a six month period under the supervision of a race secretary or demonstrate that he has the overall experience, competence and qualification which confer upon him abilities compatible with the functions of a race secretary.

**DIVISION VII**  
ASSISTANT RACE SECRETARY'S LICENCE

25. To obtain an assistant race secretary's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION VIII**  
SCALE MANAGER AND  
HORSE IDENTIFIER'S LICENCE

26. To obtain a scale manager or horse identifier's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION IX**  
RÉGIE VETERINARIAN'S LICENCE

27. To obtain a Régie veterinarian's licence, a person must submit a document with his application certifying that he is legally authorized to practice as a veterinarian in Québec.

**CHAPTER V**  
OTHER LICENCES

**DIVISION I**  
VETERINARIAN'S LICENCE

28. To obtain a veterinarian's licence, a person must submit a document with his application certifying that he is legally authorized to practice as a veterinarian in Québec.

**DIVISION II**  
TIMER'S LICENCE

29. To obtain a timer's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION III**  
RACE TRACK EMPLOYEE'S LICENCE

30. To obtain a race track employee's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION IV**  
RIDER'S LICENCE

31. To obtain a rider's licence, a person must:

- (1) be at least 16 years old;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION V**  
JOCKEY LOCKER ROOM CUSTODIAN'S  
LICENCE

32. To obtain a jockey locker room custodian's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION VI**  
JOCKEY VALET'S LICENCE

33. To obtain a jockey valet's licence, a person must:

- (1) be at least 16 years old;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

## **CHAPTER VI**

### **PARTICIPANTS' LICENCES**

#### **DIVISION I**

##### **OWNER'S LICENCE**

**34.** To obtain an owner's licence, a person must provide the names of the legal persons or companies which own the horse and in which he has an interest.

**35.** A minor may obtain an owner's licence if he meets one of the following conditions:

(1) a parent or tutor aged 18 years or older accepts this person's responsibility of ownership in writing. Said parent or tutor must hold an owner agent's licence;

(2) he is deemed to be of legal age or emancipated.

**36.** To obtain an owner's licence, a legal person must:

(1) provide a copy of its constitution;

(2) provide the names and addresses of each person who must be individually licenced as owners in accordance with the Regulation respecting Thoroughbred and Quarter Horse horse racing.

#### **DIVISION II**

##### **OWNER AGENT'S LICENCE**

**37.** To obtain an owner agent's licence, a person must file a copy of the mandate registered with the Régie authorizing him to act on an owner's behalf.

#### **DIVISION III**

##### **JOCKEY AGENT'S LICENCE**

**38.** A person who wishes to obtain a jockey agent's licence shall file a copy of the mandate registered with the Régie authorizing him to act on a jockey's behalf.

#### **DIVISION IV**

##### **JOCKEY'S LICENCE**

**39.** To obtain a jockey's licence, a person must:

(1) provide a statement of health;

(2) certify that his weight does not exceed 58.89 kilos (130 pounds) at the time he applies for the licence;

(3) have ridden 45 winners while an apprentice jockey or have held an apprentice jockey licence for three years.

#### **DIVISION V**

##### **APPRENTICE JOCKEY'S LICENCE**

**40.** To obtain an apprentice jockey's licence, a person must:

(1) provide a statement of health;

(2) certify that his weight does not exceed 58.89 kilos (130 pounds) at the time he applies for the licence;

(3) have held a licence relating to Thoroughbred or Quarter Horse horse racing for at least three (3) years;

(4) provide a certificate from a licenced trainer or owner stating that he was employed for at least eighteen months and knows how to ride;

(5) provide proof that a licenced trainer or owner wishes to hire him as apprentice jockey;

(6) successfully complete an examination administered by a starting judge testing his ability to start in a race; the starting judge may be assisted by a jury of three licenced jockeys;

(7) successfully complete a practical examination administered by a racing judge assessing his ability to participate in a race; the racing judge may be assisted by a jury of three licenced jockeys.

**41.** In order to prepare for these examinations, an apprentice jockey may seek the assistance of a jury member.

#### **DIVISION VI**

##### **TRAINER'S LICENCE**

**42.** To obtain a trainer's licence, a person must successfully complete a trainer's examination.

**43.** The examination taken by an applicant to obtain a trainer's licence must assess:

(1) his knowledge of the standards respecting Thoroughbred and Quarter Horse horse racing pertaining to:

(a) a trainer's responsibilities;

(b) the declaration of horses in different types of races;

(2) his technical knowledge of equine equipment, behaviour and training.



**DIVISION VII**  
ASSISTANT TRAINER'S LICENCE

44. To obtain an assistant trainer's licence, a person must successfully complete an assistant trainer's examination.

45. The examination taken by an applicant to obtain an assistant trainer's licence must assess:

(1) his knowledge of the standards respecting Thoroughbred and Quarter Horse horse racing pertaining to:

(a) a trainer's responsibilities;

(b) the declaration of horses in different types of races;

(2) his technical knowledge of equine equipment, behaviour and training.

**DIVISION VIII**  
JOCKEY VALET'S LICENCE

46. To obtain a jockey valet's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION IX**  
HORSE EXERCISER AND PONY LICENCES

47. To obtain a horse exerciser licence, a person must provide proof that he has been offered a job by or is working for the holder of a training licence.

48. To obtain a pony licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION X**  
COOLING OUT LICENCE

49. To obtain a cooling out licence, a person must:

(1) be at least 12 years old;

(2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

**DIVISION XI**  
GROOM'S LICENCE

50. To obtain a groom's licence, a person must:

(1) be at least 12 years old;

(2) provide proof that he has been offered a job by or is working for a trainer.

**CHAPTER VII**  
COLOUR REGISTRATION

51. To register his colours, a person must provide a sketch of each of the following elements of the jockey's uniform:

(1) jacket;

(2) jacket sleeves;

(3) cap.

The front and back of the cap shall be identical in every detail.

**CHAPTER VIII**  
FINAL PROVISION

52. These Rules shall come into force on the fifteenth day following publication hereof in the *Gazette officielle du Québec*.

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