

Draft Regulations

Draft Regulation

Cullers Act
(R.S.Q., c. M-12.1)

Culler's licences — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting culler's licences, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation introduces new conditions for obtaining a culler's licence and provides that the licence holders must submit an application to obtain a new identity card before its expiry. As regards the conditions for obtaining a licence, it provides in particular:

— that a person who holds an attestation of studies awarded by an educational institution outside Québec will need to perfect his training by taking a course on the scaling methods applicable to timber harvested in the public forests of the domain of the State if he wishes to obtain a culler's licence;

— that the application for a culler's licence will have to be submitted before the expiry of the fifth year following the date on which the applicant passed the examinations developed to obtain the licence.

As regards tariffing, the draft Regulation adjusts the duties payable, namely those for obtaining a culler's licence or for having a new identity card issued or those payable for the issue of a duplicate of any of those documents so that the duties prescribed be similar to the costs related to the application of the Cullers Act.

Lastly, the draft Regulation introduces a new index clause for the application of a cumulative rate of increase of the general Consumer Price Index where the amount of the duties to be indexed is lower than \$35 and amends certain provisions to take into account the abolition of the Board of Examiners for Cullers by the Act to abolish certain bodies (1997, c. 83).

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Rémy Girard, Associate

Deputy Minister, Forêt Québec, ministère des Ressources naturelles, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

JACQUES BRASSARD,
*Minister of
Natural Resources*

Regulation to amend the Regulation respecting culler's licences*

Cullers Act
(R.S.Q., c. M-12.1, s. 30)

1. The Regulation respecting culler's licences is amended in section 2:

(1) by substituting the following for the part preceding paragraph 1:

“That person must also hold any of the following diplomas, certificates or attestations of studies:”;

(2) by adding the following after the first paragraph:

“A person who holds a diploma, certificate or attestation of studies referred to in subparagraph 4 of the first paragraph must also perfect his training by taking a course of at least 90 hours on the scaling methods used for timber harvested in forests in the domain of the State offered by an educational institution located in Québec.”.

2. The following is substituted for sections 3 and 4:

“3. A person who wishes to obtain a culler's licence must apply therefor in writing to the Minister, using the form put at his disposal for that purpose by the Minister no later than five years following the date on which that person passed the examinations developed by the Minister to obtain the licence.

4. The following documents and the duties prescribed in section 5 must be enclosed with an application for a licence:

* The Regulation respecting culler's licences, made by Order in Council 1588-85 dated 7 August 1985 (1985, *G.O.* 2, 3737), was amended once by the Regulation made by Order in Council 792-92 dated 27 May 1992 (1992, *G.O.* 2, 2857).

(1) a copy of the act of birth of the applicant or his birth certificate, if he was born in Canada;

(2) a copy of the certificate of Canadian citizenship of the applicant or a copy of his landing record attesting to his status as a permanent resident, if he was born outside Canada;

(3) a copy of the diploma, certificate or attestation of studies, required in the first paragraph of section 2, or a certificate attesting that he has obtained that diploma, certificate or attestation of studies from the educational institution that has awarded it;

(4) where the applicant holds a diploma, certificate or attestation of studies referred to in subparagraph 4 of the first paragraph of section 2, a document issued by an educational institution located in Québec attesting that the applicant took the training course required in the second paragraph of that section;

(5) a photograph of the applicant taken no more than one year prior to the application, measuring approximately 25 mm by 25 mm and signed on the back by the applicant.

The application for a licence must be supported by an affidavit attesting to the truth of the facts and information mentioned in the application and in the documents enclosed with it.”

3. Section 5 is amended by substituting the figure “40” for the figure “20”.

4. The following is substituted for sections 6 to 8:

“6. Cullers’ licences issued by the Minister to the persons who meet the conditions provided for in this Regulation and who are deemed capable of performing the duties of cullers shall be drawn up according to Schedule I.

7. An identity card drawn up according to Schedule II shall be given by the Minister to a licence holder at the time of the issue of his licence.

A licence holder must, before the expiry date indicated on his identity card, submit an application in writing to the Minister to obtain a new identity card, using the form put at his disposal for that purpose by the Minister. The duties in the amount of \$20 and a photograph of the licence holder taken no more than one year prior to the application, measuring approximately 25 mm by 25 mm and signed on the back by the applicant, must be enclosed with the application.

The period between the date of issue of the identity card and its expiry date may not be less than five years.

8. The duties payable by a person who sits for examinations developed by the Minister to obtain a culler’s licence are \$30.

The duties payable by a person who sits for examinations developed by the Minister to verify the competence of holders of culler’s licences are \$30.”

5. Section 9 is amended by substituting the figure “25” for the figure “20”.

6. The following is substituted for section 9.1:

“9.1. The duties provided for in this Regulation that are equal to or greater than \$35 shall be indexed on 1 April 2001 and thereafter on 1 April of each year according to the increase in the general Consumer Price Index for Canada, for the preceding year. That increase shall be computed from the ratio of the index for the preceding year over the index for the year preceding the latter. The index for one year shall be the average of the monthly indexes published by Statistics Canada.

The duties provided for in this Regulation that are lower than \$35 shall be indexed on 1 April 2001 and thereafter on 1 April every five years according to the increase in the general Consumer Price Index for Canada, for the last five years. That increase shall be computed from the ratio of the index for the preceding year over the index for the five years preceding the latter. The index for one year shall be the average of the monthly indexes published by Statistics Canada.

The amount of the duties indexed in the prescribed manner shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister of Natural Resources shall publish the result of the annual indexing in Part 1 of the *Gazette officielle du Québec*. In addition, he may ensure a wider circulation by any other means.”

7. Schedules I and II attached to this Regulation are substituted for Forms I to III of the Regulation.

8. This Regulation comes into force on 1 April 2000.

SCHEDULE I

(s. 6)

CULLER'S LICENCE

The Minister of Natural Resources issues this licence to

This is to certify that the abovementioned person meets all the conditions provided for in the Cullers Act (R.S.Q., c. M-12.1) and the regulations made under the Act to obtain this licence and that this person is deemed capable of performing the duties of a culler in Québec.


Issued at

On

Minister of Natural Resources

SCHEDULE II

(s. 7)

	 Gouvernement du Québec Ministère des Ressources naturelles	LICENCE No. <input style="width: 80px; height: 20px;" type="text"/>
		<input style="width: 60px; height: 20px;" type="text"/>
		Card issued in: <input style="width: 60px; height: 20px;" type="text"/>
		Expiry date: March 31, _____
Name _____		
Address _____		
		<input style="width: 80px; height: 20px;" type="text"/> POSTAL CODE
is a culler within the meaning of the Cullers Act.		
_____ Minister of Natural Resources		

WARNING

- 1- This card certifies that the abovementioned person holds a culler's licence and that he is authorized to act in Québec in that capacity.
- 2- The abovementioned person must, in the performance of his duties as a culler, have this identity card in his possession and show it upon request in accordance with section 5 of the Cullers Act.
- 3- He must notify the Minister of Natural Resources of any change in his address and ensure that an application to obtain a new identity card has been submitted to the Minister before the expiry date indicated on this card.