

(2) Part II: Destination of timber

This part states the volume of round timber, by the species or group of species specified in the agreement and by the quality of the timber, that the agreement holder has intended for the plant mentioned in the agreement during the year in question.”.

11. The following is added after section 16:

“**16.1.** Sections 2 to 6 and 7 to 9 cease to have effect on 31 March 2004.

16.2. Sections 1 and 11 to 16 cease to have effect on 31 August 2006 and apply only in respect of forest management activities prior to 1 April 2005.”.

12. This Regulation comes into force on 1 April 2000, except sections 4 and 8 introduced by section 5 of this Regulation which come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

4904

Gouvernement du Québec

O.C. 205-2002, 6 March 2002

Animal Health Protection Act
(R.S.Q., c. P-42)

Cattle**— Identification**

Regulation respecting the identification of cattle

WHEREAS under section 22.1 of the Animal Health Protection Act (R.S.Q., c. P-42), enacted by section 14 of Chapter 40 of the Statutes 2000, the Government may, by regulation, to ensure animal traceability, establish an identification system for any species or category of animal it determines, require animals to be identified subject to the conditions and according to the rules or procedure it fixes, prescribe the obligations of owners or custodians of animals or of any other person it determines and determine the applicable fees payable;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting the identification of cattle was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2001, with notice that it may be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make that Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation respecting the identification of cattle, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the identification of cattle

Animal Health Protection Act
(R.S.Q., c. P-42, s. 22.1; 2000, c. 40, s. 14)

DIVISION I**SCOPE**

1. An identification system is introduced for all animals of the *Bos taurus* or *Bos indicus* species kept or raised in Québec.

2. The animal identification system that the Minister of Agriculture, Fisheries and Food or, where applicable, the managing agency administrators shall comprise the following information:

(1) the name and address of the farm of origin of the animal;

(2) the name and address of the owners or, where applicable, of the successive custodians of the animal;

(3) the registration number of the farm if it is registered under the provisions of Division VII.2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14);

(4) the species to which the animal belongs;

(5) the category to which the animal belongs;

(6) the animal's identification, including that recognized under another identification system established by a government in Canada or by the appropriate authority of the country of origin of the animal;

(7) the date of issue of the tags;

(8) the date of identification of the animal;

(9) the animal's sex;

(10) the animal's age;

(11) where applicable, the identification substitute number in case of a loss of the identification number;

(12) where applicable, the transits of the animal outside the farm of origin; and

(13) if the farm comprises more than one production site, the location of each site and the transits of the animal from one site to the other.

In this Regulation, unless the context indicates otherwise,

“farm” means an agricultural operation;

“farm of origin” means the farm where an animal was born or the first farm that receives an animal born in Québec outside a farm;

“management agency” means the agency responsible for the management of the identification system under section 22.3 of the Animal Health Protection Act (R.S.Q., c. P-42; 2000, c. 40, s. 14); and

“production site” means the livestock building or the pasture where the animals of the species referred to in section 1 are kept.

DIVISION II

TAGS

3. The chip tag, the bar code tag or the blank tag used to identify the animals must have the following features:

(1) be made of non toxic materials and be fitted with a fastener;

(2) be designed so as to remain on the animal on which they are affixed at all times;

(3) not be easily modified or falsified;

(4) not be easily counterfeit; and

(5) be of the single-use type.

In addition, the chip tag or the bar code tag must have an identification number of at least seven numbers that can be read easily and correctly and show a sketch of the fleur-de-lys.

4. The Minister or, where applicable, the management agency, shall issue or have issued chip tags, bar code tags or blank tags:

(1) at the request of the owner or custodian of the animals on the farm;

(2) at the request of the importer for the animals he imports from outside Canada; or

(3) at the request of the operator of the establishment for livestock auctions in cases where tags are lost.

The person referred to in subparagraphs 1 or 2 of the first paragraph must send, at the time of his request, his name and address as well as the information referred to in subparagraphs 3 and 4 of the first paragraph of section 2 to the person issuing the tags. The person referred to in subparagraph 3 of the first paragraph must send to him his name and address and the information referred to in subparagraph 4 of the first paragraph of section 2.

5. The tags issued may be affixed only to animals that are found on the farm or at the establishment for livestock auctions for which the tags were issued. Where tags are issued to the importer, the tags may also be affixed to the animals he imports.

The tags are valid as long as they remain on the animals on which they were affixed. They are no longer valid when lost or removed from the animals or when the fastener is modified or altered.

The tags that have not been used must be kept on the farm or the establishment for livestock auctions, except in the case of an importer. The tags must be shown on request to an inspector under section 22.2 of the Act. The number of those which are lost, destroyed or damaged and of those which are not used when the farm, the establishment for livestock auctions or the importer cease their activities must be sent to the Minister or, where applicable, to the management agency, within 30 days following their loss, destruction, damage or the cessation of their activities.

6. Subject to Division VII, no one may remove or have removed the tags that were affixed on animals.

7. No one may use on an animal a tag which resembles a tag referred to in section 3, unless the tag is blank.

DIVISION III

IDENTIFICATION

8. Any animal owner, custodian or importer must identify or have any animal that is kept in Québec identified by affixing a chip tag to one of the animal's ears and a bar code tag to the animal's other ear. The tags must comply with the provisions of section 3 and bear the same identification number.

Identification may be carried out on the farm only. An importer may also identify the animal before its importation.

9. Where the animal is identified by approved tags, of which one is a chip tag and the other a bar code tag, those tags serve as the corresponding tags referred to in section 8.

Where the animal is identified by a single approved tag, with a bar code or a chip, that tag serves as the corresponding tag referred to in section 8 if the identification of the animal is completed by affixing a complementary tag which bears the same number as that on the approved tag to the animal's other ear.

In this Regulation, "approved tag" means a tag which has been approved under Part XV of the Health of Animals Regulations (C.R.C., c. 296; SOR/91-525; SOR/2000-416).

10. Where the animal is identified by the official tags of the country of origin, of which one is a chip tag and the other a bar code tag, those tags serve as the corresponding tags referred to in section 8.

Where the animal is identified only by a chip tag, that tag serves as the chip tag referred to in section 8.

In this Regulation, "official tag of the country of origin" means a tag officially recognized by the appropriate authority of the animal's country of origin and which meets the requirements of Part XV of the Health of Animals Regulations.

11. Any animal owner, custodian or importer whose animal is identified only by an approved bar code tag or by an official bar code tag from the country of origin, shall identify it or have it identified in accordance with section 8.

Notwithstanding the first paragraph, the identification of the animal identified by an approved bar code tag may be completed by affixing a chip tag on the animal's other ear which bears the same number as that on the bar code tag.

Where the animal is already identified by an approved chip tag or an official chip tag from the country of origin, the identification shall be completed either by:

(1) affixing a blank tag which must bear the same number as that on the chip tag to the animal's other ear; or

(2) affixing a bar code tag bearing the same number as that on the chip tag to the animal's other ear.

In the cases provided for in the second paragraph and in subparagraph 2 of the third paragraph, the identification must be completed at the farm and the required tags must be ordered as soon as the animal arrives on the farm.

12. The identification must be carried out:

(1) for an animal born in Québec:

(a) within seven days following its birth or before its transfer from the farm of origin, whichever comes first;

(b) if the animal is born in pasture and remains there with its mother, within five months following its birth or on its transfer from the pasture, whichever comes first;

(2) for an animal born outside of Québec:

(a) before it is imported or as soon as it arrives at the farm, if it comes from outside Canada; or

(b) as soon as it arrives on the farm, if it is from Canada;

(3) in the cases provided for in the second or third paragraphs of section 11, on the receipt of the tags, except for blank tags which must be affixed as soon as the animal arrives on the farm.

Where the farm comprises more than one production site, the transfer of an animal from such a site is equal to its transfer from the farm if a distance of ten kilometres or more separates the site from the centre of operations.

In this section, "centre of operations" means the place where most of the farm operations are carried out.

13. Following the identification, any animal owner, custodian or importer must send to the Minister or, where applicable, to the management agency, the following information, in the following cases and within the following time limits:

(1) is name and address as well as the information referred to in subparagraphs 1 and 3 to 10 and 13 of the first paragraph of section 2, for an animal born in Québec, within seven days following its birth or on the day following its transfer from the farm, whichever comes first; however, if the animal is born in pasture and remains there with its mother, that information must be sent within five months following its birth or on the day following its transfer from the pasture, whichever comes first;

(2) his name and address, the information referred to in subparagraphs 3 to 10 and 12 and 13 of the first

paragraph of section 2 and the name and address of the owner or, where applicable, the previous custodian or, if he cannot send this information, the name and address of the carrier as well as the identification of the vehicle used to transport the animal, for an animal from outside Québec which arrives on the farm, within seven days following the arrival of the animal on the farm or before its transfer from the farm, whichever comes first.

14. Except where otherwise provided for in the Act, where a first farm receives an animal born in Québec outside a farm, where an animal is transported in a road vehicle which is only crossing through the territory of Québec without being left there and in the cases provided for in item *a* of subparagraph 2 of the first paragraph of section 12 and in sections 16, 25 and 27, no one may remove or have an animal removed from a place, transport it or have it transported, receive it or have it received, if it is not identified by at least one chip tag or bar code tag. However, no one may remove or have an animal removed from a farm if the animal is not identified in accordance with section 8.

15. No one may make a declaration which he knows or should have known to be erroneous, or a false or misleading declaration concerning the information to be provided in accordance with this Regulation.

DIVISION IV LOSS OF TAGS

16. Any animal owner or custodian shall, in accordance with section 8, identify or have any unidentified animal which has lost its tags reidentified immediately at the farm.

If the labels are lost during the transportation to the farm or establishment for livestock auctions, the animal may be continue to be transported and received. However, it must be identified immediately in accordance with the first paragraph of section 8, at the expense of the animal's owner. The person referred to in the first paragraph or, as the case may be, the operator of the establishment must keep a register and record therein enough information to establish the origin of the animal such as the following:

(1) if they are known or should have been known, the number of the lost tags and, where more than one tag has been affixed to the animal since its birth, the number of each one;

(2) the date on which the animal arrived at the farm or establishment and was reidentified, as well as the name and address of the animal's owner or custodian on that date and its place of origin;

(3) the identification of the vehicle used to transport the animal to the farm or establishment where the new tags were affixed and the name and address of the carrier;

(4) the number of the new tags; and

(5) the species to which the animal belongs.

Moreover, if the tags are lost during transportation to an establishment for livestock auctions, the operator of the establishment must notify the owner that the animal will be auctioned as livestock and will then be taken to the slaughterhouse, and he must inform the purchaser thereof. After the auction, the purchaser of the animal must have the animal taken directly to the slaughterhouse for slaughter.

If the tags are lost during transportation to the slaughterhouse, the animal may be received. The slaughterhouse operator must keep a register and record therein the information referred to in the second paragraph, *mutatis mutandis*.

Any supporting document used to establish the origin of the animal and the registers must be kept at the farm, at the establishment for livestock auctions or at the slaughterhouse, as the case may be. The supporting documents must be kept during at least three years in chronological order from their receipt or drawing up and the registers from the last entry. These supporting documents and registers must be shown on request to an inspector provided for in section 22.2 of the Act.

17. Any animal owner or custodian shall, in accordance with section 8, identify or have an animal which has lost its chip tag identified at the farm as soon as the loss is observed.

Notwithstanding the first paragraph, the identification of an animal may be completed by affixing a chip tag bearing the same number as the one on the bar code tag to the animal's other ear.

If the animal loses the bar code tag or that replacing it, the identification must be completed in one of the following manners:

(1) by affixing a blank tag bearing the same number as that on the chip tag to the animal's other ear, as soon as the loss is observed; or

(2) by affixing a bar code tag bearing the same number as the chip tag to the animal's other ear.

In the cases referred to in the second paragraph and in subparagraph 2 of the third paragraph, the identification must be completed at the farm and the required tags must be ordered as soon as the loss is observed, and affixed as soon as they are received.

18. In the cases referred to in the first or second paragraph of section 16, the animal owner or custodian or, where applicable, the operator of the establishment for livestock auctions must send to the Minister, or, where applicable, to the management agency, his name and address as well as, where applicable, the information referred to in the second paragraph of this section within seven days following the observation of the loss or before the transfer of the animal from the farm, whichever comes first or, if the animal comes from outside Canada, within seven days following the arrival of the animal on the farm.

19. In the case referred to in the first paragraph of section 17, the animal owner or custodian must send to the Minister or, where applicable, to the management agency, his name and address, the name and address of the farm as well as the information referred to in subparagraphs 3, 6, 8 and 11 of the first paragraph of section 2 within seven days following the observation of the loss or before the transfer of the animal from the farm, whichever comes first.

DIVISION V TRANSITS

20. Any person who receives an animal must send to the Minister or, where applicable, to the management agency, the following information, in the following cases and time limits:

(1) his name and address, the information referred to in subparagraphs 3, 4, 6, 9, 10, 12 and 13 of the first paragraph of section 2 and the name and address of the owner or, where applicable, of the previous custodian or, if he cannot provide that information, the name and address of the carrier as well of the identification of the vehicle used to transport the animal, for an animal received at the farm, except if the information is sent in accordance with Divisions III or IV, within seven days following the animal's arrival on the farm or before its transfer from the farm, whichever comes first;

(2) his name and address, the information referred to in subparagraphs 6 and 12 of the first paragraph of section 2 and the name and address of the owner or, where applicable, the previous custodian or, if he cannot provide that information, the name and address of the carrier as well as the identification of the vehicle used to transport the animal, for an animal received in any place other than a farm or community pasture and except if the

information is sent in accordance with Divisions III or IV or section 25, within seven days following the receipt or the end of the exhibition of the animal or following the recuperation or receipt of the dead animal, as the case may be.

21. Any animal owner or custodian, except for a carrier, who sends an animal to a community pasture must send to the Minister or, where applicable, to the management agency, his name and address, those of the manager of the pasture and the information referred to in subparagraphs 3, 6 and 12 of the first paragraph of section 2 within seven days following the arrival of the animal at the pasture, or before its transfer from the pasture, whichever comes first.

In this Regulation, "community pasture" means a site where animals from different farms may be found.

22. Any animal owner or custodian, except for a carrier, who transfers an animal outside of Québec must send to the Minister or, where applicable, to the management agency, his name and address, the name and address of the farm, the information referred to in subparagraphs 3, 6 and 12 of the first paragraph of section 2 and the name and address of the owner or, where applicable, of the following custodian or, where he cannot send that information, the name and address of the carrier as well as the identification of the vehicle used to transport the animal within seven days following its transfer outside Québec.

23. Any person who transports an animal must send to the Minister or, where applicable, to the management agency, his name and address, those of the owner or, where applicable, of the previous and following custodian as well as the information referred to in subparagraphs 6, 12 and 13 of the first paragraph of section 2 within seven days following the transportation.

DIVISION VI TRANSFER OF OWNERSHIP

24. Where the ownership of a farm is transferred, the assignor must send to the Minister or, where applicable, to the management agency, the name and address of the farm and the information referred to in subparagraphs 2 and 3 of the first paragraph of section 2 within 30 days following the transfer.

DIVISION VII DEATH OR SLAUGHTER OF AN ANIMAL

25. The operator of a slaughterhouse may receive an unidentified animal from outside Canada for immediate slaughter. In such a case, he must keep a register for at least three years from the last entry and record therein the following information:

(1) the date on which the animal arrived at the slaughterhouse as well as the name and address of the animal's owner or custodian on that date and its site of origin;

(2) the identification of the vehicle used to transport the animal to the slaughterhouse and the name and address of the carrier; and

(3) the species to which the animal belongs.

Moreover, the operator of the slaughterhouse must send to the Minister or, where applicable, to the management agency, within seven days following the arrival of the animal at the slaughterhouse, his name and address as well as the information referred to in the first paragraph.

26. The operator of a slaughterhouse may remove the tags from an animal which is slaughtered there.

In the same way, the operator of a rendering plant or the person in charge of an animal pathology laboratory who keeps a dead animal elsewhere than at the farm where the animal died and the inspector provided for in section 22.2 of the Act may remove its tags.

27. A waste collector who recovers an unidentified dead animal must send to the Minister or, where applicable, to the management agency, within the seven days following the recovery, his name and address, those of the owner or custodian of the animal on that date as well as the date and place of the recovery.

28. Any animal owner or custodian must, within seven days following the death at the farm of an animal which has not been recovered by a waste collector or a rendering plant, report it to the Minister or, where applicable, to the management agency and send to him his name and address as well as the information referred to in subparagraphs 3, 6 and 13 of the first paragraph of section 2.

DIVISION VIII

MISCELLANEOUS AND FINAL

29. Any animal owner or custodian shall, before 15 April 2002, identify or have all the animals he keeps in Québec on 14 April 2002 identified at the farm by affixing a chip tag on one of the animal's ears and a bar code tag on the other; both tags shall comply with the requirements of section 3 and bear the same identification number. Furthermore, he must send to the Minister or, where applicable, to the management agency, his name and address, the name and address of the farm as well as the information referred to in subparagraph 1 of the first paragraph of section 2, if in this last case he knows that information or should have known it, and

that referred to in subparagraphs 3 to 10 and 13 of that paragraph before 1 June 2002 or before the transfer of the animal from the farm, whichever comes first.

30. Until 15 April 2005 and notwithstanding the provisions of sections 13, 18 and 19, of paragraph 1 of section 20, of sections 21, 22 and 28, the person who owns a farm has a time limit of 45 days from the date of the event instead of the time limit of seven days prescribed by those provisions to send to the Minister or, where applicable, to the management agency, the information required by those provisions. However, in the case of paragraph 2 of section 13 and of sections 18 and 20 for an animal from outside Canada and of section 22 if the animal is sent outside Canada, the person operating a farm has a time limit of 30 days from the date of the event instead of the time limit of seven days prescribed by these provisions.

31. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 8 to 15, the first, second and fourth paragraphs of section 16 and sections 17 to 22 and 24 to 28 which come into force on 15 April 2002 and the third paragraph of section 16 and section 23 which come into force on 1 January 2004.

4910

Gouvernement du Québec

O.C. 218-2002, 6 March 2002

Nurses Act
(R.S.Q., c. I-8)

Nurses

— Acts contemplated in section 36 of the Act which may be performed by classes of persons other than nurses

— Amendment

Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses

WHEREAS under subparagraph *a* of the first paragraph of section 12 of the Nurses Act (R.S.Q., c. I-8), the Bureau of the Ordre des infirmières et infirmiers du Québec shall, by regulation, determine from among the acts contemplated in section 36 of the Act those which, under certain prescribed conditions, may be performed by classes of persons other than nurses, particularly by nursing assistants;