

Draft Regulations

Draft Regulation

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

Hunting activities — 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 hunting activities, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation prescribes certain measures provided for in the moose management plan approved by the authorities of the Ministère des Ressources naturelles et de la Faune, as well as provisions that will allow managers of controlled territories to adapt the management of white-tailed deer to the local context.

To that end, the draft Regulation proposes the following amendments:

— use of the moose hunting licence for restricted hunting in all controlled territories, irrespective of the area for which the licence was issued;

— use of the hunting licence for white-tailed deer without antlers by hunters other than the licence holder, in wildlife sanctuaries;

— use of the hunting licence for white-tailed deer by hunters other than the licence holder, for group hunting in wildlife sanctuaries with a view to sharing bag limits;

— technical adjustments, in particular to take into account the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

To date, study of the matter has revealed no impact on businesses, in particular small and medium-sized businesses. The proposed amendments will be positive for hunters who will have increased hunting opportunities.

Further information on the draft Regulation may be obtained by contacting Serge Bergeron, Ministère des Ressources naturelles et de la Faune, Direction

des territoires fauniques et de la réglementation, 675, boulevard René-Lévesque Est, 11^e étage, boîte 96, Québec (Québec) G1R 5V7; telephone: (418) 521-3880, extension 4078; fax: (418) 646-5179; e-mail: serge.bergeron@fapaq.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45 days period, to George Arsenaault, Associate Deputy Minister for Faune Québec, Ministère des Ressources naturelles et de la Faune, 675, boulevard René-Lévesque Est, 10^e étage, Québec (Québec) G1R 5V7.

PIERRE CORBEIL,
Minister of Natural Resources and Wildlife

Regulation to amend the Regulation respecting hunting activities*

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, s. 55 and s. 162, par. 9)

1. The Regulation respecting hunting activities is amended by replacing the heading of Subdivision 2 of Division II by the following:

“§2. *Conditions to obtain a hunting licence*”.

2. Section 4 is amended by striking out “, using a type 2 implement” in subparagraph 2 of the second paragraph.

3. Section 6 is revoked.

4. Section 6.1 is amended by replacing “Notwithstanding section 6, when” by “If” and by striking out “also”.

5. The following heading is inserted after section 6.1:

* The Regulation respecting hunting activities, made by Order in Council 858-99 dated 28 July 1999 (1999, *G.O.* 2, 2427), was last amended by the regulation made by Order in Council 460-2004 dated 12 May 2004 (2004, *G.O.* 2, 1640). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 September 2004.

“§3. *Use of a third party’s hunting licence*”.

6. The following is inserted after section 7.2:

7.2.1. In the territories shown in Schedules VI and VII to the Regulation respecting hunting, the members of a group of not more than six hunters who hold the hunting licence for white-tailed deer referred to in paragraph *a* of section 2 of Schedule I to that Regulation may use the hunting licence referred to in paragraph *c* of section 2 of that Schedule held by a member of the group if

(1) all the hunters hold a valid hunting licence for the hunting territory concerned;

(2) the hunters agree to and sign a commitment, in accordance with section 7.2.2, on the use of the hunting licence for white-tailed deer without antlers; and

(3) the hunters give a copy of the commitment to the officer at the reception station on entering the hunting territory concerned.

7.2.2. The commitment referred to in section 7.2.1 must contain

(1) the name of the holder of the hunting licence for white-tailed deer without antlers, the number of the holder’s regular licence and the number of the holder’s hunting licence for white-tailed deer without antlers;

(2) the names of the hunters who hold a regular hunting licence for white-tailed deer and the licence number;

(3) the name of the hunting territory concerned; and

(4) the date of the commitment and its validity period, which may not exceed the duration of the hunters’ stay in the territory.

7.2.3. Every hunter in the group of hunters that have signed the commitment referred to in section 7.2.1 may use the hunting licence for white-tailed deer without antlers of the person identified in the commitment, for the time specified in the commitment, so long as the licence holder remains present in the hunting territory concerned until a deer without antlers is killed by one of the hunters.

7.2.4. Despite section 24 of the Regulation respecting hunting, in the territories shown in Schedules VI and VII to that Regulation, a holder of a hunting licence for white-tailed deer referred to in paragraph *a* of section 2 of Schedule I to that Regulation who has killed a white-

tailed deer may continue to hunt white-tailed deer using the licence of another holder of a white-tailed deer licence if the holder

(1) agrees to and signs a commitment, in accordance with section 7.2.5, with not more than three other holders of such licences that are valid for the hunting territory concerned, on the mutual use of their respective licences with a view to increasing the bag limit; and

(2) gives a copy of the commitment to the officer at the reception station on entering the hunting territory concerned.

7.2.5. The commitment referred to in section 7.2.4 must contain

(1) the name of each licence holder and his or her licence number;

(2) the name of the hunting territory concerned; and

(3) the date of the commitment and its validity period, which may not exceed the duration of the hunters’ stay in the territory.

7.2.6. Every hunter who signs the commitment referred to in section 7.2.4 may, for the time specified in the commitment, use the hunting licence for white-tailed deer of another hunter identified in the commitment, so long as the licence is valid and the other hunter remains present in the hunting territory concerned.

The hunter must give a copy of the commitment to any wildlife protection officer or wildlife protection assistant who so requests.

7.2.7. A licence holder referred to in section 7.2.4 may not sign another commitment before the end of a prior commitment.”.

7. Section 7.3 becomes section 4.1.

8. The following heading is inserted after section 8:

“§3. *Conditions for holding a hunting licence*”.

9. Section 9 is amended by replacing “type 1 implement” in the first paragraph by “type 13 implement”.

10. Section 10 is amended

(1) by replacing the second paragraph by the following:

“However, the holder of a non-resident “Caribou, valid for Area 23 (winter)” licence may hunt in Area 23, except in the southern part shown on the plan in Schedule XVIII to the Regulation respecting hunting.

The holder of a moose hunting licence may, irrespective of the area for which the licence is issued, participate in a restricted hunt in a wildlife sanctuary or in a hunting expedition in a restricted access sector of a controlled zone in a territory where exclusive hunting rights were granted to an outfitting operation or in the territories whose plans are shown in Schedules CXLVII, CXLVIII and CLXXXIX to the Regulation respecting hunting.”; and

(2) by replacing “specified on his licence” in the last paragraph by “specified on the certificate”.

11. Section 15 is amended by adding the following at the end of the fourth paragraph: “and on the part of Chemin de la Pointe Taillon situated between the intersection of Route 169 and the intersection of Rang 3 ouest”.

12. Section 17 is amended by replacing “outfitting operation” by “outfitter”.

13. Section 19 is amended by replacing “determined for that animal” in the second paragraph by “determined under the Regulation respecting hunting for that animal”.

14. The following is inserted after section 19:

“**19.1.** Every hunter referred to in section 7.2.6 who kills a white-tailed deer shall ensure that, on the same day as the animal’s death, a transportation coupon is attached to the animal; the coupon must come from the hunting licence of a hunter whose name appears on the commitment provided for in that section.

In addition, the holder of a hunting licence whose name appears on the commitment provided for in section 7.2.6 and whose transportation coupon has been attached to a white-tailed deer shall ensure that the coupon remains attached to the animal until it is cut up or stored.”.

15. Section 20 is amended by replacing “A hunter” in the second paragraph by “A hunter or a holder of a hunting licence referred to in the second paragraph of section 19.1”.

16. Section 21 is amended

(1) by replacing “When a hunter kills a caribou, white-tailed deer, moose or black bear, he” in the first paragraph by “A hunter who kills a caribou, white-tailed deer, moose or black bear or the holder of a hunting licence referred to in the second paragraph of section 19.1”;

(2) by replacing “in that paragraph” in the second paragraph by “in that paragraph or the holder of a hunting licence referred to in the second paragraph of section 19.1”;

(3) by replacing “in the case of a white-tailed deer, a hunter” in the third paragraph by “in the case of a white-tailed deer, a hunter or the holder of a hunting licence referred to in the second paragraph of section 19.1”.

17. Section 22 is amended by replacing “hunter” by “hunter or the holder of a hunting licence referred to in the second paragraph of section 19.1”.

18. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 11, which comes into force on 1 December 2005.

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Draft Regulation

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

Scales of fees and duties related to the development of wildlife — 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 the scales of fees and duties related to the development of wildlife, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine the right of access fees for replacement groups, conservation groups and double groups in the Chics-Chocs Wildlife Sanctuary and for double groups in the Rimouski Wildlife Sanctuary.